



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPIL No. 19 of 2025

IN THE MATTER OF SUO MOTO PUBLIC INTEREST LITIGATION **versus**
THE STATE OF CHHATTISGARH

Order Sheet

05/08/2025	This is an office reference. Heard Mr. Prafull N. Bharat, learned Advocate General alongwith Mr. Shashank Thakur, learned Dy. A.G. for the State/respondent. In compliance of the order dated 21/07/2025, the Secretary, Government of Chhattisgarh, Department of Commerce & Industries and Public Enterprises and Link Officer filed his affidavit on 01/08/2025. For ready reference, relevant portion of the said affidavit, is reproduced hereinunder:- <i>“2. That, the Hon'ble Court has registered the Suo Moto Public Interest Litigation on the basis of news item</i>

published with respect to news item published about the liquor shops situated in Sirgitti. That, during the pendency of the present petition the Hon'ble Court took cognizance of two news item reports, the first one published in Hindi daily "Haribhoomi, Bilaspur Edition on 20.07.2025 with a heading "शराब लेकर सड़क किनारे पीने वालों से रहवासी परेशान, बंद करने की मांग, अशोक नगर शराब दुकान का मामला" and another news report published in English Daily, The Hitvad on 21.07.2025 with a heading "Women protest liquor trade, demand action" which relates Patthalgaon, District Jashpur". That, vide order dated 21.07.2205 the Hon'ble Court was pleased to direct the Secretary, Department of Excise, Government of Chhattisgarh or Incharge Secretary to file an affidavit with respect to the above mentioned news items, hence, the present affidavit is being filed.

3. The Deponent most respectfully submits that as far as the news item dated 20.07.2025 published in Haribhoomi with respect to the

disturbance caused by the liquor shop situated in Ashok Nagar Birkona Road, it is most respectfully submitted that the said liquor shop is being run in the said premises since 2020. The liquor shop was opened in the year 2020 as per the prevalent Rules of General Application framed under the Excise Act. An agreement was executed with the owner of the property for running the said shop in the year 2020 and since then the shop is being run at that particular place. A copy of the agreement which was executed on 12.03.2020 is annexed herewith as Annexure D/1.

4. That, it is most respectfully submitted that earlier an Ahata (compound with drinking facility), was being run in the said premises alongwith shop, however, the Department has not auctioned the Ahata (compound) for the financial year 2025-26. That, it has been reported in the newspaper that the shop is situated near school, in this regard it is most respectfully submitted that the shop is being run since 2020. Whereas, the

school has been opened since April 2022 and in this respect an information was sought from the office of District Education Officer, who vide his letter dated 29.07.2025 had informed that a private school named and styled as Himlayan School which is upto 8th standard, is being run since April 2022 and a total number of students enrolled in the said school is 105. A copy of the information received from the District Education Officer dated 29.07.2025 is being annexed herewith as ANNEXURE D/2.

5. That, it is further submitted that the other issues highlighted in the news items are concerned, particularly about the people consuming alcohol on the road, it is submitted that routine inspection is carried out by the officials of the Excise Department as well as the Police Personnel in order to prevent the consumption of liquor in open place and regular action is taken against the erring persons. It is submitted that the respondent department as well as the police has registered case against the persons

who were found consuming liquor in the open/ public places as well as who were providing the facility for drinking and in this regard, it is most respectfully submitted that in the financial year 2024-25 total 10 cases under section 36(c) of the Chhattisgarh Excise Act were registered by the Excise Department wherein, against the persons who were found drinking in open/ public places and in the financial year 2025-26 till date one case under section 36(c) has been registered, whereas, three cases have been registered under section 36(1) (1) against the erring persons in the Ashok Nagar, Birkona area. The issue with respect to the residential colony near the liquor shop is concerned it is submitted that the entry and exist of the liquor shop as well as the residential blocks are entirely separate and the shop is being run in accordance with the Rules. That, the Deponent most respectfully submits that the officials of the Department as well as the Police Personnel keep a vigil in the area and even the salesmen of the shop also

ask the purchasers not to consume liquor in the open place.

6. That, the Deponent further most respectfully submits that vide order dated 21.07.2025 the Excise Officers has been deputed for continuous monitoring and inspection of the various liquor shops situated in Chantidih, Lingiyadih, Sirgitti and Ashok Nagar and they have been directed to keep a vigil on the shops and further to ensure that the people do no consume liquor in open places and also to ensure that the traffic rules are strictly followed and the vehicles are parked in a proper manner. A copy of the order dated 21.07.2025 is being annexed herewith as ANNEXURE D/3.

7. That, as far as the second news item published in The Hitvada dated 21.07.2025 titled as "Women protest liquor trade, demand action" is concerned the Excise Department is continuously taking action against the persons involved in the sale/ manufacturing of illegal liquor. It is submitted that vide order dated 29.03.2025, the District Excise Officer

has deputed the Head Constables and Constables to ensure that the business with respect to the illegal manufacturing and sale of liquor does not takes place and they were directed to carry out continuous visit and parade in the area and to gather information with respect to the persons involved in the trade and to take action against them. A copy of the letter dated 29.03.2025 is annexed herewith as ANNEXURE D/4.

8. That, it is most respectfully submitted that in the financial year 2024-2025 total 14 cases were registered by the Excise Department against the persons involved in the illegal manufacturing/sale of liquor, drinking in open/ public places, providing facilities of drinking to the concerned persons in Purani Bastai, Premnagar, Chirpara, Darpara, Baniyakhar, Lindiyapara and adjoining areas and in the present financial year up to July 2025, total 11 cases against the such persons have been registered. A copy of the information alongwith the report of the Excise

Inspector of the said area are collectively annexed herewith as annexed herewith as ANNEXURE D/5.

9. That, the District Excise Officer, vide letter dated 26.07.2025 directed the Excise Sub-Inspector of the concerned area to ensure regular parade and collection of information so that the persons involved in the illegal manufacturing/sale of liquor may be nabbed and necessary action is taken against them. A copy of the letter dated 26.07.2025 is annexed herewith as ANNEXURE D/6. It is further submitted that vide order dated 26.07.2025 some Excise Constables and Head Constables have been deputed to keep a vigil on the persons involved in illegal manufacturing / sale of liquor. A copy of the order dated 26.07.2025 is annexed herewith as ANNEXURE D/7.”

From bare perusal of the aforesaid affidavit, it goes to show that though the liquor shops and schools are situated at a distant place, but regular monitoring is being done by the Excise/ Police Personnel and the

persons who are found to be consuming liquor on the road, they have also been challaned.

Though regular monitoring is stated to be done, the authorities concerned should ensure that no untoward incident should be reported, failing which appropriate orders will be passed against the erring officials.

Post the matter for further monitoring on **08/09/2025**.

Let the copy of this order be sent to the authorities of the concerned Department through the learned State counsel for necessary compliance forthwith.

Sd/-

(Bibhu Datta Guru)
Judge

Sd/-

(Ramesh Sinha)
Chief Justice