

## **Excise Policy for the year 2010-2011**

### **1. PREAMBLE:**

The Excise Policies since 2006-07 have successfully achieved and strengthened the long term objectives of breaking the cartels and unethical dominance of liquor mafia, broad basing the trade by facilitating the entry of new players of even modest means, plugging the leakage, optimization of revenue, creating ambience for legitimate and responsible drinking and providing good quality liquor at reasonable price to those who drink.

Now, in the year 2010-11, the policy aims at taking the previous gains to a higher level by further consolidation, weeding out the deviations, providing greater stability in the trade, cater to the requirements in a fast changing scenario & clientele and enhancing revenue.

### **2. RETAIL OUTLETS OF COUNTRY LIQUOR (L-14A) AND IMFL (L-2)**

#### **2.1 MANNER OF DISPOSAL:**

All liquor licenses including wholesale or retail sale of country liquor and Indian Made Foreign Liquor shall be granted subject to the provisions of the Punjab Excise Act, 1914 and the Rules/ Regulations/ Instructions/ Policies and orders framed there under from time to time as applicable to the State of Haryana. However, the retail outlets of country liquor (L-14A) and Indian Made Foreign Liquor (L-2) shall be allotted in the following manner :-

#### **(i) Renewal :-**

As per the excise policy for the year 2009-10, the licensees of retail outlets of country liquor (L-14A) and IMFL (L-2) have got the option to get their licenses renewed for the next financial year on such terms & conditions and criteria as fixed by the Government while formulating the excise policy for the year 2010-11.

Therefore, for the year 2010-11, the licenses of retail outlets of country liquor (L-14A) and IMFL (L-2) shall be renewed at an increase of 10% and 5% (except L-2 vends of district Gurgaon, Faridabad, Palwal, Mewat, Rewari & Narnaul which will be renewed at an increase of 8%) respectively over and above the existing license fee of each outlet for the year 2009-10. The existing licensee shall be given an option to

have his/ her license renewed for the next financial year at the enhanced rate of license fee and the such licenses will be renewed on the following terms and conditions :-

(a) Renewal of the existing licenses for the next financial year will be subject to payment of following non refundable and non-adjustable renewal fee:-

S.No.	License Fee of the Vend for the year 2009-10	Renewal Fee
1.	Upto Rs. 25 Lac	Rs. 25,000/-
2.	Above Rs. 25 Lac and upto Rs. 50 Lac	Rs. 50,000/-
3.	Above Rs. 50 Lac and upto Rs. 1 Crore	Rs. 75,000/-
4.	Above Rs. 1 Crore	Rs. 1,00,000/-

- (b) The applicant licensee shall be required to deposit 5% of the license fee of the vend fixed for the year 2010-11 with the consent/ renewal application form as security in addition to the renewal fee.
- (c) If any licensee/ party have interest in more than one outlet and he/it requests for renewal of only selected / few outlets out of those which he/it had in the excise year 2009-10, the ETC(FC) at his sole discretion, in the interest of excise revenue, without assigning any reason what so ever, may reject the request.
- (d) If in any particular place/ city/ district only a few licensees of retail outlets of county liquor (L-14A) and IMFL (L-2) apply for the renewal of their licenses, the request made by them shall be subject to confirmation / approval by the ETC(FC), who may, for reasons to be recorded in writing, reject it. The period of confirmation / approval shall be 10 days from the last date of receipt of such application / request.

(ii) **Sealed Tenders :-**

The licenses of retail outlets of country liquor (L-14A) and IMFL (L-2) which had no licensee towards the end of the year 2009-10 or have not been renewed for the next financial year 2010-11 or incase the existing licensee opts out, the retail outlets shall be allotted separately and singly by inviting sealed bids with fixed upset / reserve price. Further if any licensee of the reserved vend / vends does not apply for

the renewal of his/ her license or does not get his license renewed, the license of that vend shall be de-reserved and allotted by inviting sealed tenders from the general public. However, the reserve price to be fixed for these vends will be assessed afresh by the DETC(Excise) of the district concerned and approved by ETC(FC).

The allotment such retail liquor outlets of country liquor and IMFL as mentioned above shall be made singly and separately. Sealed tenders shall be invited for each vend of the district. The process of allotment shall be conducted by a committee consisting of Deputy Commissioner, Deputy Excise and Taxation Commissioner (Excise), Deputy Excise and Taxation Commissioner(s) (ST) of the respective district in the presence of the participants who wish to be present on the date of allotment to be published by the Department in leading newspapers.

The list of such vends having details of vend name, vend code, urban/rural, location, command area if applicable, quota, reserve price shall be widely published by the Department. The District wise lists of vends of Country liquor and IMFL shall be prominently displayed in the offices of Deputy Commissioner, DETC (Excise) and DETC(s) (ST) of the concerned District, JETC (Range) concerned and official website of the Department i.e *www.haryanatax.com*.

The vend shall be allotted to the highest eligible tenderer quoting **equal to or above** the reserve price of the vend. In case of more than one bid quoting the same highest price, the allottee shall be determined by **draw of lot** among the tenderers quoting the same highest amount. In case there is no bid or no eligible bid equal to or above the reserve price, the bids shall be invited again.

The bids shall be invited singly and separately for each vend of the state to be processed in the concerned District. Separate bids shall be invited for Country Liquor and IMFL vends. The bidder is required to furnish his/her bid only **in the prescribed format** singly and separately for each vend he/ she intends to bid for.

A bidder can apply for any number of vend(s) of any district and the state.

The bid shall be sealed in an envelop containing only the financial bid and one photograph of the bidder affixed on to that. The bid amount shall be in multiple of ten thousands only. In case the bid amount is not in multiple of ten thousands, it will be upgraded to next multiple of ten thousands and treated as such for the bid.

The bid shall constitute of the following:

- (a) Participation fee of Rs.10,000/- in the form of cash or demand draft.

- (b) Earnest money as applicable depending upon the reserved price of the vend, in the form of demand draft in favour of DETC (Excise) of the district.
- (c) Sealed envelop containing the financial bid amount in the prescribed format and a photograph affixed onto that.

Earnest money, participation money shall **not be** put in the sealed envelop and shall be furnished separately.

The bids should be submitted in the office of DETC (Excise) concerned before the last date and time for submission of bids as publicized by the Department. The bids received after the expiry of last date and time shall not be accepted.

The bid shall be duly entered in a page numbered and indexed register to be maintained in the prescribed format in the office of DETC(Excise) by an officer not below the rank of AETO.

The register shall be authenticated by DETC (Excise). Separate register shall be maintained for country liquor vends and IMFL vends. Vend wise receipt of all tenders shall be recorded in the register. There will be one leaf (2 sides/pages) for each vend. Vend code and name of vend shall be recorded on top of the page of the register. Each bid for a vend shall be entered in a date wise manner. It will record Serial number in a running ascending order, Date of submission, Name of bidder, amount, name of bank and demand draft number for earnest money, Details of participation money, Box Number, signature of bidder and signature of the excise official.

The serial number of register shall be recorded on the label to be affixed on the cover of sealed financial bid envelop also. Thereafter, the envelope shall be signed by the bidder and put in the Box.

A duly signed receipt from receipt book shall be granted to the bidder/ participants which will be **his/her pass for entry** into the allotment hall on the date of allotment.

The complete process shall be video graphed.

The sealed bids shall be put in the box by the bidder himself/ herself. The box shall be of suitable size as approved by the committee. It will have one slit through which the bids shall be put in the box. There will be one opening of the Box which shall be locked and sealed by the committee. The keys shall remain with the chairman of the committee i.e Deputy Commissioner of the concerned District.

Each Box shall be prominently marked for type of vend for which the bids are to be placed in the box like CL or IMFL. Each box shall be prominently marked with box number also. There will be separate Boxes for CL and IMFL vends. There will be one Box for each slab of 50 vends. One box for CL and IMFL each may have less than 50 vends for the remaining vends in the last slab.

The boxes shall be placed on suitably mounted place.

Each box shall be sealed by the committee before the start of process of receipt of tenders in the presence of all those who wish to be present. A notice to this effect shall be given by DETC (Excise) locally under intimation to the chairman of the committee.

