  
**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT  
JODHPUR**

**IN RE:**

**SYSTEMIC VIOLATIONS OF LIQUOR CLOSING HOURS AND  
EXCISE REGULATIONS IN JODHPUR CITY**



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**HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI**

**HON'BLE DR. JUSTICE NUPUR BHATI**

**Order**

**22/05/2026**

1. Article 21 of the Constitution of India guarantees not merely animal existence, but the right to live with dignity, safety, public order and a healthy environment. Article 14 mandates fair, non-arbitrary and uniform enforcement of law, while Article 47 casts a constitutional obligation upon the State to improve public health and endeavour to reduce the harmful effects of intoxicating substances injurious to health. Articles 38 and 39 further obligate the State to secure a social order promoting welfare and minimisation of social harm. These constitutional principles collectively cast a duty upon all constitutional institutions to ensure that statutory regulatory mechanisms framed in public interest are meaningfully implemented and not rendered illusory by systemic non-compliance or enforcement failure.

2. This Court is conscious that the trade in liquor, is not an ordinary trade or business. It is a privilege granted by the State subject to stringent regulatory control, having regard to its well-recognised potential to affect public health, public order, road safety and societal well-being. The State, being the custodian of public interest, is under a solemn obligation to ensure that the conditions of licence, particularly the prescribed closing hours, are not wilfully or systematically violated.



2.11 While this Court is not concerned with the question of prohibition of lawful trade in liquor, the present matter raises grave concerns regarding the erosion of regulatory discipline and institutional accountability. When statutory safeguards and licensing conditions framed in public interest are openly and systematically disregarded, it not only undermines the rule of law but also renders the constitutional objectives under Articles 21 and 47 illusory.

3. In this backdrop, this Court is constrained to take serious note of the grave and systemic violations of prescribed liquor vend closing timings in Jodhpur City. The issue involves continuing after-hours sale of liquor through concealed mechanisms and apparent regulatory failure on the part of the Excise and Police authorities in enforcing the excise laws. These disturbing facts have been brought to the notice of this Court through a detailed investigative report published in Rajasthan Patrika (Jodhpur Edition) dated 16.05.2026 titled:

“शटर डाउन... ‘इमरजेंसी विंडो’ चालू : रात 8 बजे बाद भी धड़ल्ले से बिक रही शराब”

3.1. The said investigative report, published under the heading “Patrika Sting”, supported by photographs, timestamps and field verification, prima facie indicates that despite statutory closing hours applicable to liquor vends, liquor sale allegedly continued openly after 8:00 PM through concealed openings, restricted-access windows and partially shuttered premises at various locations within Jodhpur City.



3.21 The report refers, inter alia, to the following incidents:

(i) Jaljog Chauraha: At approximately 9:06 PM, liquor was allegedly being supplied through a small opening in a closed shutter despite apparent closure of the vend;

(ii) Milkman Colony: At approximately 8:22 PM, the main shutter of the vend was reportedly completely down, yet liquor sale was allegedly continuing through a concealed side opening/window mechanism;

(iii) Near Ashok Udhyan: At approximately 8:14 PM, customers, vehicles and staff were allegedly present outside the vend and liquor sale activity was reportedly continuing despite prescribed closing timings.

3.3. The newspaper report further suggests that such alleged violations may not be isolated instances, but may reflect a recurring pattern of clandestine after-hours liquor sale through so-called “emergency windows” (Chhoti Khidki / Imarjensi Vindi), thereby circumventing statutory restrictions, licensing conditions and regulatory safeguards framed in public interest.

3.4. The sting operation further highlights the apparent inaction, laxity, and possible connivance of local Police and Excise officials, which has permitted this illegal practice to flourish, thereby eroding the rule of law, public trust in governance, and the statutory regulatory framework.

4. The salient features emerging from the newspaper report, prima facie, reveal a serious and systemic breach of the regulatory regime. The report discloses:

(a) continuing and brazen violations of the prescribed closing timings of 8:00 PM and breach of licence conditions in Jodhpur City;

(b) deliberate circumvention of mandatory closure requirements through concealed openings, restricted-access windows and partially shuttered premises;

(c) apparent failure of enforcement, inspection and monitoring mechanisms by the Excise and Police authorities;

(d) recurring use of structural devices such as "emergency windows" (Chhoti Khidki / Imarjensi Vindi) enabling clandestine after-hours sale of liquor, pointing to systemic deficiencies in the enforcement machinery; and

(e) wider concerns relating to public nuisance, road safety, public order and the health of citizens, particularly in residential and sensitive areas.

5. The issue assumes grave significance in view of its wider public ramifications. Unregulated after-hours sale of liquor directly



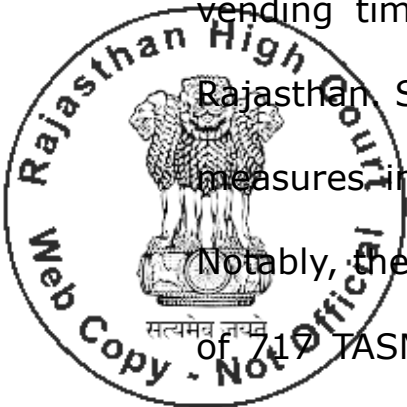
affects public health, road safety, neighbourhood tranquillity, women's and youth safety, and maintenance of public order. Such persistent violations erode public faith in the rule of law and undermine the constitutional objectives under Articles 21 and 47.

