

## CHAPTER IV

## NEERA

## THE BOMBAYNEERARULES, 1951

{23} G. N., R. D. No. 3838/45, dated 26<sup>th</sup> June 1951 (B. G., Pt. IV-B, p. 1796)

- (1) Amended by G. N., R. D. No. NRA. 1053-dated 8<sup>th</sup> December 1953 (B. G., Pt. IV-B p. 2504).
- (2) Amended by G. N., R. D. No. NRA. 1154-dated 9<sup>th</sup> July 1955 (B. G., Pt. IV-B p. 1426).
- (3) Amended by G. N., R. D. No. NRA. 2060/2308-J dated 1<sup>st</sup> March 1960 (B. G., Pt. IV-B, p. 251).
- (4) Amended by G. N., II. D. No. NER. 1062/28207-III, dated 14<sup>th</sup> March 1963 (M. G., Pt. IV-B, p. 366).
- (5) Amended by G. N., II. D. No. NER. 1162/56352-III, dated 30<sup>th</sup> April 1963 (M. G., Pt. IV-B, p. 484).
- (6) Amended by G. N., II. D. No. BPA. 1059/55336-III, dated 25<sup>th</sup> July 1963 (M. G., Pt. IV-B, p. 1239).
- (7) Amended by G. N., II. D. No. NER. 1062/46095-III, dated 30<sup>th</sup> January 1965 (M. G., Pt. IV-B, p. 520).
- (8) Amended by G. N., II. D. No. NER. 1162/56352-III, dated 6<sup>th</sup> May 1965 (M. G., Pt. IV-B, p. 1035).
- (9) Amended by G. N., II. D. No. NER. 1465/80972-III, dated 19<sup>th</sup> April 1967 (M. G., Pt. IV-B, p. 1213).
- (10) Amended by G. N., II. D. No. NER. 1468-III, dated 7<sup>th</sup> February 1969 (M. G., Pt. IV-B, p. 207).
- (11) Amended by G. N., II. D. No. NER. 1068-III, dated 25<sup>th</sup> February 1970 (M. G., Pt. IV-B, p. 542).
- (12) Amended by G. N., II. D. No. NER. 1867/617941-III, dated 4<sup>th</sup> January 1972 (M. G., Pt. IV-B, p. 166).
- (13) Amended by G. N., II. D. No. NER. 1070/1753-III, dated 4<sup>th</sup> January 1972 (M. G., Pt. IV-B, p. 167).
- (14) Amended by Corrig., II. D., No. NER. 1068-III, dated 10<sup>th</sup> April 1972 (M. G., Pt. IV-B, p. 677).
- (15) Amended by G. N., II. D. No. NER. 0273/3-III, dated 9<sup>th</sup> October 1974 (M. G., Pt. IV-B, p. 1130).
- (16) Amended by G. N., II. D. No. NER. 0279/100/PRO-3, dated 16<sup>th</sup> January 1980 (M. G., Pt. IV-B, p. 95).
- (17) Amended by G. N., II. D. No. NER. 0279/100/PRO-3, dated 11<sup>th</sup> September 1981 (M. G., Pt. IV-B, p. 1965).
- (18) Amended by G. N., II. D. No. NER. 0279/100/4859/PRO-3, dated 14<sup>th</sup> March 1984 (M. G., Pt. IV-B, p. 346).

- (19) Amended by G. N., H. D. No. NER. 0881/139(1)PRO-3, dated 12<sup>th</sup> June 1984 (M. G., Pt. IV-B, p. 924).
- (20) Amended by G. N., H. D. No. NER. 0285/1/PRO-3, dated 5<sup>th</sup> December 1985. (M. G., Pt. IV-B, p. 2894).
- (21) Amended by G. N., H. D. No. 0285/1/PRO-3, dated 15<sup>th</sup> April 1989. (M. G., Pt. IV-B, p. 543).
- (22) Amended by G. N., H. D. No. NER. 0285/1/PRO-3, dated 16<sup>th</sup> February 1991. (M. G., Pt. IV-B, p. 317).
- (23) Amended by G. N., H. D. No. NER. 0265/1/EXC-3, dated 12<sup>th</sup> October 1992. (M. G., Pt. IV-B, p.).
- (24) Amended by G. N., H. D. No. NER. 0285/1/EXC-3, dated 7<sup>th</sup> February 1994. (M. G., Pt. IV-B, p. 294).

In exercise of the powers conferred by Section 143 of the Bombay Prohibition Act, 1949 (Bom. XXV of 1949), and in supersession of Government Notification in the Revenue Department No. 3838/45, dated the 21st January 1949, the Government of Bombay is pleased to make the following rules, namely :

1. **Short title.**—These rules may be called the Bombay Neera Rules, 1951.
2. **Definitions.**—In these rules, unless there is anything repugnant in the subject of context,—
  - (a) “Act” means the @Bombay Prohibition Act, 1949
  - (b) “Form” means a form appended to these rules;
  - (c) “Inspector of Prohibition and Excise” includes a <sup>1</sup>[Sub-Inspector of Prohibition and Excise in charge of a taluka, Tahsil, Petha or Mahal] or any other officer specially appointed for the purpose;
  - (d) “licence” means a licence granted under these rules;
  - <sup>2</sup>[(da) “Neera of standard quality” means the Neera which is—
    - (i) transparent,
    - (ii) syrupy,
    - (iii) sweet in smell and taste,
    - (iv) without the slightest foam on its surface,
    - (v) without any tings, and
    - (vi) without any acid or alcoholic fermentation;]
  - (e) “tree” means a neera-producing tree.
3. **Application for licence.**—Any person desiring.—
  - (i) to tap trees and draw neera therefrom—
    - (a) for the manufacture of gur or any other article which is not an intoxicant, or
    - (b) for the supply of neera—
      - (i) to persons licensed to manufacture gur or any other article which is not an intoxicant from neera ; or
      - (ii) to persons licensed to sell neera by retail for consumption on premises, or

<sup>1</sup> Subs. by G. N. of 25-7-1963.

<sup>2</sup> Ins. by G. N. of 14-3-1963.