The boxes shall be opened on the date of allotment by the committee in the presence of all participants who wish to be there. A separate enclosure shall be arranged for media at suitable distance. The proceedings may be allowed to be broadcast live on cable by the committee.

**Police guard** of one NGO, one head constable and 4 constables shall be deployed throughout the bid process where the boxes are kept and stored. The boxes will move to the allotment hall under police guard.

The allotment shall take place at the duly publicized venue on the **date and time** to be fixed by the Excise & Taxation Commissioner, Haryana.

Entry to the venue of allotment shall be regulated by pass issued to bidders. If any such person commits misconduct at the venue, he shall be debarred from participating in the proceedings and the amount of Earnest Money deposited by him along with the application shall be forfeited by the Dy. Excise and Taxation Commissioner, (Excise) of the respective district.

Lists of vend wise bidders shall be displayed at least one day in advance of the date of allotment. Allotment of IMFL vends shall be taken up before the country liquor vends. The boxes shall be taken up in ascending order of its marked number and opened/ processed one at a time. It will be brought before the committee for its examination. The box shall be opened after announcement with regard to vends concerned and number of bidders. The vend wise list of bidders should be kept ready for reference and should be prominently displayed. Thereafter, with the permission of the committee, the seal of the Box shall be opened. The bids shall be brought out and processed vend wise. Vend wise number of bids received from box shall again be announced. Thereafter, vend wise financial bids shall be opened in full view of the

audience in ascending order of vend code. The vend shall be allotted to the highest bidder quoting **equal to or above** the reserve price. The result shall be announced and recorded. In case, there is more than one bid of highest amount, the allottee shall be determined by draw of lot. A transparent jar shall be kept ready for the purpose. The slips of equal size and color shall be used for the purpose of draw of lot. The slip will contain serial number of bidders quoting the highest amount. Slips shall be folded in such a manner that written part shall be not be visible. All slips shall be folded in same manner. No written part on any slip should be visible. The slips shall be properly mixed. The draw shall be conducted by a person from public to be chosen at random by the Chairman of the committee. Rectangular slips of sufficient length be got printed by DETC (Excise), one slip for each serial number. Such slips be got printed well before the date of allotment.

The successful bidder/allottee shall be required to deposit 5% of the bid amount on the day of allotment. In case he/ she fails to deposit the 5% of the bid amount on the said date, the vend shall be re-allotted in accordance with clause 2.6 of the policy at risk and cost of delinquent original allottee. The earnest money shall be forfeited and such allottee shall be black listed for two years.

All successful allottees, before the start of operation of vend, shall be required to file an affidavit and a solvency certificate. Affidavit shall be on a non-judicial stamp paper of the value of Rs. 3/- in the format prescribed in the form. The affidavit will be to the effect that he has not been convicted of any non-bailable offence by a criminal court or of any offence under the Punjab Excise Act or the Opium Act, the East Punjab Opium Smoking Act, 1948, the East Punjab Molasses (Control) Act, 1948, the Indian Power Alcohol Act, 1948 applicable to Haryana or the Narcotic Drugs and Psychotropic Substances Act, 1985. The affidavit will also be to the effect that he is not a defaulter and has paid all past dues of excise revenue in Haryana. The failure to furnish the affidavit or solvency certificate prescribed herein or furnishing false affidavit shall be sufficient ground for cancellation of license, which shall be reallocated at his cost and risk.

Verification of particulars would be made in respect of the successful allottees before the license is actually granted. The verification of documents furnished by the successful allottee shall be made by the Excise Inspector of the respective circle and counter signed by the Excise and Taxation Officer (Excise) / Assistant Excise and Taxation Officer(Excise), before the licence is actually granted.

The list of successful allottees shall also be displayed at a conspicuous place in the office of the Deputy Excise and Taxation Commissioner (Excise) of the respective district. The list shall also be displayed on official website of the Department i.e. Haryanatax.com.

The licenses shall be granted by the Deputy Excise and Taxation Commissioner (Excise) of the district on behalf of the Collector after the approval of the Excise & Taxation Commissioner, Haryana.

**Note:-** All allotments of licenses shall be subject to the approval of the Excise & Taxation Commissioner-cum-Financial Commissioner. The Financial Commissioner may reject, without assigning any reason, any allotment in public interest as the case may be, within 10 days of the date of allotment.

No interest shall be payable on the security amount.

## **2.2 TRANSFER OF LICENSES:**

The licensees of Retail Outlets of Country Liquor (L-14A) and IMFL (L-2) for the year 2010-11 would have the option to get their licenses transferred during the currency of the financial year 2010-11. However, such licenses will be transferred on the following terms & conditions :-

- (i) The applicant (original) licensee shall be required to deposit 2% of the license fee of the vend as transfer fee.
- (ii) The original licensee should not be a defaulter of Haryana Government revenue upto the time of transfer of license.
- (iii) The transfer of the license of retail outlets of liquor during the year 2010-11, will be allowed if and only if the same original licensee was holding the license of the concerned vend during the year 2009-10.
- (iv) Only one transfer will be allowed during the currency of the year.
- (v) Before transfer of the license of the vend, the prospective licensee shall submit all the required documents prescribed under the Excise Policy/ Act/ Rules.
- (vi) The request made by the original licensee for the transfer of license shall be subject to confirmation / approval by the ETC(FC), who may, for reasons to be recorded in writing, reject it.
- (vii) The vend will be transferred in the same category i.e. General/SC/BC(A).

### 2.3 GENERAL CONDITIONS:

The location of each retail outlet shall be specified. The licensee shall make his own arrangements for opening of the retail outlet.

The provisions of the Punjab Shops and Commercial Establishment Act, 1958 in the areas wherein it is in force, shall remain inoperative so far as it relates to hours of sale of liquor in the case of licensed premises. Such licensed premises, however, shall remain closed on the Republic Day (26th January), Independence Day (15th August), Mahatma Gandhi's Birthday (2nd October). The liquor shops shall remain closed in the areas within the concerned constituency and in the adjoining areas of the Constituency for the period where polling is held for State Assembly or Parliament as per directions of Election Commission of India and election to Panchayat/Local Bodies in Haryana as per directions of the Haryana State Election Commission.

No compensation of any kind or relief in license fee/quota on such account shall be given.

The employees working at the retail liquor outlet will be entitled to a weekly rest and their daily working hours will be limited to 8 hours.

Pictures and Photographs of Mahatma Gandhi, Acharya Vinoba Bhave and other National leaders, as notified by the Excise and Taxation Commissioner, Haryana, from time to time, shall not be exhibited on any licensed premises in Haryana under the Punjab Excise Act, 1914.

The licensees shall at no time advertise the sale of liquor by announcing it on loud-speakers or by any other means.

No Compensation of any kind or relief in license fee and quota shall be admissible to any licensee on account of natural calamities such as fire, floods, drought, earthquake or riots etc.

*Explanation:-* For the purpose of this sub-clause, the executive instruction of the Financial Commissioner embodied in paragraph 3.19(e) of the Punjab Excise Manual Volume-III, relating to concession to license holders, shall not be applicable.

Every successful allottee shall be required to furnish two sets of surety bond in form M-75 before the commencement of business.

No person to whom a license for retail liquor outlet is granted shall establish the same on such premises as is situated at a distance of less than 150 meters from the



main gate of a recognized school/ College/ main bus stand and a place of worship. However, Excise Commissioner can relax such distance for the location of retail liquor outlet from 150 meters to 75 meters on the recommendations of the Deputy Excise and Taxation Commissioner (Excise).

The retail liquor outlet on National Highway/ State Highways (except in case of retail liquor outlets located in the areas of Municipal Committees/Municipal Corporations/Councils/Housing Boards or any other local authority/Urban Estates/the areas developed by the colonizers with the approval of the Government) shall be located at a distance as stipulated in the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (41 of 1963). However, regarding location the retail liquor outlet shall also have to conform to the conditions laid down in any other Act/rules as well.

However, in urban areas, the retail liquor outlets may preferably be located in the market places.

No wholesale and retail liquor outlet shall be opened in the municipal limits of the towns of Kurukshetra, Thanesar (except Pipli alongside G.T. Road) and Pehowa falling in the district of Kurukshetra.