6. This Court takes note that the challenge of enforcing liquor vending timings and preventing circumvention is not unique to Rajasthan. Several States have been compelled to take corrective measures in response to similar patterns of regulatory evasion.

Notably, the State of Tamil Nadu has recently directed the closure of 719 TASMAL outlets located in close proximity to educational institutions, places of worship, and public transport hubs. Such actions across jurisdictions reflect a growing recognition that effective regulation of intoxicating substances forms an essential part of the State's constitutional duty to protect public health, public order and the right to a dignified life under Article 21.

7. The regulatory framework governing the trade is primarily contained in the Rajasthan Excise Act, 1950, Rajasthan Excise Rules, 1956, the annual Excise Policy, licence conditions and district-specific orders. Section 41 empowers the framing of rules, while Sections 54 and 58 provide for penal consequences including suspension and cancellation of licences for breaches. Rule 75 of the Rules, 1956 underscores the necessity of strict supervision in the interest of public order and public welfare.

7.1. Section 41 of the Rajasthan Excise Act, 1950 empowers the State Government to frame rules regulating manufacture,



possession, sale, transport and disposal of intoxicants, including prescription of operational restrictions and conditions.

7.2. Sections 54 and 58 of the Act of 1950 contemplate penal and regulatory consequences for unlawful sale and breach of licence conditions respectively, including suspension, cancellation and other consequential proceedings in accordance with law.

7.3. Rule 75 of the Rajasthan Excise Rules, 1956 further reflects the legislative intent that liquor trade must remain subject to strict regulatory supervision, particularly having regard to public order, residential sensitivities, educational institutions, hospitals and public welfare considerations.

8. This Court has repeatedly exercised suo motu jurisdiction in matters involving public health, regulatory failure, environmental degradation, food safety, and erosion of public trust in executive machinery. The doctrine of *parens patriae* obligates the Courts to intervene when executive apathy or complicity threatens fundamental rights and the rule of law.

9. Having regard to the prima facie material placed before the Court, this Court is of the considered opinion that the issue requires immediate judicial scrutiny and coordinated remedial action by the authorities.

10. Accordingly, this Court deems it appropriate to invoke its suo motu jurisdiction in larger public interest.

Let the matter be registered as a writ petition titled:

**SUO MOTU : IN RE:**



## Systemic Violations of Liquor Closing Hours and Excise Regulations in Jodhpur City

Versus

1. State of Rajasthan Through the Chief Secretary, Government of Rajasthan, Jaipur (Raj.).

2. The Principal Secretary, Department of Home, Government of Rajasthan, Jaipur (Raj.).

3. The Principal Secretary, Excise Department, Government of Rajasthan, Jaipur (Raj.).

4. The Director General of Police, Rajasthan, Jaipur (Raj.).

5. The Excise Commissioner, Rajasthan, Excise Commissionerate, Jaipur (Raj.).

6. The Inspector General of Police, Jodhpur Range, Jodhpur (Raj.).

7. The District Collector, Jodhpur (Raj.).

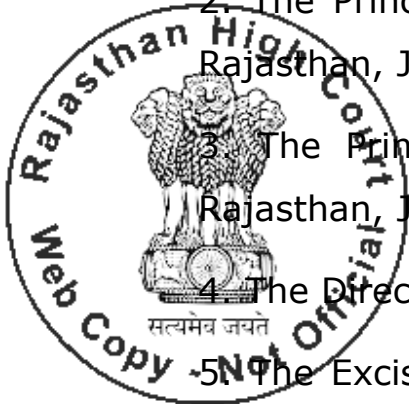
8. The Commissioner of Police, Police Commissionerate, Jodhpur (Raj.).

9. The District Excise Officer, Jodhpur (Raj.).

11. Thus, this Court takes suo motu cognizance of the systemic violations of liquor vending closing hours and the apparent regulatory failure in Jodhpur City, as they directly infringe upon the right to live with dignity and in a safe environment under Article 21 of the Constitution of India and undermine the State's obligation under Article 47 to protect public health. Accordingly, this Court invokes its suo motu jurisdiction and issues the following directions:

(a) Issue notices to the respondents, namely:

1. State of Rajasthan Through the Chief Secretary, Government of Rajasthan, Jaipur (Raj.).



2. The Principal Secretary, Department of Home, Government of Rajasthan, Jaipur (Raj.).
3. The Principal Secretary, Excise Department, Government of Rajasthan, Jaipur (Raj.).
4. The Director General of Police, Rajasthan, Jaipur (Raj.).
5. The Excise Commissioner, Rajasthan, Excise Commissionerate, Jaipur (Raj.).
6. The Inspector General of Police, Jodhpur Range, Jodhpur (Raj.).
7. The District Collector, Jodhpur (Raj.).
8. The Commissioner of Police, Police Commissionerate, Jodhpur (Raj.).
9. The District Excise Officer, Jodhpur (Raj.).