@ The short title of this Act has been amended as “The Maharashtra Prohibition Act” by Mah. 24 of 2012, s-2, Sch. entry 37, w.e.f. 1-5-1960.

(c) for domestic consumption with the prior permission of the <sup>1</sup>[Commissioner of Prohibition and Excise;]

(ii) to sell neera by retail for consumption on premises, may make an application in the form appended hereto for a licence to the Collector at least one month before the date of tapping a tree or the sale of Neera, as the case may be. An application for tapping trees situated on any Government land shall be accompanied by a certificate from the Government Department concerned to the effect that the applicant has been granted permission to tap the trees. The Collector may either grant or refuse the licence. In case of refusal, the Collector shall record his reasons in writing for refusing the licence. If the Collector decides to grant a licence, he shall issue the same in the appropriate form ordinarily within one month from the date of the receipt of the application; but he may for any special reasons to be record by him in writing issue the same after the expiry of the said period.

3A <sup>2</sup>\* \* \* \* \*

4. **Period of licence.**—A licence shall ordinarily be granted for a period of one year from the 1st day of July to the 30th day of June next following (both days inclusive) :

Provided that, the licence granted on a date subsequent to the 1st day of July shall be granted only for the period from such date to the 30th day of June next following.

5. <sup>2</sup>\* \* \* \* \*

6. **Place of manufacture or of sale.**—

(1) The manufacture of gur or any other article which is not an intoxicant shall be carried on at the place specified in the licence (hereinafter called “the place of manufacture”). Neera shall be sold at the place mentioned in the licence (hereinafter called “the place of sale”). The licensee shall not tap any trees in excess of the number which he is licensed to tap.

(2) No licence for the tapping of trees beyond a radius of half a mile from the place of manufacture shall be granted :

Provided that, the Collector may in his discretion grant licence for the tapping of trees beyond such radius if he is satisfied that for any special reasons such licence is necessary.

7. **Ineligibility for licence.**—No licence to tap trees and draw, supply or sell neera shall be issued to anyone who holds or has any direct or indirect interest in any toddy shop or booth.

8. **Condition of tapping.**—No tree, which is less than <sup>3</sup> [152 cms.] in height from the ground level, shall be tapped nor neera drawn therefrom. No tree shall be tapped nor shall any pot be attached to any tree for the purpose of drawing neera therefrom until the licence thereof has been issued and until the trees have been marked and numbered by the licensee in the manner specified in Rule 9. Juice from any coconut, brab, date or any kind of palm tree shall not be drawn except in receptacle. Such receptacle before it is used for drawing and collecting neera shall be washed with a freshly prepared solution of permanganate of potash and water. After it is so washed it shall be washed again with pure water in order to make it absolutely clean. After the receptacle is washed and rewashed as provided above, fresh milk of lime shall be put in such receptacle in the proportion of 3 cubic centimetres for every [900 ml.] of neera to be drawn therein.

1 Subs. by G. N. of 25-7-1963.

2 Deleted by G. N. of 4-1-1972.

3 Subs by G. N. of 14-3-1963.

**Explanation.**—In this rule—

(i) “milk of lime” means the solution of water and pulp of quicklime in the proportion of 4:1; and

(ii) “pulp of quicklime” means the pulpy precipitate obtained by the gradual addition of water to quicklime.

**9. Making and numbering of trees.**—

(1) No tree shall be tapped unless it is marked by blue with <sup>1</sup>[23 cms.] square in which shall be prominently painted in white the number of the tree, the licence year and the appropriate figures as provided in sub-rule (2). The marking and numbering should be at a height of <sup>1</sup>[76 cms.] measured from the bottom of the tree, and on the northern or southern side of the trunk of the tree as the tapping will be done on the eastern or western side of the crest of the trees :

<sup>2</sup>[Provided that, the marking and numbering on a coconut, palmyra or brab tree may be on any side of the trunk of the tree].

(2) The licensee shall paint the figures specified in column (2) of the table below according as the tree is intended to be tapped for any of the purposes specified against them in column (1) of the said table.

<i>Table</i>		(1)	(2)
Manufacture of gur or any other article which is not an intoxicant			.. I
Domestic consumption	..	..	.. II
Sale of Neera	..	..	.. III
Supply of Neera	..	..	.. IV

**10. <sup>3</sup>[Authorisation Certificate].**—

<sup>4</sup>[(1)] Every agent or tapper employed by the licensee in connection with his licence shall be provided with an <sup>5</sup>[authorisation certificate] signed and dated by the licensee. The name of such employee together with the date on which he is appointed shall be communicated forthwith in writing by the licensee to the Inspector of Prohibition and Excise having charge of the area in which the place of manufacture or place of sale, as the case may be, is situated. <sup>5</sup>[Within two months of the date of appointment of such employee, the licensee shall get such <sup>3</sup>[authorisation certificate] countersigned by the said Inspector of prohibition and Excise and if he fails to do so, such <sup>3</sup>[authorisation certificate] shall cease to be valid. No <sup>3</sup>[authorisation certificate] shall be issued to any person under 21 years of age, and no such <sup>3</sup>[authorisation certificate] if issued shall be valid.

(2) Notwithstanding anything contained in the Bombay Prohibition (Privileges Fees) Rules, 1954, no fee shall be chargeable for any <sup>3</sup>[authorisation certificate] issued by a licensee holding a licence for any of the purposes specified in [rule 31].

**11. Time.**—No neera shall be drawn or lowered down from trees <sup>3</sup>[before 4-00 a.m. or after sunset,] unless otherwise sanctioned by the Commissioner of Prohibition and Excise.

**12. Use of Neera.**—No neera drawn from trees tapped under a licence and intended to be utilised in the manufacture of gur or any other article which is not an intoxicant shall be kept at the place of manufacture <sup>6</sup>[beyond the day on which it is drawn unless it is kept in cold storage under the temperature at or below 4 °C or unless] it is boiled and no such boiled neera shall be kept for more than 24 hours from the time it is boiled.