Licenses in form L-2 and L-14-A shall not be run on premises used as hotels and/or restaurants or at places providing eatables.

The closure of one or more retail outlets in the specified area shall not entitle the licensee to any rebate/reduction in the license fee.

All levies as prescribed under Excise Policy 2010-11, Punjab Excise Act, 1914 and the Rules/ Regulations framed there under from time to time as applicable to the State of Haryana shall be attracted.

Doubled pot distilled Country spiced spirit of the 50 degree proof shall be sold in sealed bottles for consumption off the premises.

The distilleries shall use pilfer-proof seals on bottles of country spirit of the strength of 50 degree proof and further comply with the standardization norms fixed in this regard from time to time. The distilleries shall affix such HOLOGRAM on country liquor and in such manner as may be prescribed by the Department.

The bottles used in the bottling of country spirit of 50 degree proof and Indian Made Foreign Spirit 75 degree, shall be of pucca glass or PET ones manufactured on fully automatic machines and shall be moulded as provided under the rules.

All labels affixed on bottles of country spirit and IMFS shall bear the inscription "For Sale in Haryana Only" and the statutory warning "Excessive Use of Liquor is Injurious to Health."

#### **2.4. APPLICATION/ PARTICIPATION FEE AND EARNEST MONEY:**

A bidder shall have to deposit a participation fee equal to Rs 10,000/- for each bid for both country liquor and IMFL vends. The participation fee shall be non refundable and non adjustable. The participation fee shall be deposited either in cash in the office of DETC (Excise) concerned or by demand draft in favor of DETC (Excise). In case of cash, a duly signed receipt shall be granted by the office of DETC (Excise). Each bid shall be accompanied with an earnest money payable in the form of bank draft only. The demand draft shall be drawn in favor of DETC (Excise). Depending upon the reserve price, the earnest money shall be as follows:

For vends with reserve price:

- |  |          |
|--|----------|
| i) 0 to less than Rs. 50 lacs          | Rs.1 Lac |
| ii) Rs.50 Lacs to less than Rs.100 Lac | Rs.2 Lac |
| iii) Rs.100 Lac and above              | Rs.5 Lac |

The earnest money shall be refunded in case of unsuccessful bidders. In case of successful allottee, it will be adjusted in the manner prescribed.

#### **2.5. FIXATION OF PHOTOGRAPHS OF PROPRIETOR / PARTNERS**

Each successful allottee shall submit proof of identity having his/ her photograph like voter ID card, passport, ration card, driving license etc. He / she will submit non conviction affidavit and an affidavit to the effect that he/she is not a defaulter of any arrears of excise revenue. All the documents duly attested by a Notary Public or Gazetted Officer, duly stamped with his name and designation shall be submitted before the start of his/ her business.

## **2.6. PROCESS OF ALLOTMENT OF UN-ALLOTTED VEND AFTER THE DRAW OF LOT AND DURING THE CURRENCY OF THE POLICY:**

### **Un-allotted Vends**

Those vends for which, there are no takers and could not be allotted before the start of the financial year, shall again be advertised and after inviting tenders and following the same procedure, shall be allotted at the earliest.

The process of inviting tenders shall be adopted and continued by successively reducing the reserve price in the slab of 5% of original reserve price till it is allotted or upto 30<sup>th</sup> June, which ever is earlier. In case any vend still remains unallotted upto 30<sup>th</sup> June, the vend shall be disposed off by the Excise and Taxation Commissioner taking appropriate measures as he may deem fit in the interest of revenue in consultation with the Excise Collector and the DETC(Excise) concerned.

### **Re-allotment of vends**

In case of re-allotment the process shall begin with inviting tenders on the reserve price computed from original license fee or balanced license fee of the vend by reducing it in the successive slabs of 5% of original license fee or balanced license fee, as the case may be, of vend till it is allotted in the manner prescribed for fresh allotment in the currency of the year. The allotment shall be at the risk and cost of original allottee. In case of higher bid than original, no benefit to original.

**Note:-** In the case of re-allotment of the vend, there will be no reduction in the original quota or balanced quota, as the case may be, of that vend.

## **2.7. LOCATION OF VENDS AND COMMAND AREA:**

The command area shall be prescribed for all rural country liquor vends. The command area will include the area of main vend. Location of each vend shall be indicated in all cases and the vend shall be located within the area specified subject to other provisions of law. The licensee shall make his own arrangement for opening of the retail outlet with prior approval of site plan by the Department. Prior approval of site plan of vend shall have to be obtained from concerned DETC(X) both in case of vends as well as sub vends. The location of business premises shall also have to conform to the provisions of any other Act/Rules, as may be applicable.

No liquor vend or sub vend shall be located in the villages where ‘KANYA GURUKUL’ are functioning.

## **2.8. SUB-VENDS:**

In the case of rural C.L. vends, on specific request from the licensees to avoid smuggling and possibility of illicit distillation or sale of spurious liquor into his command area, sub vend may be allowed by the Joint Excise and Taxation Commissioner (Range), in any of the villages within the command area and the license fee of sub vend shall be fixed flat at Rs. 25000/- per sub vend in case of license fee of main vend is upto Rs. 10 lac and Rs. 50,000/- per sub vend in all other cases. A maximum of three subvends can be granted with any main vend. However, there will be a stipulation of a minimum distance of 2.5 KM between the sub vend and vend/ sub vend of any other licensee. The sub vend shall be subject to all other provisions of law. The sub vend shall be preferable located in the ‘phirni’ of the village. No sub vend shall be allowed to operate on **Scheduled Roads/ State High Ways/ National High Ways**.

The licensee may shift a sub-vend with prior approval of the Joint Excise & Taxation Commissioner (Range) within his command area, in case the sub-vend has to be closed due to court orders, local resistance or any other reason beyond the control of the licensee.

## **2.9. PERMIT KAKSH:**

One permit kaksh, authorized place of drinking with retail vend, shall be allowed per retail outlet of liquor (L-14A/L-2 ) in urban areas and borders with other states to prevent rowdy and drunken behaviour in public. The license fee for PERMIT KAKSH shall be fixed at the rate of 2% of the annual license fee of the vend. The permit kaksh should have proper structure and furniture and shall maintain cleanliness and hygienic environment.

## **2.10. ALLOWING BEER AT COUNTRY LIQUOR VENDS IN RURAL AREAS:**

In order to avoid smuggling and also to promote healthy drinking habits, the sale of Beer shall be allowed at C.L. vends only in rural areas where there is no L-2

vend has been allotted. It will broad base the availability of Beer, a low alcoholic drink.

### 2.11. LIFTING OF QUOTA:

To plug leakage of liquor and safeguard government revenue, lifting of basic quota is stipulated. The current policy provides that the licensee shall lift basic quota allotted to his vend as per prescribed quarterly schedule failing which penal provisions shall be invoked. A licensee shall be required to lift entire basic quota allocated to his/her vend during the financial year 2010-11 in accordance with following schedule of lifting:

	Quarter	Monthwise	
25% of annual basic quota	April	9%	} 25%
	May	8%	
	June	8%	
45% of annual basic quota	July	7%	} 20%
	August	7%	
	September	6%	
75% of annual basic quota	October	10%	} 30%
	November	10%	
	December	10%	
100% annual basic quota	January	9%	} 25%
	February	8%	
	March	8%	

Non compliance of the provision shall attract penalty at the rate of Rs 20/- and Rs 65/- per PL for country liquor and IMFL (on quarterly basis) respectively for the deficient quantity.

Note:- Licensee should preferably lift quota monthwise, but he would not be penalized if he fails to meet monthwise quota lifting provision.

The licensee shall not be allowed to lift at the end of every month of the financial year basic quota in excess of a limit computed at the rate of 11% per month on cumulative basis after May onwards unless license fee in full has been paid. Additional quota at any point of time shall be allowed only to the extent of actual basic quota lifted and only when upto date due license fee has been paid in full.

In case of allotment and reallocation of vends during the currency of financial year, the quarter wise quota for the remaining quarters of the year including the fraction of quarter of allotment, shall be computed on proportionate basis from the quota allotted. The penal provision for deficient lifting will remain same.

