

THE ALCHOLIC DRINK PROHIBITION ACT, 1948

Resolution No. 540:- Resolved that the Alcoholic Drink Prohibition Act, forming appendix 'A' to this resolution is passed in supercession of Resolution No. 518 which is hereby repealed. 'Appendix' 'A'

Whereas it is expedient to prohibit the use of illicit possession of alcoholic liquors it is hereby enacted as follows :-

1. This Act may be called the Alcoholic Drinks Prohibition Act No. 517 of 1948.
2. It shall extend to the whole of Azad Kashmir Territory and shall come into force forthwith.
3. In this Act 'Liquor' wherever used shall mean and shall include all intoxicating alcoholic drinks and spirits.
4. No person shall manufacture, possess import, export, sell or purchase or attempt to manufacture import exports, sell or purchase ligour in the Azad Kashmir Territory except under a licence or permit to be used by the Collector of Customs and Excise subject to the restriction specified hereafter.
5. The licence or permit referred to in section (4) shall be issued by the Collector Customs and Excise only for medical purposes or for purposes otherwise specified by this Act.

Exceptions :-

The Collector of Customs and Excise may issue a permit in favour of :

- (a) A non-Muslim individual for his personal use if he is satisfied that the permit given will not be abused;
- (b) The heads of educational institutions for purposes of scientific experiments;
- (c) Manufacturing concerns and individuals for the bonafide use of liquor and spirits in the manufacture or preparation of any goods or materials be specified in the permit;

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(d) Medical practitioners and dispensaries for bonafide medical purposes.

The Collector Customs and Excise shall issue permits or licences

only for purposes authorised by this Act and shall impose

restrictions to be specifically mentioned in the permit as

regards:-

(a) Quantity to be issued at a time;

(b) Frequency of issue of the said quantity;

(c) Period for which the permit or licence will hold good;

Whoever contravenes any of the provisions of section 4, or any order made thereunder shall, on conviction before a first class Magistrate, be punishable with imprisonment which may extend to two years or with fine which may extend to one thousand rupees or with both.

No Muslim shall drink liquor in any public or private place.

No person, being a non-Muslim shall drink liquor in any public place, shop, hotel or place of workshop.

Whoever contravenes any of the provisions of sections 8 or 9, shall on conviction before a second class magistrate, be punishable with imprisonment which may extend to six months or with fine which may extend to two hundred rupees or with both.

All offences, under this Act shall be cognizable and bailable.

Any police officer incharge of a police Station or officer of the Customs and Excise Department may hold a preliminary investigation before a case, is brought in a court of law and shall be competent to conduct any searches in the completion of the investigation.