**13. Transport of Neera.**—Neera drawn under the licence shall not be mixed or adulterated with toddy or <sup>6</sup>[any substance or liquid which is injurious to human health

1 Subs. by G. N. of 14-3-1963.

3 Subs by G. N. of 1-3-1960.

5 Added, *ibid.*

2 Added by G. N. of 25-2-1970.

4 Ins. by G. N. of 9-7-1955.

6 Subs. by G. N. of 25-2-1970.

which is likely to cause fermentation in the neera] or taken to any place except under a valid transport pass :

Provided that, no such pass shall be necessary to the holder of a licence in Form N-II for the removal of the neera drawn by him from the licensed trees to the place of his residence.

**14. Inspection of trees.**—Any person tapping trees for drawing neera under these rules shall bring down the receptacles attached to any of the trees so tapped for inspection on demand by any officer of the Prohibition and Excise, Revenue or Police Department, above the rank of a constable.

<sup>1</sup>[**15. (1) Registers.**—A person holding a licence in Form N-I, N-III and N-IV shall maintain registers in Forms—

N-I	N-III	and	N-IV
—	—		—
R	R		R

respectively and write therein true accounts from day today of all neera transactions :

(2) A person holding a licence in Form N-IV shall also maintain a register of persons holding a licence in Form N-I and N-III and neera supplied to them from day to day in Form N-IV/NR.

(3) The pages of registers maintained under sub-rules (1) and (2) above shall be serially numbered and sealed with the seal of the Mamlatdar or Mahalkari, Tahsildar or Naib-Tahsildar.

(4) A person holding a licence in Form N-I, N-III or N-IV shall submit to the local Inspector of Prohibition and Excise not later than the 7th of each month, monthly returns in Forms N-I/S, N-III/S and N-IV/S respectively showing the abstract of all neera transactions for the preceding month.]

**16. Inspection of the place of Manufacture or sale.**—The place of manufacture or the place of sale as well the registers shall be open to inspection by any officer of the Prohibition and Excise Department not lower in rank than that of a Sub-Inspector or any other officer or person duly authorised in this behalf. The officer or the authorised person shall record his observations in the inspection book maintained by the licensee.

**17. Penalty.**—In the event of any breach of any of the provisions of these rules or of any of the terms or conditions of the licence granted under these rules, the licence shall be liable to be cancelled or suspended under section 54 or 56 of the Act, without prejudice to any penalty to which the licensee may be liable under the said Act or any other law for the time being in force.

#### FORM N-I

***Licence for the tapping of neera-producing trees and drawing neera therefrom for the manufacture of gur or any other article which is not an Intoxicant***

(No fee leviable)

Licence is hereby granted under and subject to the provisions of the Bombay Prohibition Act, 1949 and the rules, regulations and orders made thereunder and the conditions of this licence to Shri ..... (hereinafter called "the licensee") residing at ..... authorising him during

<sup>1</sup> Subs. by G. N. of 14-3-1963.

the period commencing from ..... to .....  
 (both days inclusive) to tap and draw neera for the manufacture of gur or any other article  
 which is not an intoxicant at ..... (hereinafter called “the  
 place of manufacture”) from the trees specified in the Schedule hereinafter appended  
 (hereinafter referred to as “the said trees”) growing within the limits of the village of  
 ..... in <sup>1</sup>[taluka/tahsil] ..... of  
 ..... the district of ..... and in the  
 survey numbers specified in the said Schedule.

This licence is granted subject to the following conditions, namely;

**Conditions**

1. The licensee shall not tap any trees other than the said trees nor shall he allow any neera drawn under this licence to ferment.

2. Each of the said trees shall be marked and numbered at the expense of the licensee either by the licensee or by any agent duly authorised by him in this behalf in the manner specified in rule 9 of the Bombay Neera Rules, 1951. The licensee shall not tap or cause to be tapped any of the said trees or draw or cause to be drawn neera therefrom until the said trees are marked and numbered as aforesaid. Juice from any coconut, brab, date or any kind of palm tree shall not be drawn except in a receptacle. Such receptacle before it is used for drawing and collecting neera shall be washed with a freshly prepared solution of permanganate of potash and water. After it is so washed it shall be washed again with pure water in order to make it absolutely clean. After the receptacle is washed and re-washed as provided above, fresh milk of lime shall be put in such receptacle in the proportion of 3 cubic centimetres for every <sup>2</sup>[900 ml.] of neera to be drawn therein.

*Explanation.*—In this condition—

(i) “Milk of lime” means solution of water and pulp of quicklime in the proportion of 4:1; and

(ii) “pulp of quicklime” means the pulpy precipitate obtained by the gradual addition of water to quicklime.

3. The licensee shall convey the entire quantity of the neera drawn by him from the said trees under this licence to the place of manufacture by a direct route and to no other place.

<sup>3</sup>4. No neera shall be kept at the place of manufacture beyond the day on which it is drawn unless it is kept in cold storage under the temperature at or below 4 °C or unless it’s boiled, and no such boiled neera shall be kept for more than 24 hours from the time it is boiled.]

5. The licensee shall carry on the business either personally or by an agent duly authorised by him in this behalf by written <sup>4</sup>[authorisation certificate] signed by himself. The name of each agent and the date of his appointment shall be communicated forthwith in writing by the licensee to the Inspector of Prohibition and Excise having charge of the area in which the place of manufacture is situated. The licensee shall be responsible for the breach of any of the conditions of this licence by any persons so authorised.

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1. Subs. by G. N. of 25-7-1963.  
 2. Subs. by G. N. of 14-5-1963.  
 3. Subs. by G. N. of 25-2-1970.  
 4. Subs. by G. N. of 11-3-1960.

6. The licensee shall abide by the conditions of the licence and the provisions of the Bombay Prohibition Act, 1949 and the rules, regulations and orders made thereunder and shall give an undertaking to that effect.

7. The licensee, his heirs, legal representatives or assignees shall have no claim whatsoever to the continuance or renewal of this licence after the expiry of the period for which it is granted. It shall be entirely within the discretion of the Collector to permit or not the assignee of the licence, in case of sale or transfer, or the heir or legal representative of the licensee, in case of death, to have the benefit of the licence for the unexpired portion of the term for which it is granted.