**2.12. GRANT OF ADDITIONAL GODOWNS:**

Additional godown may be granted in exceptional cases on extra fee of Rs. One lac within One Hundred meters of an existing vend. Additional Godown shall not to be allowed/located on National High/State High Way/ Scheduled Roads. Additional Godown may also be allowed to L-1, L-1B, L-1B1, L1AB & L1BF licensees for storage of IMFS/Beer on the same set of conditions.

**2.13. MINIMUM RETAIL SALE PRICE:**

In keeping with the objectives of the policy to facilitate conditions conducive to responsible drinking at reasonable rate for those, who drink, the minimum retail sale price is fixed as under:

S.No.	Liquor	Size of Bottles		
		Quart	Pint	Nip
<b>1</b>	<b>Country Liquor</b>	75	40	25
<b>2</b>	<b>IMFL</b>			
2.1	Scotch	1200	-	-
2.2	Super Deluxe Brands (Antiquity Blue etc.)	480	270	150
2.2A	Antiquity Rare Whisky	385	205	115
2.3.	Deluxe Brands (RC Whisky, Signature Whisky, Smirnoff Vodka, Bacardi Rum, Peter Scot, Blenders Pride etc.)	360	190	110
2.4.	Semi Deluxe Brands Royal Stag, Red Knight etc.	250	150	85
2.5.	Premium Brands [MCD No. 1, AC Gold, White Hall ACP, Mughal Monarch, 8PM, Green Label, London Duet, Royal Arm, WMP Vodka, Blue Diamond Duet, WMP Gin, Old Smuggler Rum, Br Gin, BP Gold, 100 Times, AC Black, DS Black etc.)	190	110	65
2.6.	Regular Brands (Aristocrat, Director's Special, Officer's Choice, Bagpiper, Old Monk Rum, White House, Royal Crest, Diplomat, Gold Riband, John-silver Rum	170	95	60

	White lace Gin, B.D. Gin, Silver Grand Gin etc)			
2.7.	Economic Brands ( Bonny Scot, Hayward, Benson, etc.)	145	85	50
2.8.	Cheap Brands (Goldy, Studd, Champion Whisky, Rum & Gin)	120	65	35
2.9	In addition to above the minimum retail sale price of following packs of IMFS (Premium Brands & above) is fixed as under:-			
	<u>Size</u>	<u>Price</u>		
	4.5 Liters	Rs. 1000/-		
	2 Liters	Rs. 450/-		
	1000 ml	Rs. 235/-		
	700 ml	Rs. 175/-		
	500 ml	Rs. 140/-		
	90 ml.	Rs. 35/-		
3	Beer	Minimum retail sale price of Beer shall be Rs 45/- per bottle of 650 ml.		

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No Maximum sale price is fixed for any of the above.

The retail sale license shall be automatically suspended on detection of breach of conditions of minimum retail sale rates for the day of detection and two days following it. The vend shall be sealed by DETC (Excise) for this period with prior intimation to Excise Collector and Excise & Taxation Commissioner. The suspension shall be in addition to any other penal proceedings under the law.

#### **2.14. SECURITY AND INSTALMENTS:**

Every successful allottee of retail licensed liquor outlet shall be required to deposit a security amount equal to 20% of the annual license fee of the licensed outlet, out of which, 5% of the license fee has to be deposited alongwith the renewal application fee in the case of vends which are to be renewed for the next year and in the case of other vends which are to be allotted afresh, on the day of draw of lot/ opening of tender; 5% of the license fee within seven days of the renewal of the license/allotment/ draw of lots or on or before 31<sup>st</sup> March 2010 which ever is earlier; and another 10% of the license fee shall be deposited by 7<sup>th</sup> of April 2010.

The remaining eighty percent shall be deposited in **nine** equal monthly installments payable by **20<sup>th</sup>** of the month starting from the month of commencement of operation of vend and every subsequent month till entire license fee is realized. If an allottee / licensee fails to make the full payment of security in the prescribed time,

his license shall be deemed to have been cancelled automatically and security deposited, if any, forfeited. In case of failure to adhere to the prescribed time for payment of nine installments, interest on late payment shall be charged from the first day of the month of default till the date of payment @ 1.5% per month.

In the case of companies, the total annual license fee shall be paid on the day of draw of lots.

Rs. 1 Lac in case of retail vends having license fee upto Rs. 75 Lacs and Rs. 2 Lac in case of vends having license fee of more than Rs. 75 Lacs will be taken as **Additional Security** amount to be refunded after the close of the year when nothing is due against the licensee. **In case of successful allottee, the earnest money in excess** of Rs.1 lac for vends with license fee upto Rs.75 lacs and Rs.2 lacs where license fee is more than Rs.75 lacs shall be adjusted towards the security amount equal to 20% of the bid amount payable by the allottee.

In case of vends which are allotted/ re-allotted during the currency of the financial year, the 10% security shall be deposited on the day of allotment and remaining 10% within 10 days of the date of allotment. The vend shall come into operation from the day following the date of allotment. Proportionate license fee for the month of allotment shall be calculated from 80% of the annual license fee and remaining period of payment upto December, which shall be deposited by the last working day of the month. Thereafter, installment of license fee shall be computed by dividing the balance from 80% of license fee dividing by the number of remaining months upto December. It will be payable as in case of other vends. In case the vend is re- allotted after December, complete fee shall be deposited within one month. No re-allotment shall be made after the month of February of the financial year

#### **2.15. QUOTA FOR CL AND IMFL OUTLETS:**

A basic quota for each retail sale liquor outlet of country liquor as well as IMFL shall be prescribed before inviting applications for its allotment. The licensee shall lift basic quota allotted to his vend as per quarterly schedule failing which penal provisions may be invoked.

#### **2.16. ADDITIONAL QUOTA:**

To meet any unforeseen demand, in cases of both CL and IMFL, a provision of additional quota upto 50% of basic quota on payment of additional duty @ Rs 5



Per PL and @ Rs 15 Per PL in case of country liquor and IMFL respectively, has been made.

However, the additional quota of C.L. shall be supplied to the licensees as per their choice of distillery and brand.

The additional excise duty shall be payable on quota lifted in excess of permissible basic quota i.e computed @ 11% per month on cumulative basis, till the entire basic quota is permissible i.e December, 2010. In the last quarter, the additional duty shall be charged from the licensees on the quota lifted after exhausting his entire basic quota.

### **2.17. RENEWAL OF RETAIL OUTLETS OF LIQUOR FOR THE YEAR 2011-12 :-**

The Government may consider giving an option to the licensees of retail outlets of country liquor (L-14A) and IMFL (L-2) for the year 2010-11 to get their licenses renewed for the next financial year (i.e. 2011-12) on such terms & conditions and criteria as may be determined by the Government while formulating the excise policy for the year 2011-12.

## **3. LEVIES**

### **3.1. EXCISE DUTY AND PERMIT FEE:**

Excise duty on various categories of liquor shall be levied in the manner as tabulated below:-

<b>Sr No</b>	<b>Item</b>		<b>Rate of Duty in Rs</b>	<b>Permit Fee</b>
1	Country Liquor		10 Per PL	Nil
2	IMFL		35 Per PL	3 Per PL
3	BEER		18 Per BL	2 Per BL
4	Ethanol		Nil	
	For use in automobile fuel			
5	Draught Beer		18 Per BL	
6	Cider		2.50 Per Bottle 350ml	
7	Sweet Wine	with spirit upto 25 degree	3 Per BL	
		with spirit more than 25 degree	4 Per BL	
8	Ready to Drink Beverages(RTB)		1 Per BL	11 Per BL

9	Rectified Spirit	15 Per PL	
10	Denatured spirit/Ethanol Except for use in automobile fuel	Nil	3 Per BL

Excise duty shall be paid by L-13, L-1B, L-1AB, L-1B-1, L-1AB1 & L1-B1-A for respective types of liquor. Permit Fee on IMFL and Beer shall be paid by L-1B, L1B1, L1AB and L1AB1 licensees for all types of permits obtained for liquor.

