

EXCISE POLICY FOR THE YEAR 2012-13.

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, simplifying/unifying the structure of wholesale supply of liquor by giving wholesale licenses to retail licensees, establishing a transparent system of allotment of retail outlets, complete check on manufacturing/sale of spurious liquor, thwarting all attempts of evasion of excise levies, plugging the leakage/pilferage, optimization of revenue, creating ambience for legitimate and responsible drinking and providing good quality liquor at reasonable price to those who drink.

Maximization of Government Revenue to generate resources that can be utilized to finance developmental projects is always accorded a high priority on the agenda by the policy planners. However when it comes to framing a policy such as Excise Policy, social considerations and ramifications also assume paramount significance. An ideal Excise Policy, therefore, not only has to strike a delicate balance between the twin objectives of preventing dominance of liquor mafia or social degeneration on the one hand and securing an optimum revenue for the Government on the other, but also has to address the concerns of all the four key stakeholders i.e. the Government, the Manufacturers, the Licensees and most important of all the Consumer.

Like previous years, now in the year 2012-13, 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, catering to the emerging requirements in a fast changing scenario & clientele and enhancing government revenue. Delegation of various departmental functions to the field authorities for the convenience of the licensees, introduction of new features for encouraging consumption of low alcoholic content liquor (wine and beer) as compared to hard liquor and providing incentives to the local manufacturers by suitably altering the import/export policy, are some of the notable features of the new policy.

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

1.1 TOTAL NUMBER OF VENDS :

For the current year the total number of retail outlets of country liquor (CL) and IMFL is fixed at 3500. Out of this 2265 vends would be of country liquor and 1235 vends would be of IMFL.

1.2 LOCATION OF VENDS AND COMMAND AREA OF RURAL CL VENDS:

1.2.1 The command area shall be prescribed for all rural country liquor vends/groups of vends. The command area will include the area of main vend. Wherever the vends are clubbed into a group for the purpose of allotment, the command area of that group would comprise the command area of all the included vends taken together. The licensee shall have the freedom to locate his main vend in any village falling in the command area of that particular vend. Similarly for locating other main vends comprised in the group, the command area of those respective vends would be applicable. 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(Ex.) both in case of vends as well as sub vends. The location of the business premises is required to conform to all the provisions of the Punjab Excise Act and the Rules framed there under and the provisions of any other Act/Rules, as may be applicable.

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

1.2.3 ESTABLISHMENT OF VEND AT A NEW LOCATION:

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

1.2.4 ESTABLISHMENT OF VEND AT AN EXISTING LOCATION:

The above stipulation of locating a vend at a distance of not less than 150 meters from the main gate of a recognized school, college, main bus stand and a place of worship shall be applicable to the vends which are being established at a new location. Those vends which are already running and are re-established at the same location year after year shall not be subjected to any such restrictions.

1.2.5 RESTRICTION OF LOCATION ON SCHEDULED ROADS ETC:

The retail liquor outlets 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).

1.3 NUMBER AND LOCATION OF SUB-VENDS:

1.3.1 MANNER OF GRANTS OF 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 Deputy Excise and Taxation Commissioner (Excise), in any of the villages within the command area of the vend/group of vends and the license fee of sub vend shall be fixed flat at Rs. 1 Lac per sub vend.

1.3.2 The DETC(Excise) shall decide an application for establishment of sub vend within 10 days from the date of receipt of application and if no decision is taken by him in the stipulated period, the applicant licensee shall make an appeal to the Collector and disciplinary action against the DETC(Excise) concerned would be taken.

1.3.3 The licensee can shift a sub-vend with prior approval of the Deputy Excise & Taxation Commissioner (Excise) within his command area, in case the existing sub-

vend has to be closed down due to court orders, local resistance or any other reason beyond the control of the licensee.

1.3.4 MAXIMUM PERMISSIBLE NUMBER OF SUB-VENDS:

The maximum number of sub-vends that can be permitted for a group of vends shall be as under:

No. of villages falling in the command area of the group	No. of sub-vends allowed
2	Nil
3	1
4-5	2
6-7	3
8-9	4
10-11	5
12-13	6
14 and above	7

1.3.5 Further, if due to any reasons, a rural C.L. vend is being allotted singly, then the number of sub-vends that can be allowed shall be as under:

No. of villages falling in the command area of the vend	No. of sub-vends allowed
1-2	nil
3	1
4-5	2
6-7	3
8 and above	4

1.3.6 However, there will be a stipulation of a minimum distance of 2.5 KMs 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 preferably located in the

‘phirmi’ of the village. No sub vend shall be allowed to operate on Scheduled Roads/ State High Ways/ National High Ways.