8. This licence may be suspended or cancelled in accordance with the provisions of section 54 or 56 of the said Act.

#### SCHEDULE

##### *Particulars of Trees in respect of which the licence is granted*

Village and Survey No.	Description of field or garden	No. and kind of trees licensed to be tapped Coconut, Brab, Date, Sago Palm	Remarks
(1)	(2)	(3)	(4)

Granted this                      day of                      19   .

Seal of the  
Collector

Collector.

## FORM N-II

**Licence to tap Neera-producing Trees and draw Neera therefrom for Domestic Consumption**

(No fee leviable)

Licence is hereby granted under and subject to the provisions of the Bombay Prohibition Act, 1949 and the rules, regulations and orders made thereunder and the conditions of this licence to Shri ..... (hereinafter called "the licensee") residing at ..... authorising him during the period commencing from ..... to ..... (both days inclusive) to tap for and draw neera from the ..... trees specified in the Schedule hereinafter appended (hereinafter referred to as "the said trees") growing within the limits of the village of ..... in the <sup>1</sup>[taluka/ tahsil] of ..... and in the Survey Number specified in the said Schedule for the purpose of using the neera for domestic consumption only by the licensee and the persons of his household.

This licence is granted subject to the following conditions, namely;

*Conditions*

1. Each of the said trees hereby licensed to be tapped shall be marked and numbered by the licensee at his own expense in the manner specified in the Bombay Neera Rules, 1951. The licensee shall not tap or cause to be tapped any of the said trees or draw or cause to be drawn neera therefrom, until the said trees shall have been marked and numbered as aforesaid.

The licensee shall not tap, or cause to be tapped or draw neera from any trees not licensed to be tapped by him. Juice from any coconut, brab, date or any kind of palm tree shall not be drawn except in a receptacle. Such receptacle before it is used for drawing and collecting neera shall be washed with a freshly prepared solution of permanganate of potash and water. After it is so washed it shall be washed again with pure water in order to make it absolutely clean. After the receptacle is washed and re-washed as provided above, fresh milk of lime shall be put in such receptacle in the proportion of 3 cubic centimetres for every 900 ml. of neera to be drawn therein.

*Explanation.*—In this condition—

(i) "milk of lime" means solution of water and pulp of quick-lime in the proportion of 4:1; and

(ii) "pulp of quicklime" means the pulpy precipitate obtained by the gradual addition of water to quicklime.

2. The licensee shall convey the entire quantity of the neera drawn by him under this licence to his place of residence by a direct route. The licensee shall not draw neera from the said trees <sup>2</sup>[before 4.00 a.m.] or after sunset and shall not convey the neera from the said trees after sunset. The licensee shall not convey or allow to be conveyed any neera drawn under this licence, to any place other than his place of residence. He shall use such neera only for the purpose of domestic consumption and shall not sell or supply neera to others. The unconsumed balance of neera may be used for the manufacture of gur or any other article which is not an intoxicant before it is fermented. Neera which is fermented shall be destroyed forthwith. No Neera shall be kept till the day following that on which it is drawn unless it is boiled, provided that no such boiled neera shall be kept for more than 24 hours.

1 Subs. by G. N. of 25-7-1963.

2 Subs. by G. N. of 1-3-1960.



3. The licensee shall not sell neera to anybody, not shall he give it to anybody except to a person belonging to his household for such person's personal consumption only.

4. The licensee may, by a written <sup>1</sup>[authorisation certificate] signed by him, authorise any other person to tap the trees hereby licensed and to transport the neera drawn from them. The licensee shall communicate such person's name and date of his appointment to the Inspector of Prohibition and Excise having charge of the area in which the said trees are situated.

5. The licensee shall abide by the conditions of the licence and the provisions of the Bombay Prohibition Act, 1949 and the rules, regulations and orders made thereunder and shall give an undertaking to that effect.

6. The licensee, this heirs, legal representatives or assignees shall have no claim whatsoever to the continuance or renewal of this licence after the expiry of the period for which it is granted. It shall be entirely within the discretion of the Collector to permit or not the assignee of the licence, in case of sale or transfer or the heir or legal representative or the licensee, in case of death, to have the benefit of the licence for the unexpired portion of the term for which it is granted.

7. This licence may be suspended or cancelled in accordance with the provisions of section 54 or 56 of the said Act.

*Explanation.*—For the purposes of this licence, a household shall mean a group of persons residing and messing jointly as the members of one domestic unit.

#### SCHEDULE

No. and kind of trees to the tapped	No. and situation of part of Plantation/Village	No. of part of Plantation/Survey No.	Owner's name
(1)	(2)	(3)	(4)

Granted this ..... day of ..... 19 .. .

Seal of the  
Collector

Collector.

<sup>1</sup> Subs. by G. N. of 1-3-1960.

## FORM NA-III

1\* \* \* \* \*

## FORM N-III

***Licence for the retail sale of neera for consumption on premises***

Licence is hereby granted under and subject to the provisions of the Bombay Prohibition Act, 1949 and the rules, regulations and orders made thereunder and the conditions of this licence to Shri ..... (hereinafter called “the licensee”) residing at .....<sup>1\*</sup> \* \* authorising him during the period commencing from..... to ..... (both days inclusive) to sell neera by retail for consumption on his premises situated at ..... (hereinafter called “the said place of sale”).

This licence is granted subject to the following conditions, namely :

***Conditions***

1. The licensee shall not sell or keep for sale neera unless—

<sup>2</sup>[(i) it is neera of standard quality;]

(ii) it has been obtained from a supplier approved and licensed by the Collector and at a rate not exceeding that <sup>2</sup>[prescribed by the Government] from time to time under the Act.

2. The licensee shall not keep, sell or expose for sale neera, which has begun to ferment or <sup>3\*</sup> \* \* \*which is adulterated.

The licensee shall forthwith destroy all neera which is not in accordance with the standard prescribed and he shall not be entitled to any compensation therefor.