### 3.2. IMPORT DUTY:

The import duty shall be levied as under:

Sr No	Item	Import Duty
1	CL	Rs 0.5 per PL
2	Beer	Rs 3 per BL
3	RTB	Rs 3 per BL
4	Draught Beer	Rs 0.5 per BL
5	Potable RS for CL	Rs 0.5 per PL
6	Potable RS otherwise	Rs 5 per PL
7	Absolute Alcohol	Rs 5 per PL
8	Denatured Spirit except as at SrNo 9	Rs 2 per BL
9	Denatured Ethanol/Denatured spirit for Automobile fuel	Nil
10	IMFS	Rs 7 per PL

### 3.3. EXPORT DUTY:

The applicable rates of export duty are tabulated beneath:

Sr No	Item	Export Duty
1	CL	Rs 0.25 per PL
2	Beer	Rs 0.25 per Bottle 650 ml
3	RTB	Rs 0.25 per BL
4	Draught Beer	Rs 0.25 per BL
5	Potable RS for CL	Rs 0.25 per PL
6	Potable RS otherwise	Rs 0.25 per PL
7	Absolute Alcohol	Rs 0.25 per PL
8	Denatured Spirit except as at Sr No 9	Rs 0.25 per PL
9	Ethanol/Denatured spirit for Automobile fuel	Rs 0.25 per BL
10	IMFS	Rs 0.25 per PL

### 3.4. FRANCHISE FEE AND BRAND REGISTRATION FEE:

A Brand Registration fee of Rs. Five lakh for bottling of each brand on franchise basis in the State of Haryana shall be charged. In addition, franchise fee shall also be charged as given below:-

Country Liquor	Re. 0.50 per P.L.
IMFS	Rs. 7.00 per P.L.
Beer	Rs. 3.00 per B.L.

### 3.5. LEVIES ON SUPPLIES TO DEFENCE PERSONNEL:

The rate of Excise Duty and Assessment Fee leviable in case of supplies to defense personnel shall be as under:-

Sr No	Item	Excise Duty in Rs.	Assessment Fee in Rs.	
1	IMFS	22.5/- Per PL	30/- per BL	
2	Rum	22.5/- Per PL	15 per BL	
3	BEER	12/- Per BL	2/- per bottle of 650 ml	
4	Draught Beer	16/- Per BL	2/- per bottle of 650 ml	
5	Cider	2.50 Per Bottle 350ml	2/- per BL	
6	Sweet Wine	with spirit upto 25 degree	3 Per BL	Nil
		with spirit more than 25 degree	4 Per BL	Nil
7	Ready to Drink Beverages(RTB)	12 Per BL	2/- per bottle of 650 ml	
8	IFL (BIO)	Nil	200/- per Bottle	

Rate of Import Duty and Export Duty on liquor imported or exported by L-9 licensees shall be as under:-

Item	Import	Export
IMFL/Rum/Wine/Cider/etc	Rs. 7/- per PL	Rs. 2/- per BL
Beer	Rs. 3/- per BL	Rs. 0.50 per bottle of 650 ml

### 3.6. BRAND-LABEL FEE:

Any distillery/brewery/winery or bottling plant which wants its products to be sold in the State of Haryana has to get its Brand-Labels approved from the Excise Commissioner before marketing brands in the State of Haryana. The Distilleries and

Bottling Plants situated in the State of Haryana shall also be required to get their labels approved on the same terms and conditions. Additional label fee will be payable for each additional label in case liquor is obtained from more than one source.

The fee structure is as under:

- |        |  |                                    |
|--------|--|------------------------------------|
| (i)    | Whisky/Scotch  | Rs. Fifty Thousand per brand.      |
| (ii)   | Beer   | Rs. Forty Thousand per brand.      |
| (iii)  | Rum  | Rs. Forty Thousand per brand       |
| (iv)   | Gin  | Rs. Twenty Five Thousand per brand |
| (v)    | Vodka/Wine/Brandy<br>Cider/Champagne                       | Rs. Ten Thousand per brand.        |
| (vi)   | Vodka/Brandy/Cider/Wine<br>and Champagne for supply to CSD | Rs. One Thousand per brand.        |
| (vii)  | Country Liquor   | Rs. Fifty Thousand per brand       |
| (viii) | Ready to Drink Beverages (RTB)                             | Rs. Forty Thousand per brand       |

It is further required that in case of any change/ alteration in labels for any reason(s), the label registration fee in full shall be charged again. In case any alteration/amendment in the labels is made during the currency of the financial year, the same rate of label fee shall be charged. While submitting application for registration of labels, the applicant shall submit the ex factory rates of the said product alongwith its prevalent ex factory rates in neighboring States and thereafter the brand shall be registered. In case of any unreasonable difference in rates prevalent in neighboring States, the department shall be at liberty not to register or deregister the brand in Haryana. Further, in case of any change in its ex factory price, the approval of the department shall be obtained by the concerned licensee for all the registered brands.

### **3.7. BOTTLING FEE.**

A bottling fee @ Rs 4 per PL shall be charged on bottling of IMFS to be bottled by bottling plants where no franchise fee is leviable.

### **3.8. STOCK TRANSFER FEE:**

A transfer fee shall be charged @ Rs. 3/- per B.L. from beer on closing stock remaining with the licensees on 31.3.2010 and allowed to be carried over to the next year 2010-11.

Any quantity of liquor in physical possession of the outgoing licensee at the termination of the contract for the year 2009-2010 and transferred to a incoming licensee for the year 2010-2011 in accordance with the provisions of the Haryana Liquor License Rules, 1970 shall not be counted towards lifting of annual quota for the year 2010-2011.

### **3.9. RECOVERY OF COST OF SUPERVISORY EXCISE STAFF:**

It has been decided to recover the salary cost of supervisory staff required by Law/ Rule/ Policy to be posted in any licensee's premises/ facility on quarterly reimbursement basis.

## **4. FIXED FEE LICENSES:**

### **4.1 L-1B LICENSES:**

A distiller of repute willing to market its brands in the State of Haryana shall have to obtain a license in the form of L-1B except as provided under the provision of L-1AB license. The brands of distillers having dubious reputation and known/suspected for indulging in malpractices shall not be permitted. For this purpose, a Committee of Officers shall be constituted to examine the request of new entrants wanting to market their products in Haryana. This Committee shall look into the facilities at the distillery and reputation and quality of their produce and the opinion of the licensees and public about the produce of these distilleries. Fresh L-1B licenses will be granted on the recommendations of this Committee.

L-1-B shall make its supplies to L-1s of the State. L-1-B licensee shall ensure to meet the requirement of liquor both in terms of brand and quantity through L-1 licensees. Failure on this account shall make him liable for cancellation of his L-1-B license.

The license fee of L-1B is fixed at Rs. 5 lacs per annum. A Permit Fee @ Rs. 3 Per PL shall be levied and to be paid by L-1B licensees.

Excise and Taxation Commissioner may determine the reasonability of rates to be charged by L-1B licensees by way of fixing sale price of their products or profit margin/value addition keeping in view, all relevant factors including the rates for such

products in other states. Each brand to be marked in the State of Haryana is required to be registered under the provisions of the policy.

#### **4.2 L-1B-1 LICENSE, WHOLE SALE OF BEER/WINE:**

A brewer shall obtain a license in the form of L-1B1 to market its products in the state of Haryana. Supplies to L-1 shall be made only through L-1B1 which will be granted and renewed at annual fee of Rs 5 Lac. A Permit Fee @ Rs.2/- per B.L. shall be levied and paid by L-1B-1 licensees while obtaining permits.

The Excise and Taxation Commissioner may determine the reasonability of rates to be charged by L-1B-1 licensee by way of fixing sale price of his products or profit margin/value addition keeping in view, all relevant factors including the rates for such products in other states.

#### **4.3. L1-B1-A LICENSE OF WHOLE SALE OF READY TO DRINK BEVERAGES (RTB):**

L-1B1A license shall be granted and renewed at a fixed fee of Rs.Two Lakh Fifty Thousand per annum.