1.4 PERMIT KAKSH:

1.4.1 One permit kaksh, authorized place of drinking with retail vend, shall be allowed by the Deputy Excise & Taxation Commissioner (Excise) strictly as per the provisions of the Excise Policy and relevant Excise Rules / Intoxicants License & Sales Orders 1956, for each retail outlet of liquor (L-14A/L-2) in urban areas and sub-urban areas falling within 5 KMs from the outer limit of respective Municipal Committees and borders with other states to prevent rowdy and drunken behaviour in public.

1.4.2 The DETC(Excise) shall decide an application for establishment of permit kaksh within 10 days from the date of receipt of application and if no decision is taken by him in the stipulated period, the applicant licensee shall make an appeal to the Collector and disciplinary action against the DETC(Excise) concerned would be taken.

1.4.3 The license fee for PERMIT KAKSH shall be fixed as under :

License fee of group/vend	License fee of permit kaksh.
Less than Rs. 1 crore	Rs. 1 lac per permit kaksh.
Rs. 1 crore and above	Rs. 2 lac per permit kaksh.

1.4.4 The licensee shall have proper structure and furniture, shall maintain cleanliness and hygienic environment and would not serve liquor in the permit kaksh.

1.5 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 country liquor vends only in rural areas where no L-2 vend has been allotted. It will broad base the availability of Beer, a low alcoholic drink.

2. MANNER OF DISPOSAL OF RETAIL OUTLETS OF LIQUOR

2.1 UNIT OF ALLOTMENT :

The allotment of groups of retail liquor outlets of country liquor and IMFL shall be done individually and separately. A Group will comprise of a maximum number of three contiguously located retail outlets of either country liquor or IMFL.

2.2 MODE OF ALLOTMENT :

The liquor vends/groups of liquor vends as constituted as per the excise arrangement shall be allotted by inviting sealed bids and strictly as per the provisions and conditions contained in the ensuing paragraphs of the Policy.

2.3 RESERVE PRICE :

The reserve price for these vends/ Groups of vends will be fixed in advance. The DETCs (Excise) will make a fresh assessment of reserve price for vends/ Groups of vends of their respective districts and get it approved from the ETC(FC).

2.4 ALLOTMENT COMMITTEE :

The process of allotment shall be conducted by a committee comprising of the Deputy Commissioner, Deputy Excise and Taxation Commissioner (Excise), Deputy Excise and Taxation Commissioner (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 the newspapers.

2.5 RESERVATION OF GROUPS OF LIQUOR VENDS :

15% of the retail outlets/ Groups of retail outlets of country liquor (L-14A) and IMFL (L-2) of the District shall be reserved for Haryana Scheduled Castes (10%)

and Backward Classes ('A' Categories) (5%). These reserved vends/ Group of vends would also be allotted individually and separately by inviting sealed bids from the respective categories. However, if no bids are received after the first offer, that particular vend/ Group of vends will be de-reserved.

2.6 DISPLAY OF LIST OF VENDS/ GROUPS OF VENDS :

The list of vends/ Groups of vends having details such as group number, vend name, vend code, urban/rural classification, location, command area if applicable, quota, reserve price and category i.e General, SC or BC(A) shall be published. The District wise lists of vends/ Groups of vends of Country liquor and IMFL shall be prominently displayed in the offices of the Deputy Commissioner, DETC (Excise) and DETC (ST) of the concerned District, JETC (Range) concerned and official website of the Department i.e www.haryanatax.com.

2.7 INVITATION OF BIDS :

2.7.1 The bids shall be invited individually and separately for each vend/Group of vends of the state to be processed in the concerned District. Separate bids shall be invited for Country Liquor and IMFL vends/Groups of vends. The bidder is required to furnish his/her bid only **in the prescribed format** individually and separately for each vend/ Group of vends he/ she intends to bid for. A bidder can apply for any number of vend(s)/ Group(s) of vends of any district and of the state.

2.7.2 The bid shall be sealed in an envelop containing only the financial bid and one photograph of the bidder affixed on to that and D.D. as per sub-clause (c) below, if applicable. The bid shall constitute of the following:

- (a) Participation fee of Rs. 25,000/- per vend in the form of cash or demand draft as per para 2.27 of the policy.
- (b) Earnest money as applicable depending upon the reserved price of the vend/Group of vends, in the form of demand draft in favour of DETC (Excise) of the district. Relevant para of the policy is 2.28
- (c) A demand draft in favour of DETC(Excise) of the district of an amount equivalent to 20% of his bid amount, in case his bid exceeds the

reserve price by more than 25%. This D.D. will be kept in the sealed envelope containing the financial bid itself. Relevant para of policy is 2.8

- (d) A caste certificate issued by the competent authority of the Government of Haryana in case of persons belonging to SC and BC(A) category intending to bid for the vends/Groups of vends reserved for their respective categories, and
- (e) Sealed envelop containing the financial bid in the prescribed format and a photograph affixed onto that and D.D. as per sub-clause (c) above, if applicable.

