

THE EXCISE ORDINANCE

Excise Notification No. 862

BY virtue of the powers vested in me under Section 25 of the Excise Ordinance (Chapter 52), I, Kairshasp Nariman Choksy, Minister of Finance direct to issue with effect from the date of publication of this notification, License to tap, manufacture and draw fermented Toddy from Kitul Palm.

The conditions and restrictions subject to which tapping license shall be issued to tap, manufacture, draw and sell fermented Toddy shall be set out respectively in the Schedule hereto.

Excise Notification No. 852 published in *Gazette Extraordinary* No. 1261/18 of 06.11.2002 and Excise Notification No. 855 published in *Gazette Extraordinary* No. 1279/6 of 10.03.2003 are hereby rescinded.

KAIRSHASP NARIMAN CHOKSY,
Minister of Finance.

Ministry of Finance,
Colombo 01,
19th November, 2003

SCHEDULE

License to tap, manufacture, draw and sell fermented Toddy from Kitul Palm.

1. " This license shall be granted in respect of Kitul Trees, which are within the village where the applicant for a license has resided during the three years immediately preceding the date of application. The Divisional Secretary's certificate is required for proof of residence. "
2. (a) One person can be given a license to tap a maximum of three (3) trees at any given time.
(b) A license fee of Rs. 50 per tree will be levied for twelve consecutive months beginning from 01st January to 31st December.
3. (a) The garden or gardens where the trees are to be tapped shall be easily accessible for inspection and supervision.
(b) In respect of trees in the same garden or in contiguous gardens preferably in the garden where the applicant resides.
(c) Shall not be in a garden where any palm trees have been licensed for the purpose of supplying any Arrack distillery, Toddy Tavern, or Estate Canteen or shall be situated in any area where in the opinion of the Excise/ Police Departments, grave crimes or offences under the excise crimes are widely prevalent.
4. A license shall not be issued to any person if he or any member of his household.
 - (a) Is a criminal within the meaning of the prevention of Crimes Ordinance ; or
 - (b) Has been convicted of any excise offence for more than three times.
 - (c) Or has been convicted of any excise offence within the two years immediately preceding the date of application of this License.

SALE OF FERMENTED TODDY AT TREE FOOT

The Toddy so collected may be consumed or sold within a radius of 50 meters from the foot of the trees or trees so licensed, such fermented Toddy may not be transported exceeding 1 1/2 litres to any place beyond such land or radius, except on a special permit to transport or possess issued by a Superintendent of Excise on prescribed forms.

5. A License Holder may for reasons,

(a) If the tree owner or occupier of the land objecting the sales within the tree foot radius ;

(b) or for any reason of public complaints objecting the sales within the tree foot radius,

may be given permission to sell in a land further away approved by the Superintendent of Excise in consultation with the Divisional Secretary.

6. In consideration of (5a) and (5b), if an alternate place is approved, a permit to transport and possess Toddy will be issued by a Superintendent of Excise of the Jurisdiction in the prescribed form to the License Holder.

7. Sale of Toddy on route of transport is prohibited.

8. For the purpose of sale the License Holder may erect a temporary shed 3 by 3 meters.

Licensing Authority.

Date: _____

12-120/3