#### **4.4. L-1AB LICENSE FOR NON DISTILLERS BRANDS:**

To allow other brands of repute with low sale volumes or reputed brands owned by non distillers, a license for whole sale of IMFS is prescribed in the form of L-1AB to be granted by Excise and Taxation Commissioner under the provisions of excise law. The license shall be granted on payment of license fee of Rs 20 lac per annum. The license shall also be granted to those persons who have exclusive sale rights of any brand for sale in the state of Haryana. The licensees shall have to pay excise duties and other levies as applicable to L-1B licensee in the State.

Excise and Taxation Commissioner may determine the reasonability of rates of liquor as in case of L-1B licensees.

#### **4.5. L-1BF LICENSE FOR IFL:**

The consumption of liquor imported from outside the country is growing particularly in NCR region. To facilitate greater consumer choice for quality liquor and to regulate distribution of foreign liquor imported from out side the country, a

wholesale license in the form of L-1BF for such liquor is prescribed. The license shall be granted to firms/companies or persons having import license by Excise and Taxation Commissioner subject to the provisions of excise law. The licensee shall be authorized to import IFL including Beer from other countries and supply it to L-1s, L-4&L-5s and L-12Cs of the State. The licensee shall be required to get the brands registered as in case of IMFL and Beer. The fee structure is fixed as under:

For sale volumes below 10,000 cases in the financial year                      Rs 5 Lac per annum.

For Every subsequent slab of 10,000 cases in the financial year                      Rs 5 Lac per annum.

#### **4.6 L-10B LICENSE FOR PROMOTION OF WINE AND IFL (BIO):**

In order to facilitate supply of IFL (BIO) & Wine, a license in form L-10B is prescribed for retail sale of wines to be given to the departmental stores located in shopping malls having minimum carpet area of 500 sq feet. The license shall be granted on an annual license fee of Rs. one lac-. The L-10B licensees shall be allowed to conduct sales of IFL (BIO) as well. The licensees shall procure its supplies of IFL (BIO) from any of two nearest L-2 vends.

#### **4.7 D-2, B-1, BWH-2, L-12, L-17, L-11 AND L-15 LICENSES:**

The licenses as described under column 2 of the table beneath shall be granted or renewed on the payment of license fee per annum as specified there against under column 4.

<b>SR NO</b>	<b>Name of License</b>	<b>Abbreviation</b>	<b>Fee per annum</b>
1	Distillery License	D-2	Rs 1 crore
2	Brewery License	B-1	Rs 1 crore
3	Bonded Ware House	BWH-2	Rs 15 lac
4	Bottling Of IMFS	L-11	Rs 20 lac
5	Bottling Of CL	L-15	Rs 20 lac

6	Bottling of IMFS + CL	L-11 + L-15	Rs 30 lac
7	Medicated wine outlet	L-12	Rs 100/-
8	Denatured Spirit outlet	L-17	Rs 10000/-

#### 4.8. L-4/L-5/L-12C BAR LICENSES:

The license fee for grant or renewal of L-4/L-5/L-12C licenses shall be charged as under:

- (I) L-4/ L-5 granted to Hotels with grading of 4 star - Rs. 25 Lac  
having 75 rooms and above and Hotels with 5 start  
grading and above.  
Such licensee shall be allowed three points and room service (L-3) without  
any further fee. Such licensee shall further be allowed to operate one of his  
sale points round the clock.
- (II) Hotels having grading of 4 star and not falling - Rs.15 Lac.  
in category I,  
Such licensee shall be allowed two points and room service (L-3) without any  
further fee. Such licensee shall further be allowed to operate one of his sale  
points round the clock.
- (III) All other L-4/ L-5 and L-12C licensees in the - Rs. 6 Lac  
Districts of Panchkula, Yamuna Nagar, Gurgaon,  
and Faridabad  
and in all remaining districts - Rs. 4 Lac.
- (IV) For Bar(s) operated by Haryana Tourism - A composite fee of  
Corporation. Rs. One Crore.
- (V) Bars operated by HUDA in their - A composite fee of Rs. 50 Lacs.  
Gymkhana and Golf Clubs
- (VI) A new license in Form L-12G exclusively for Golf Clubs is introduced with  
following fee:-
- i) Upto 9 holes Rs. 6 Lacs with 2 points  
ii) Above 9 holes Rs. 10 Lacs with 4 points



The license in the form of L-12G shall be granted in a manner similar to L-12C and shall be liable to pay all levies as applicable to L-12C licenses. The licensees shall procure its supplies as in case of L-12C licensees.

Note:- Any additional point above the points already allowed, will be allowed on payment of Rs. 1 Lac per point in case of category (I) and (II) above, and for all other category each additional point will be allowed on payment of Rs. 25, 000 per point.

L-4/L-5/L-10E/L-12C/L-12G, bar license shall remain open upto 12:00 hours (midnight).

The timings of bars may be extended by two hours on payment of additional annual fee of Rs 5 lacs per annum.

L-4/L-5/L-12C/L-12G licenses shall be granted to the tourist complexes run by Haryana Tourism Corporation, hotels/clubs and restaurants of repute situated in and around the big cities having infrastructure and level of facilities required to meet the parameters and conditions prescribed by the District Level Committee constituted for this purpose. A district level committee consisting of three members i.e. A representative of Deputy Commissioner, Deputy Excise and Taxation Commissioner (Excise) and Excise and Taxation Officer(Excise)/ Assistant Excise and Taxation Officer(Excise) of the respective districts shall be constituted. Dy. Excise and Taxation Commissioner (Excise) will head the Committee. This committee shall assess the eligibility of an applicant for the grant of a Bar/a Club License (L-4/L-5/L-12C/L-12G). The aforesaid committee shall make recommendation to the Excise Commissioner for grant of L-4/L-5/L-12C/ L-12G license.

The annual license fee for a bar/a club (L-4/L-5/ L-12C/L-12G) license shall be paid in four equal quarterly installments, payable in the beginning of Ist week of each quarter, failing which the license shall be cancelled and the entire license fee for the year shall be recovered.

Except as provided other wise, L-3 Licence with a fixed fee of Rs. 25,000 per annum is allowed to the Hotels of three star rating and above and H.T.C complexes intending to serve liquor in the rooms. However no liquor is to be served in any open areas including poolside etc. HTC complexes are allowed to take supply of liquor from their own L-1. HTC complexes have been allowed to pay a fixed license fee of

Rs. 1 crore in four equal quarterly installments for opening bars in such of the tourists complexes as they feel necessary after obtaining due permission from the Excise & Taxation Commissioner subject to payment of application fee of Rs. 1000/- per application.

L-4/L-5/L-12C/L-12G, bar licensees would get their supplies from any two nearest retail outlets of IMFL (L-2) of the district in which L-4/L-5/L-12C/L-12G license(s) are located. The collector may fix rates whenever necessary. In case costly brands above Rs.500 per bottle or wines are not made available to L-4/L-5/L-12C/L-12G by L-2 licensee of the district then licensee would be allowed to take their supply from other L-2 licensee(s) within the State.

The liquor brands like, Royal Stag, Red Knight/Bacardi Rum/ Old Monk Rum/Smirnoff Vodka RANGE, the liquor brands in Premium brands range like McDowell's No. 1, AC Premium and all brands falling in RANGE above, including Ready to Drink Beverages (R.T.B.) shall be allowed for sale in pegs through all L-4/L-5/L-12C/L-12G, bar licensees in the state.

The bars will be allowed to serve imported foreign liquor (Whisky/Wine/Beer/Cider etc.) covered within the meaning of imported foreign liquor along with other brands of liquor allowed for sale ( in pegs) through L-4/L-5/L-12C/L-12G licenses issued to bars and clubs. Such bars and clubs may be allowed to import foreign imported liquor directly from outside the State with the permission of Collector.

Sale of liquor including Imported foreign liquor made through L-4/L-5/L-10E/L-12C/L-12G outlets (bars & clubs) shall attract VAT @ 25%.

L-4/L-5/L-12C licenses operative in 2009-2010 and fulfilling the criteria laid down under the new excise policy may be renewed for the year 2010-2011 without referring their cases to the district level approval committee.

Any new license obtained in Form L-4/L-5/L-12C during the year 2010-2011 shall not be required to pay license fee for the quarter(s) already elapsed, but he shall have to pay license fee in full for the quarter in which the license is granted and for the succeeding quarters till the quarter ending 31<sup>st</sup> March 2011.