<sup>4</sup>“3. The licensee shall sell Neera at a rate not exceeding—

(i) Rupees 3.00 per 200 millilitres in the areas within the limits of Municipal Corporation and in the areas within the limits of Municipal Council of Lonavala and of the Hill Stations of Matheran and Mahabaleshwar.

(ii) Rupees 2.50 per 200 millilitres in any other areas in the State”.]

4. The licensee shall not keep or store neera in any place other than the said place of sale nor shall he allow anyone to remove any quantity of neera from the said place.

Provided that the unsold neera may be removed to the place of manufacture of gur or any other article which is not intoxicant (if a separate place is approved for the purpose) and stored thereafter it is boiled, in the manner prescribed :

<sup>5</sup>[Provided further that, the licensee, may under a transport pass, remove neera to any other place of sale in respect of which a licence in Form N-II is granted.]

5. The licensee shall not stock or sell neera in a fermented state.

<sup>6</sup>[6. No neera shall be sold or served <sup>7</sup>[outside the said place of sale, except in such quantities at a time as does not exceed the quantity of neera which the State Government

1 Deleted by G. N. of 4-1-1972.

3 Deleted by G. N. of 25-2-1970.

5 Added by G. N. of 25-2-1970.

7 Subs. by G. N. of 12-6-1984.

2 Subs. by G. N. of 14-3-1963.

4 Subs. by G. N. of 7-2-1994.

6 Subs. *ibid.*

may direct that any person may possess and transport without any one hour before sunrise and after sunset at any other place of sale. No neera which is not of standard quality or which is fermented shall be sold. The unsold balance of neera may be used for manufacture of gur or any other article, which is not an intoxicant before it is fermented. Neera which is fermented shall be destroyed forthwith. No neera shall be kept beyond the day on which it is received at the place of sale, unless it is preserved in good condition in cold storage under the temperature not exceeding 16 °C or unless it is boiled and no such boiled neera shall be kept for more than 24 hours from the time it is boiled.]

7. The licensee shall be bound to supply at his cost sample of neera, received or sold by him whenever required for analysis. The result of the analysis shall be binding on him for the purposes of dealing with him, either under the conditions of this licence or under the Bombay Prohibition Act, 1949 or Rules framed thereunder.

8. The licensee shall provide himself with all the requisite receptacles, vessels, containers and glasses and standard measures of such metal and capacity as may be prescribed by the Commissioner of Prohibition and Excise. All the copper and brass pots used in the storage or selling shall be properly tinned from inside and kept clean.

9. This licence shall be hung up in a conspicuous position in the said place of sale and a sign-board of the size and description specified by the Commissioner of Prohibition and Excise shall be affixed on the outside of the said place of sale. On such sign-board the following words in the regional language of the district and in Hindi shall be painted :

“LICENSED TO SELL NEERA BY RETAIL”.

10. The licensee shall enter every day in the book of the supplier the quantity of neera received by him daily from such supplier and shall sign his name under such entry in token of his having received such quantity of neera. Similarly, the licensee shall enter such quantity in the book maintained by him and obtain below such entry the signature of the supplier or his authorised agent in token of his having supplied such quantity of neera.

11. The licensee shall not sell neera except at the premises previously approved by the Collector. Such premises, all stocks of neera contained therein and all accounts relating to the sale of neera shall, at all reasonable times, be open to inspection by an officer of the Prohibition and Excise Department not below the rank of a Sub-Inspector or any other officer or person duly authorised in this behalf.

12. The licensee shall maintain such accounts as may be prescribed by the Commissioner of Prohibition and Excise under the Act. He shall also maintain a visit-book serially paged for the remarks of the inspecting officers.

13. The licensee shall submit returns as may be prescribed by the Commissioner of Prohibition and Excise under the Act.

14. <sup>1</sup>\* \* \* \* \*

15. The licensee shall carry on the business whether personally or by an agent duly authorised by him in this behalf, by a written <sup>2</sup>[authorisation certificate] signed by himself. The name of each agent and the date of his appointment shall be communicated forthwith in writing by the licensee to the Inspector of Prohibitions and Excise having charge of the area in which the said place of sale is situated. <sup>3</sup>[Within two months of the date of appointment of such agent, the licensee shall get the <sup>2</sup>[authorisation certificate] issued to such agent countersigned by the said Inspector of Prohibition and Excise and if

<sup>1</sup> Deleted by G. N. of 9-7-1955.

<sup>2</sup> Subs. by G. N. of 1-3-1960.

<sup>3</sup> Ins. by G. N. of 9-7-1955.

he fails to do so, such <sup>1</sup>[authorisation certificate] shall cease to be valid. No <sup>1</sup>[authorisation certificate] shall be issued to any person under 21 years of age, and no such [authorisation certificate] if issued shall be valid.] The licensee shall be responsible for the breach of any of the conditions of this licence committed by any person so authorised.

**16.** No partnership entered in to by the licensee after the granting of the licence shall be recognised for the purpose of the licence, unless the Collector, no receipt of an application from the licensee, agrees in writing to enter the name of the partner in the licence.

**17.** The licensee shall abide by the conditions of this licence and the provisions of the Bombay Prohibition Act, 1949 and the rules, regulations and orders made thereunder and shall give an undertaking to that effect.

**18.** The licensee, his heirs, legal representatives or assignees shall have no claim whatsoever to the continuance or renewal of this licence after the expiry of the period for which it is granted. It shall be entirely within the discretion of the Collector to permit or not the assignee of the licence, in case of the sale or transfer or the heir or legal representative of the licensee in case of death, to have the benefit of the licence for the unexpired portion of the term for which it is granted.

**19.** This licence may be suspended or cancelled in accordance with the provisions of section 54 or 56 of the said Act.

Granted this ..... day of ..... 19 ..

Seal of the  
Collector.

Collector.

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<sup>1</sup> Subs. by G. N. of 1-3-1960.

