

NOTIFICATIONS

OFFICE OF THE EXCISE COMMISSIONER, ORISSA : CUTTACK

Order No. 4660/Ex. Dt. 04.07.2006

Whereas, the Sub-Inspector of Excise after their recruitment and appointment as such are deputed to training to the Police Training College, Angul followed by distillery training ;

And

Whereas, the Excise Officers are trained on types of still, process of distillation, by products of spirits, arrangement of a distillery, porbing and use of hydrometer, reduction of spirit and blending and all other matters of Excise Technical Manual during the distillery training by the technical experts and the Chief Chemist and technical officer of the distillery;

And

Whereas, the Excise Officers such as Sub-Inspector of Excise and above rank have the required skill and adequate knowledge on the subject of liquor, spirit and intoxicant by virtue of their training and experience in the matter of implementation of the Bihar and Orissa Excise Act, 1915 and the rules made thereunder;

And

Whereas, the Excise Officers are specially trained and experienced in testing by litmus paper and hydrometer, the spirit, liquor and other materials producing alcohol and well acquainted with the testing of density of alcohol and therefore have the expertise to identify the materials used for I.D. liquor or the I.D. liquor and testify the intoxicants;

And

Whereas, their Lordships of the Supreme Court of India in Criminal Appeal No. 881 of 1995 (G. Sahukar Vrs. State of Orissa) observed that even the Excise Authority by mere smell would be competent to decide whether the article is liquor or not;

Now, therefore, the Sub-Inspector of Excise having not less than ten years of experience as such and successfully completed the training at Police Training College, Angul followed by distillery training and the Excise Officers above the rank of Sub-Inspector of Excise like Inspector of Excise, Deputy Supdt. of Excise and Supdt. of Excise are hereby declared as experts on the subject of liquor, spirit and intoxicant for the purpose of Section-45 of the Indian Evidence Act, 1872.

By the Order of Member,
Board of Revenue, Orissa