L-12C licenses which are effectively and substantially managed by the Government or through their instrumentalities may get their supplies of liquor from the wholesale outlet of IMFL (L-1) of Haryana Tourism Corporation Ltd.

#### **4.9. ICE BAR:**

In order to promote Ice bar, any L-4/5 licensee may be allowed to open Ice Bar subject to such terms and conditions as may be prescribed by the Department. Ice Bar shall be allowed on the strength of license in the form of L-4A, which shall be granted on annual fee of Rs. 1 lac.

#### **4.10 L-10C LICENSE FOR PROMOTION OF PUB/MICROBREWERY PROJECT:**

In order to promote healthy drinking habit of liquor with low alcoholic content a license in form L-10C is granted for retail sale of beer to be manufactured by Pub Microbrewery Project. The license shall be granted to holders of L-4/5 licensees on payment of Annual License Fee of Rs. 2.50 Lac per annum. The excise duty shall be charged on the basis of its daily installed capacity @ Rs 18 per BL.

#### **4.11 TEMPORARY LICENSE IN FORM – L-12A**

Licenses in form L-12-A may be granted by DETC (Excise) of the respective district, without any restriction on the number of days but the applicant shall be required to disclose the quantity of liquor (CL and IMFL separately) which would be consumed during the period of grant of license on the payment of fee as described below:-

At all premises other than Individual's own house/private premises: Rs.1500/- per day per function.

The fee and license required for Individual's own house/private premises is nil.

An individual does not need to seek any permission for serving liquor in his own house within the possession limit. However, beyond the possession limit, he shall give prior intimation to the department.

No provisional license in form L-12A shall be granted to clubs, hotels and restaurants.

#### **4.12 L-50 LICENSE**

(Permit for the purchase, Transport, and Possession of Foreign Liquor exceeding the limit for retail sale and private possession.)

The license in form L-50 shall be granted by DETC(X) of the respective district to a bonafide consumer of IMFL for the purchase, possession and transportation for a life time on payment of Rs. 2000/- and for a period of one year on payment of Rs. 200/- as license fee. L-50 licensee shall be authorized to keep a stock of liquor given below:-

<i>IMFL</i>	IFL- 12 bottles of 750 ml IMFS- 24 bottles of 750 ml.
<i>Beer</i>	Beer-24 bottles of 650 ml Rum-12 bottles of 750 ml Wine-24 bottles of 750 ml Vodka/Gin/CIDER- 12 bottles of 750 ml.

#### **4.13 L-13 LICENSE, WHOLE SALE OF COUNTRY LIQUOR**

All distilleries located in the State may apply for the supply of doubled distilled, spiced, pot, country liquor, of 50 degrees proof strength, in bottled form, as per the conditions prescribed.

#### **4.14 DISTRIBUTION OF C.L. QUOTA:**

50% of the basic quota shall be distributed among all the distilleries operating from Haryana in equal measure. Remaining 50% of basic quota irrespective of the fact as to whether liquor is grain based or molasses based shall be open quota and supplied to the licensees as per their choice of distillery and brand.

The distilleries shall mark “Grain Based” on the label of country liquor manufactured from rectified spirit produced from grain. The distilleries shall maintain

separate accounts and storage tanks for molasses based and grain based spirit and country liquor. Such accounting system shall be approved by the Department and books and entries thereof shall be certified by the officer in charge of the distillery. The label of grain based country liquor bottles shall bear the legend "Grain Based" on the top left corner of the label mentioned diagonally in black colour against white background.

#### **4.15 INTRODUCTION OF HOLOGRAM ON C.L. BOTTLES:**

In order to promote safety and guard against spurious and adulterated liquor, the manufacturers of country liquor are required to affix such hologram as approved by the Department of Excise and Taxation in the manner prescribed.

#### **4.16 GLASS BOTTLES:**

To ensure glass bottles for country liquor as an institutional measure, the distilleries may provide at least 30% of the fixed quota allocated individually on account of proportional distribution of the 50% quota of C.L. into new glass bottles i.e. 30% of 50% = 15% of the total quota on demand to the licensees. This 15% shall be equally spread over all the distilleries, who shall be allotted quota equally and all of them shall comply with the provision.

#### **4.17 L-13 LICENSES:**

The distilleries shall be granted licenses for wholesale outlets of country liquor (L-13) under the Haryana Liquor License Rules, 1970, as per the following conditions:-

- a). The L-13 License shall be granted to the distilleries to be approved by the Department.
- b). Each distillery shall be required to open wholesale outlet of country liquor (L-13) in every district headquarter of the State to maintain regular and ready supply of country liquor to the retail liquor outlets of country liquor (L-14A).
- c). The supplies to the retail outlets of country liquor (L-14A) shall be made from the wholesale outlets of country liquor (L-13) located in the district

on permits/passes issued by the respective Deputy Excise & Taxation Commissioners (Excise) of the districts.

- (d) The stock of country liquor at the stage of L-13 shall be duty paid.
- (e) The wholesale outlets of country liquor (L-13) shall maintain a ready stock equal to the five percent of the fixed annual quota of the respective district.
- (f) The wholesale outlets of country liquor (L-13) shall obtain permits / passes issued by the respective Deputy Excise & Taxation Commissioners (Excise) of the districts.
- (g) The annual license fee for the wholesale outlets of country liquor (L-13) shall be Rs. 5 lac per outlet per district to be paid in cash or by bank draft in the name of Dy. Excise and Taxation Commissioner (Excise) of the district.
- (h). The approved distilleries shall be required to deposit a security amount of Rs. 2 lakh per L-13 outlet per district, in the form of bank draft in the name of Dy. Excise and Taxation Commissioner, (Excise) of the respective district, for the performance of contract of supply of double distilled, spiced, pot, country liquor, of 50 degrees proof strength, in bottled form.
- (i) The approved distilleries shall be bound to abide by the rules and provisions laid down in the Punjab Excise Act, 1914 and rules framed there under.
- (j) The approved distillery shall, in addition to maintaining the required records and furnishing of statements given in the rules ibid shall in addition be required to e-mail via the internet to the Excise and Taxation Commissioner, Haryana at [haryanatax.com](mailto:haryanatax.com), weekly figure showing the production and dispatch of country liquor.

#### **4.18 L-1 LICENSE, WHOLE SALE OF IMFL:**

The license in form L-1 shall be granted on the basis of the amount of revenue contributed by the applicants in terms of L-2 license fee of the districts for the year 2010-11 on an annual fixed license fee of Rs. 35 Lac. For the purpose of computation of revenue contribution, only direct involvement of the applicant in the allotment of

retail outlets of IMFL of the district shall be taken into account. The maximum number of such licenses in the each district shall be as under:-

S.No	District	The number of L-1 licenses for the year 2010-11
1.	Ambala	9
2.	Bhiwani	6
3.	Faridabad	14
4.	Fatehabad	5
5.	Gurgaon	12
6.	Hisar	7
7.	Jagadhri	6
8.	Jhajjar	5
9.	Jind	5
10.	Kaithal	5
11.	Karnal	6
12.	Kurukshetra	5
13.	Mewat	3
14.	Narnaul	5
15.	Panchkula	5
16.	Panipat	6
17.	Palwal	5
18.	Rewari	7
19.	Rohtak	5
20.	Sirsa	7
21.	Sonepat	6
	TOTAL	134

The applicant should not be a defaulter of any dues under the Punjab Excise Act, 1914, Haryana General Sales Tax Act, 1973, CST Act, 1956, Haryana Value Added Tax Act, 2003, Haryana Local Area Development Tax Act, 2000.

The wholesale outlets of IMFL (L-1) shall be granted, on payment of application fee of Rs. Five Thousand and security of Rs. 5 (Five) Lac.

The applicant shall furnish authorization certificates from at least three distilleries and breweries for selling their products in wholesale.

The applicant shall furnish proof of ownership, lease, rental of the premises at which the wholesale outlet of IMFL (L-1) is proposed to be opened.

The applicant shall furnish no objection certificates from the municipal committee, chief medical officer, fire officer of the respective district.