## FORM N-IV

***Licence to tap and draw Neera from Nira-producing trees for the supply of Neera to persons Manufacturing gur or any other article which is not an intoxicant from Neera or to persons licensed to sell neera by retail for consumption on premises***

Licence is hereby granted under and subject to the provisions of the Bombay Prohibition Act, 1949 and the rules, regulations and orders made thereunder and the conditions of this licence to Shri .....  
(hereinafter called "the license") residing at .....

1 \*                    \*                    \*                    \*                    \*                    \*

authorising him during the period commencing from ..... to .....  
(both days inclusive) to tap for and draw neera from the trees specified in the schedule hereinafter appended (hereinafter referred as "the said trees") growing within the limits of the village of ..... in the taluka of ..... in the district of ..... and in the survey numbers specified in the said schedule for the purpose of supply thereof to persons manufacturing gur or any other article which is not an intoxicant from neera or to persons licensed to sell neera retail for consumption on premises.

This licence is granted subject to the following conditions, namely :

***Conditions***

1. Each of the said trees shall be marked and numbered at the expense of the licensee either by the licensee or by any agent duly authorised by him in this behalf in the manner specified in rule 9 of the Bombay Neera Rules, 1951. The licensee shall not tap or cause to be tapped any of the said trees or draw or cause to be drawn neera therefrom until the said trees are marked and numbered as aforesaid.

2. The licensee shall not convey the neera drawn by him from the said trees to any place except the place where gur or any other article therefrom is manufactured or the place where neera is sold in retail and in respect of which licence in Form N- Ior N-III, as the case may be, is held :

<sup>2</sup>[Provided that, he may, with the written permission of the Collector or the Superintendent of Prohibition and Excise collect neera drawn from trees in different parts or groves at a convenient central place before conveying it to such place. The licensee may, with a like written permission, collect neera drawn by him at a place where arrangements are made by him for freezing it before conveying it to a place where arrangements are made by him for freezing it before conveying to the place of sale. The licensee shall not draw neera from the said trees after sunset and before 2.00 a.m. (Standard Time) or shall not, except with the written permission of the Collector or the Superintendent of Prohibition and Excise, convey neera from the said trees at any time after 8.00 p.m. (Standard Time).]

3. Juice from any coconut, brab, date or any kind of palm tree shall not be drawn except in a receptacle. Such receptacle before it is used for drawing and collecting neera shall be washed with a freshly prepared solution of permanganate of potash and water. After it is so washed it shall be washed again with pure water in order to make it absolutely clean. After the receptacle is washed and rewashed as provided above, fresh

1 Deleted by G. N. of 4-1-1972.

2 Subs. by G. N. of 25-2-1970.

milk of lime shall be put in such receptacle in the proportion of 3 cubic centimetres for every <sup>1</sup>[900 ml.] of neera to be drawn therein.

*Explanation.*— In this condition —

(i) “ milk of lime “ means the solution of water and pulp of quicklime in the proportion of 4 : 1; and

(ii) “ pulp of quicklime “ means the pulpy precipitate obtained by the gradual addition of water to quicklime.

4. The licensee shall carry on the business either personally or by an agent duly authorised by him in this behalf by a written <sup>2</sup>[authorisation certificate] signed by himself. The name of each agent and the date of his appointment shall be communicated forthwith in writing to the Inspector of Prohibition and Excise having charge of the area in which the said place is situated. <sup>3</sup>[Within two months of the date of appointment of such agent, the licensee shall get the <sup>2</sup>[authorisation certificate] issued to such agent countersigned by the said Inspector of Prohibition and Excise and if he fails to do so, such <sup>2</sup>[authorisation certificate] shall cease to be valid.]

No authorisation certificate shall be issued to any person under 21 years of age, and no such authorisation certificate, if issued, shall be valid.

The licensee shall be responsible for breach of any of the conditions of this licence committed by any person so authorised.

5. The licensee shall not adulterate or mix neera with any foreign substance or liquid whatsoever. He shall supply the neera to persons holding a licence in Form N-III at a rate not exceeding that <sup>1</sup>[prescribed by the Government, from time to time under the Act.]

6. <sup>4\*</sup> <sup>\*\*</sup> <sup>\*</sup> The unsold balance of neera may be used for manufacturing gur or any other article which is not an intoxicant before it is fermented. Neera which is fermented shall be destroyed forthwith.

7. Any officer of the Prohibition and Excise, revenue or Police Department, shall have free access at any time by day or by night to the trees hereby licensed to be tapped.

<sup>5</sup>[8. No neera shall be kept beyond the day one which it is drawn unless it is kept in cold storage under the temperature at or below 4 C or unless it is boiled, and no such boiled neera shall be kept for more than 24 hours from the time it is boiled.]

9. The licensee shall abide by the conditions of this licence and the provisions of the Bombay Prohibition Act, 1949 and the rules, regulations and orders made thereunder and shall give an undertaking to that effect.

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1 Subs. by G. N. of 14-3-1963.

2 Subs. by G. N. of 1-3-1960.

3 Ins. by G. N. of 9-7-1955.

4 Deleted by G. N. of 25-2-1970.

5 Subs. by G. N. of 25-2-1970.

10. The licensee, his heirs, legal representatives or assignees shall have no claim whatsoever to the continuance or renewal of this licence after the expiry of the period for which it is granted. It shall be entirely within the discretion of the Collector to permit or not the assignee of the licence, in case of sale or transfer, or the heir on legal representatives of the licensee, in case of death, to have the benefit of the licence for the unexpired portion of the term for which it is granted.

11. This licence may be suspended or cancelled in accordance with the provisions of section 54 or 56 of the said Act.

*Schedule*

No. and kind of trees to be tapped	Place and situation of part of Plantation/Village	No. of part of Plantation/Survey No.	Proprietor's name
(1)	(2)	(3)	(4)

Granted this the ..... day of 19 .. .

Seal of the Collector

Collector.

**FORM OF APPLICATION**

To,

The Collector, ..... District.

Sir,

I the undersigned ....., residing at ..... desire—

\*1) to tap the neera-producing trees described in the schedule hereto and draw neera therefrom—

(a) for the manufacture of gur or any other article which is not an intoxicant ;

(b) for the supply of neera —

(i) to person manufacturing gur or any other article which is not an intoxicant from neera; or

(ii) to person licensed to sell neera by retail for consumption on premises ;

(c) for domestic consumption.