(b) All the respondents are directed to file their respective detailed responses/status reports to the issues highlighted in the newspaper report for consideration of this Court. The newspaper report referred to hereinabove shall be treated as part of the pleadings and shall be specifically addressed by the concerned authorities.

The reports shall specifically address the following:

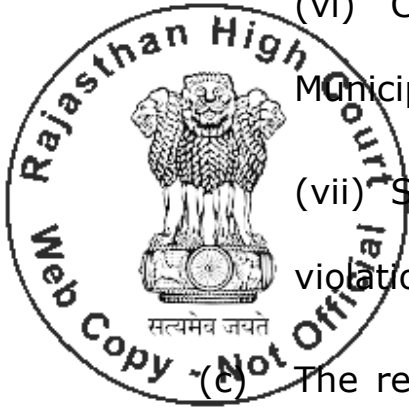
- (i) Action taken against the liquor vends and licensees mentioned in the Patrika Sting report;
- (ii) Steps taken/ proposed for immediate removal of all "emergency windows" (Chhoti Khidki / Imarjensi Vindi) and ensuring complete physical closure of vends at 8:00 PM;
- (iii) Details of inspections conducted in the last three years and action taken against erring licensees and officials;

(iv) Existing mechanism for night-time monitoring and enforcement;

(v) Proposal for mandatory technological interventions including CCTV with live feed, digital billing and e-POS integration;

(vi) Coordination mechanism between Excise, Police and Municipal authorities;

(vii) Steps proposed to prevent recurrence of such systemic violations.



(e) The respondents shall additionally place before this Hon'ble Court:

(a) copies of standard licence conditions presently governing retail liquor vendors;

(b) district-wise timing notifications currently in force;

(c) existing SOPs, circulars or instructions concerning inspection and enforcement;

(d) details of disciplinary proceedings, if any, initiated against officials for dereliction of duty in excise enforcement matters.

12. Pending consideration of the matter, the following interim directions are issued:

(i) The Commissioner of Police, Jodhpur and the District Excise Officer, Jodhpur shall forthwith constitute special enforcement teams for conducting periodic surprise inspections and covert checks of liquor vends during late evening hours (8:00 PM to

12:00 midnight). All such inspections shall, as far as practicable, be geo-tagged and videographed to ensure transparency and accountability.

(ii) The respondents shall examine the feasibility of implementing the following technological and systemic safeguards and submit a comprehensive report:



(a) Mandatory installation of high-resolution CCTV cameras with night vision covering the entire premises of liquor vendors, with live feed linked to the District Excise Control Room and Police Control Room;

(b) Digital billing and e-POS integration with the Excise Department portal;

(c) Effective mechanisms to prevent concealed sales through "emergency windows", back doors or any other structural loopholes;

(d) Photographic and timestamp-based closure verification protocol at 8:00 PM;

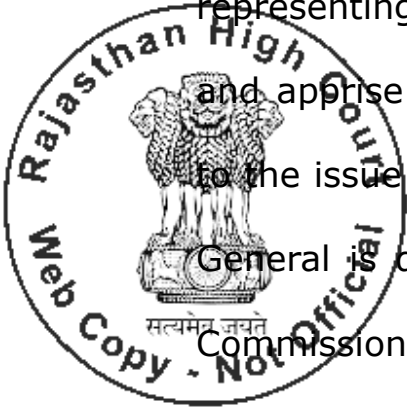
(e) Centralized complaint redressal mechanism for violations of closing hours.

(iii) The respondents shall also indicate whether a district-level integrated monitoring cell comprising officers of Excise, Police and Municipal Corporation can be established for better coordination and real-time enforcement.

(iv) The Excise Commissioner, Rajasthan and District Collector, Jodhpur shall assess and place before this Court the position

regarding liquor vends situated in close proximity to educational institutions, hospitals, residential colonies, places of worship and other sensitive public locations within Jodhpur District, with specific recommendations for stricter regulation, if required.

13. Mr. Mahaveer Bishnoi, learned Additional Advocate General, representing all the respondents, is directed to take instructions and apprise this Court regarding the stand of the State in regard to the issue in question. Furthermore, learned Additional Advocate General is directed to ensure filing of the affidavit of the Excise Commissioner, Rajasthan, Jaipur before the next date.



14. Mr. Pradeep Khichi & Mr. Gopal Sandu, Advocates are appointed as Amicus Curiae to assist the Court in this matter.

15. List the matter on **06.07.2026**, while showing the names of Mr. Mahaveer Bishnoi, learned Additional Advocate General and Mr. Pradeep Khichi & Mr. Gopal Sandu, learned Amicus Curiae in the cause list.

16. The Registry is directed to register the present proceedings as a suo motu Public Interest Litigation under Article 226 of the Constitution of India and furnish a copy of this order alongwith the newspaper report to the learned Amicus Curiae as well as the respondents for necessary compliance.

**(DR. NUPUR BHATI),J**

**(DR. PUSHPENDRA SINGH BHATI),J**

Skant/-