The applicant shall deposit an annual license fee of Rs. 35 lakhs by means of bank draft in favour of the Deputy Excise and Taxation Commissioner (Excise) of the respective district and shall furnish the requisite proof along with the application.

The supplies to the retail outlets of IMFL (L-2) shall be made from the wholesale outlet of IMFL (L-1) located in the district on permits / passes issued by the respective Deputy Excise & Taxation Commissioners (Excise) of the district.

The stock of IMFL at the stage of L-1 shall be duty paid.

The wholesale outlets of IMFL (L-1) shall receive supplies of liquor from the L-1B, L-1B1, L-1AB, L-1AB1, L-1BF & L-1-B1-A licenses and other licenses as provided under other provisions of the law.

The wholesale outlets of IMFL (L-1) shall obtain permits/ passes issued by the respective Deputy Excise & Taxation Commissioners (Excise) of the district for receiving supplies.

The licenses for the wholesale outlets of IMFL (L-1) shall be granted by the Collector Excise with prior approval of the Excise & Taxation Commissioner (F.C.) on recommendation of the Dy. Excise and Taxation Commissioners (Excise) of the respective district.

#### **4.19 LICENSE IN THE FORM OF L-1AB1:**

A new license was created for whole sale of Beer in the State last year. It will continue to be granted to those persons who are non brewer and hold exclusive rights for the sale of brands in the State of Haryana. The license fee shall be Rs.20 Lacs per annum. The licensee shall have to pay excise duty and other levies as applicable to L-1B1 licensees in the State.

### **5. MISCELLANEOUS**

#### **5.1. IMPORTED FOREIGN LIQUOR (BIO) TO DEFENCE PERSONNEL:**

In addition to the facilities prevalent in the current financial year for the defence personnel, Imported Foreign Liquor (BIO) may also be allowed to be sold through Canteen Stores Department. CSD shall be allowed to procure IFL from any approved source on payment of assessment fee to be levied @Rs 200/- per bottle of 750 ml or equivalent.

#### **5.2. STRENGTH OF COUNTRY LIQUOR AND IMFL:**

Country Liquor of the strength of 50<sup>0</sup> proof and IMFL of 75<sup>0</sup> proof shall be allowed. However, in case of IMFL, with the permission of Excise & Taxation Commissioner, IMFL below 75<sup>0</sup> proof may also be allowed.



### **5.3. VAT:**

VAT shall be levied on all types of liquor on the incidence of first sale in the State i.e. in the hands of L-13 in the case of country liquor, L-1B and L-1AB in the case of IMFS, and L-1-B1 and L-1-AB-1 in the case of beer & wine etc., L-1AB-A for RTB, L-1BF for IFL.

Notwithstanding anything contained in the foregoing para, VAT shall also be levied on all types of liquor sold by Bar licenses (L-4/L-5/L-12C/L-12G).

The VAT so levied shall be charged at the rate of 4% except when levied on sale made by IFL (BIO) and all types of liquor sold by Bar licenses (L-4/L-5/L-12C/L-12G) wherein it will be levied at the rate of 25%.

### **5.4. DRY DAYS:**

Dry days shall be observed when licensees shall be required to keep his/her vend closed as per the schedule given below: -

- i) On Republic Day (26th January), Independence Day (15th August), Mahatma Gandhiji's Birthday (2nd October)

If any breach of dry day is detected, in addition to the penal proceedings, the licensed vend shall be automatically sealed for Seven Days commencing from the next day of the dry day by DETC (Excise) under intimation to the Excise and Taxation Commissioner and Excise Collector.

- ii) Every licensee for the sale of liquor shall keep his vend closed in the areas within the concerned constituency and in adjoining areas of the constituency where polling is held for the State Assembly or Parliament as per the direction of the Election Commission of India and in case of elections to Panchayats or local bodies in Haryana as per the directions of the Haryana State Election Commission.

No compensation of any kind or relief in license fee on such account shall be given.

**5.5. HOURS OF SALE :**

The sale hours shall be observed as under:-

In Rural Areas

Sale Hours should be 9.00 A.M. to 11.00 P.M. (Night) from April to October and from 9.00 A.M. to 10.00 P.M. from November to March.

In Urban Areas

From 9.00 A.M. to 12.00 P.M. (Night) throughout the year

**5.6. EXCISE ARRANGEMENTS:**

Excise and Taxation Commissioner is authorised to take all necessary steps for smooth conduct of allotment and opening of licensed outlets keeping in view the recommendations of District Officers.

**5.7. CLOSURE OF LIQUOR VENDS IN THE TOWN OF KURUKSHETRA, THANESAR AND PEHOWA:**

No liquor vend shall be allowed in Kurukeshtra, Thanesar (except Pipli along side G.T.Road) and Pehowa.

**5.8. COMPENSATION:**

No compensation of any kind or relief in license fee on account of natural calamity, such as fire, floods, drought, earthquake, riots etc. or as a result of any remission by a court order beyond the specific relief given, is admissible to the licensee.

**5.9. PAYMENT TO LOCAL BODIES IN LIEU OF THE TAXES/LEVIES IMPOSED BY THEM :**

Municipal bodies shall be paid @ Re. 3/- per bottle of C.L of 750 ml. or equivalent, Rs. 5/- per bottle of IMFS of 750 ml. or equivalent and Rs. 2/- per bottle of beer of 650 ml. capacity or equivalent. A similar provision has been made for payment to Panchayats and Panchayat Samitis on sale of C.L, IMFL in their respective jurisdiction. This payment is subject to the condition that the local bodies would not impose any tax/ octroi or levy on C.L, IMFL within their jurisdiction. This

payment shall be made from the State exchequer. Zila Parishads to get 10% of the payment on this account to be made to the Panchayati Raj Institutions. The ratio for sharing the said payment between Gram Panchayats, Panchayat Samitis and Zila Parishads shall be 70:20:10.

Re. 1/- per bottle on sale of beer (Rs. Ten Crore approximately) shall be provided as a fund to encourage barley cultivation among farmers of Haryana through Agricultural Department.

The above amount shall be provided by the State Government from the overall collection of excise revenue.

#### **5.10. SAMPLE BY HEALTH DEPARTMENT.**

Sampling by Health Department has to be done jointly with Excise and Taxation Department and officers, not below the designated level are to be authorised to take sample of liquor.

#### **5.11. TRANSIT SLIPS:**

To keep control over the vehicles carrying liquor for other States/Union Territory through the State of Haryana, transit slips have to be carried in such cases so that liquor meant for other States may not be unloaded in the State of Haryana.

#### **5.12 POSSESSION/TRANSPORTATION LIMIT FOR CL & IMFL:**

The possession limit for an individual will be as indicated in the table:

Name of liquor	Possession limit
<i>Country liquor</i>	6 bottles of 750 ml - For different sizes, total quantity not exceeding 6 X 750 ml= 4500 ml.
<i>IMFL</i>	IFL- 6 bottles of 750 ml IMFS- 12 bottles of 750 ml.
<i>Beer</i>	Beer-12 bottles of 650 ml Rum-6 bottles of 750 ml Wine-12 bottles of 750 ml Vodka/Gin/CIDER- 6 bottles of 750 ml.

For defense personnel, the possession limit shall be as per Army orders.

**5.13 PROVISION OF SPACE FOR RUNNING OF VENDS IN URBAN AREAS:**

It has been decided that the Government and its agencies will try to provide space for running of vends in urban areas of the State wherever available and possible at reasonable rates for operating liquor vends in pre-fabricated structure.

**5.14 SIZE OF BOTTLES:**

In addition to regular sizes of excise bottles as prevalent in the State, sizes of 4.5 liters, 2 liters, 1 liters, 700 ml., 500 ml. and 90 ml. in IMFS/ IFL shall be allowed for premium brands and above. The Excise & Taxation Commissioner is authorized to allow all sizes of bottles in respect of IFL (BIO).

**5.15. POLICE AUTHORITY TO INSPECT THE VEND:**

It has been decided that a police officer, not below the rank of Deputy Superintendent of Police, can check the excise vends after taking an Excise Officer alongwith him.

**(ANURAG RASTOGI, IAS)**  
**Excise and Taxation Commissioner,**  
**Haryana.**