(2) to sell neera for consumption on premises and accordingly apply for the necessary licence.

\*2. Number of members in my household who drink neera are —

3. I hereby undertake to use the neera for the above mentioned purposes.

*SCHEDULE*

No. and kind of trees to be tapped	Situation of trees to be tapped	*Owner's †Proprietor's name and signature in token of his consent to the trees being tapped	Remarks
(1)	(2)	(3)	(4)

\* Retain only that which is necessary and cancel the remaining items.

† Not to be filled in the case of trees standing on Government land but a separate certificate from the Department concerned should be appended.

Place :

Signature of the Applicant.

Date :



<sup>1</sup>[FORM No. N-I/R

[See rule 15(1)]

**Register of Neera drawn and used in the manufacture of Gur and other Articles of the  
Plam-Gur Centre No. .... at ..... in the Taluka of  
..... in the District of .....  
during the month of ..... 19 .**

NAME OF N-I LICENSEE .....

Date	Quantity of Neera drawn		Quantity of neera destroyed	Quantity of neera used for manufacture of Gur and other articles
	<sup>2*</sup> Total No. of Trees tapped	1 ml.	1 ml.	
(1)	(2)		(3)	(4)

Articles manufactured from Neera—

Gur	Sugar	Sweets	Rab (Sugar syrup)	Signature of the Licensee or his Authorised Servant
Kg. g.	Kg. g.	Kg. g.	Kg. g.	
(5)				

1 Added by G. N. of 14-3-1963.

2 Deleted by G. N. of 25-2-1970.

## FORM No. N-III/R

[See rule 15(1)]

**Register of Receipts and Sales of Neera at the Neera Retail Sale Centre No.**  
 ..... **at** ..... **in the Taluka of**  
 ..... **in the District of**..... **during the month**  
**of**..... **19** .

NAME OF THE N-III LICENSEE .....

## Quantity of Neera received

Date	1 ml.	Pass or Note No. and Date	Name of the supply centre from which received	Time of receipt		Quantity of Neera sold	Quantity of Neera destroyed
				hrs.	mts.	1 ml.	1 ml.
(1)		(2)				(3)	(4)

## Articles manufactured from Neera—

Quantity of Neera used for manufacture of Gur and other articles	Gur	Sugar	Sweets	Rab (Sugar syrup)		Closing time	Signature of the Licensee or this Authorised Servant
				Kg. g	Kg. g		
1 ml. (5)	Kg. g	Kg. g	Kg. g	Kg. g	Kg. g	hrs. mts. (7)	(8)

## FORM No. N-IV/R

[See rule 15(1)]

*Register of Neera drawn and supplied from the Neera Supply Centre No. .... at ..... in the Taluka of..... in the District of..... during the month of..... 19*

NAME OF THE N-IV LICENSEE .....

Date	Quantity of Neera drawn		Quantity of Neera supplied to persons holding licence for		Quantity of Neera destroyed
	Total No. of trees tapped	1 ml.	Retail sale	Manufacturing Gur and other articles	
(1)	(2)	(2)	1 ml.	1 ml.	(4)

Quantity of Neera used for manufacture of Gur and other articles	Articles manufactured from Neera—				Signature of the Licensee or his Authorised Servant
	Gur	Sugar	Sweets	Rab (Sugar syrup)	
1 ml. (5)	Kg. g.	Kg. g.	Kg. g.	Kg. g.	(7)

<sup>1</sup> Deleted by G. N. of 25-2-1970.



## FORM No. N-I/S

[See rule 15(4)]

**Return showing Neera drawn and used in the manufacture of Gur and other articles at the Palm-Gur Centre No. .... at ..... in the Taluka of ..... in the District of ..... during the month of ..... 19.**

NAME OF N-I LICENSEE .....

Month and Year (1)	Quantity of Neera drawn		Quantity of Neera destroyed		Quantity of Neera used for manufacture of Gur and other articles
	1*	Total No. of tree tapped (2)	1 ml.	1 ml. (3)	1 ml. (4)

Articles manufactured from Neera				Signature of the licensee or his Authorised Servant (6)
Gur Kg. g	Sugar Kg. g	Sweets Kg. g	Rub (Sugar syrup) Kg. g	

1 Deleted by G. N. of 25-2-1970.

**FORM No.N-III/S**

[See rule 15(4)]

**Return showing the Receipts and Sales of Neera at the Retail Sale Centre**  
**No. .... at ..... in the Taluka**  
**of..... in the District of.....**  
**during the month of..... 19.**

NAME OF THE N-III LICENSEE .....

## Quantity of Neera Received

Month and Year	Quantity of Neera Received		Name of the supply Centre from which received	Quantity of Neera sold	Quantity of Neera destroyed
	1 ml.	Pass or Note Nos.		1 ml. (3)	1 ml. (4)
(1)		(2)			

## Articles manufactured from Neera

Quantity of Neera used for manufacture of Gur and other articles	Articles manufactured from Neera				Signature of the licensee or his Authorised Servant
	Gur	Sugar	Sweets	Rub (Sugar syrup)	
(5)	Kg. g	Kg. g	Kg. g	Kg. g	(7)
			(6)		

## FORM No. N-IV/S

[See rule 15(4)]

**Return showing Neera drawn and supplied from the Neera Supply Centre  
No. .... at .....in the Taluka  
of..... in the District of.....  
during the month of..... 19.**

NAME OF N-IV LICENSEE .....

Month and year	1 *	Quantity of Neera supplied to Quantity of Neera drawn persons holding licence				
		Total No. of trees tapped	1 ml.	Retail Sale	Manufacturing Gur and other Articles	Quantity of Neera destroyed
			1 ml.	1 ml.	1 ml.	1 ml.
(1)		(2)		(3)	(4)	(5)

Articles manufactured from Neera				Signature of the licensee or his Authorised Servant
Gur	Sugar	Sweets	Rub (Sugar syrup)	
Kg. g	Kg. g	Kg. g	Kg. g	
			(6)	(7)

**{24} G.O., H.D. No. NRA. 0881/139/(2)/PRO-3 dated 12<sup>th</sup> June, 1984**  
**(M.G., Pt. IV-B, p. 924)**

In exercise of the Powers conferred by condition 6 in Form N-III appended to the Bombay Neera Rules, 1951, (hereinafter referred to as 'the said rules' "the Government of Maharashtra hereby directs that any person above the age of 21 years may possess and transport one litre of neera at a time without any permit or pass, provided that such neera is purchased from a person holding a licence in Form N-III for the retail sale of neera under the said rules.

**{25} G.N., R.D. No. NRA.1053(a), dated 8<sup>th</sup> December, 1953**  
**(B.G., Pt. IV-B, p. 2503)**

In exercise of the Powers conferred by section 6 of the Bombay Prohibition Act, 1949 (Bom. XXV of 1949), the Government of Bombay is pleased to invest the persons mentioned in column 1 of the Schedule annexed hereto with the power specified against them in column 2 of the said Schedule.

*SCHEDULE*

Persons (1)	Powers (2)
Persons holding licences in Form N-IV under the Bombay Neera Rules, 1951, and their servants holding valid <i>Nokarnamas</i> .	Power under section 28 of the said Act to issue passes for the transport of neera from the neera producing trees in respect of which licence is granted under the said rules to the place of a person holding a licence in Form N-I or Form N-III under the said rules in respect of such place.

**{26} G.O., R.D. No. NRA.2056, dated 23<sup>rd</sup> July, 1957**  
**(B.G., Pt. IV-B, p. 1503)**

In exercise of the Powers conferred by clause (c) of section 139 of the Bombay Prohibition Act, 1949 (Bom. XXV of 1949), the Government of Bombay hereby exempts the Marketing Officer, Palm Gur Section of the All India Khadi and Village Industries Board, Bombay (hereinafter referred to as the licensee), holding licences in Form N-III under the Bombay Neera Rules, 1951, for the retail sale of neera for consumption on his premises situated at the Byculla and Thana Railway Station from the provisions of the conditions, specified in column (1) of the schedule annexed hereto, of the said licences to the extent specified in column (2) of the said schedule against the respective condition—

*SCHEDULE*

Conditions (1)	Extent of Exemption (2)
(1) Condition 1 (ii) of the licence in Form N-III held by the licensee for the retail sale of Neera for consumption on premises at the Thana Railway station platform No. 1.	In so far as neera up to 20 gallons per day is obtained from the holder of a licence in Form N-III for the retail sale of neera at the Byculla Railway Station.
(2) Conditions 4 and 6 of the licence in Form N-III held by the licensee for the retail sale of neera for consumption on premises at the Byculla Railway Station.	In so far as neera upto 20 gallons per day is removed from the place of sale to the Thana Railway Station, Platform No. 1, for being sold at the place under licence in Form N - III in accordance with the exemption granted under entry (1) above.



{27} **THE MAHARASHTRA NEERA (IMPORT) ORDER, 1974**  
**G.O., H.D. No. NER. 0874/2-III, dated 3<sup>rd</sup> April, 1974**  
**(M.G., Pt. IV-B, p. 504)**

In exercise of the Powers conferred by clause (b) of sub-section (1) of section 139 of the Bombay Prohibition Act, 1949 (Bom. XXV of 1949), and of all other powers enabling it in that behalf, the Government of Maharashtra hereby makes the following order, namely:—

1. (1) This Order may be called the Maharashtra Neera (Import) Order, 1974.  
 (2) It extends to the whole of the State of Maharashtra.
2. In this Order—  
 (a) “import pass” means an import pass in the Form appended hereto;  
 (b) “neera licence” means licence in Form N-III granted under the Bombay Neera Rules, 1951.
3. No person shall import neera without a valid import pass granted under clause 5 of this order.
4. Any holder of a neera licence desiring to import neera with a view to sell such neera by retail for consumption on premises under such licence, may apply to the Commissioner of Prohibition and Excise, for the grant of a import pass, authorising him to import neera.
5. On receipt of the application under clause 4 the Commissioner may, after such inquiries as he may deem necessary, grant an import pass in the Form hereto appended for the import of neera in the State.
6. No import pass shall be granted for a period beyond the 30th day of June next following the date of commencement of any neera licence under which the imported neera is to be sold.
7. No person shall import neera under an import pass in the Form hereto appended, which is not neera of standard quality within the meaning of the Bombay Neera Rules, 1951.
8. The provisions of the Bombay Neera Rules, 1951 shall, so far as may be applicable, apply in relation to the imported neera as if it (were) was neera within the meaning of those rules.

**FORM**

**Pass for the import of neera into the State of Maharashtra**

1. Serial No.
2. Name and address of the neera licensee.
3. Number of the Neera Licence in Form N-III under the Bombay Neera Rules, 1951.
4. Quantity of neera to be imported.
5. Route.
6. Destination.

This pass is granted under and subject to the provisions of the Bombay Prohibition Act, 1949 (Bom. XXV of 1949), the Bombay Neera Rules, 1951 and the Maharashtra Neera (Import) Order, 1974, authorising the import of neera subject to the following conditions, namely :

- (1) This pass shall remain in force upto . . . . .
- (2) The quantity of neera shall be imported in sealed consignment only and its bulk shall not be broken in transit.

Seal

Commissioner of Prohibition and Excise,  
Maharashtra State, Bombay.

{28}

**THE NEERA (CONSUMPTION) ORDER, 1958**

**G. O., R. D. No. NRA. 1052-J, dated 2<sup>nd</sup> June, 1958**

**(B.G., Pt. IV-B, p. 569)**

1. *Amended by G. O., R. D., No. BPA. 1059/55336-III, dated 30th November, 1961  
(M. G., Pt. IV-B, p. 1162)*
2. *Cancelled by G. O., H. D., No. NRA. 0881/139(3)-PRO-3, dated 12th June, 1984  
(M. G., Pt. IV-B, p. 925)*