Note:- Earnest money, participation money and caste certificate, wherever applicable, shall **not be** put in the sealed envelop and shall be furnished separately.

2.8 REQUIREMENT OF DEMAND DRAFT IN SPECIFIC CIRCUMSTANCES :

A bidder will have to enclose a demand draft in favour of DETC(Excise) of the district of an amount equivalent to 20% of his bid amount alongwith the sealed financial bid, in case his bid exceeds the reserve price by more than 25%. In case such bidder fails to submit the D.D. of required amount alongwith the financial bid, his bid shall be deemed cancelled on the spot i.e. at the time of opening of bids and the bidder next in row will be considered. The earnest money of such cancelled bids shall be forfeited.

2.9 SUBMISSION OF BIDS :

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. However bids of all prospective bidders standing in the queue at the closing hour shall be received by issuing them slips.

2.10 REGISTRATION OF BIDS :

The bids 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/Groups of vends and IMFL vends/Groups of vends. Vend wise/Group wise receipt of all tenders shall be recorded in the register. There will be one leaf (2 sides/pages) for each vend/Group of vends. Group number, Vend code, Name of vend and Category shall be recorded on the top of the page of the register. Each bid for a vend/Group of vends 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.

2.11 BOX FOR SUBMISSION OF BIDS :

2.11.1 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.

2.11.2 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.

2.11.3 Each Box shall be prominently marked for type of vend/Group of vends 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/Groups of vends. There will be one Box for each slab of 50 vends/Groups of vends. One box for CL and IMFL each may have less than 50 vends/Groups of vends for the remaining vends in the last slab. There will be one Box of Country Liquor and one Box of IMFL vends/Groups of vends reserved for SC &

BC(A). These will be marked as CL-SC/BC(A) and IMFL-SC/BC(A). All the boxes shall be placed on suitably mounted place.

2.11.4 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.

2.12 RECEIPT FOR BIDDER :

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

2.13 LIST OF BIDDERS :

Lists of Group wise / Vend wise bidders shall be displayed on the previous day of the date of allotment during the first tender process. If more than one round of tender is required, than it would be sufficient to display the list of Group wise/ Vend wise bidders before the stipulated time for opening of tenders.

2.14 POLICE GUARD :

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.

2.15 VIDEOGRAPHY :

The complete process of submission of bids and opening of bids shall be video graphed.

2.16 OPENING OF BIDS :

2.16.1 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.

2.16.2 The allotment shall take place at the duly publicized venue on the **date and time** to be fixed by the Department. 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 fee shall be forfeited by the Dy. Excise and Taxation Commissioner, (Excise) of the respective district.

2.16.3 Allotment of IMFL Groups/vends shall be taken up before the country liquor Groups/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 Groups/vends concerned and number of bidders. The Group wise/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 Group wise/ Vend wise. Group wise/ Vend wise number of bids received from box shall again be announced. Thereafter, Group wise/Vend wise financial bids shall be opened in full view of the audience in ascending order of group number/vend code. The Group/Vend shall be allotted to the highest bidder quoting **equal to or above** the reserve price subject to provision of para 2.8 of the policy. In case, there is more than one bid of highest amount, the successful bidder shall be determined by draw of lot. The result shall be announced and recorded. In case there is no bid or no eligible bid equal to or above the reserve price, the bids shall be invited again.

2.17 VARIATION IN AMOUNT MENTIONED IN THE BID FORM:

In case there is a variation in the quoted amount as mentioned in figure and words in the tender form submitted by a bidder, the amount mentioned in words shall take precedence. In case the amount quoted in tender form is illegible either in figure or words, the legible amount shall be considered. Further, the bids containing

illegible amount both in figure and words in tender form, shall be rejected and the earnest money shall be forfeited.

2.18 FORFEITURE OF EARNEST MONEY IN CASE OF BIDS BELOW RESERVE PRICE :

If any bid is found to be quoted less than the reserve price, the bid will be rejected and the earnest money shall be forfeited.

2.19 DISCONTINUATION OF PRACTICE OF ROUNDING OFF:

The practice of rounding off the bids by upgrading them to the next multiple of ten thousand would no longer be followed. The highest bidder would be declared as the successful allottee subject to fulfillment of other provisions of the policy.

2.20 DRAW OF LOTS :

In case, there is more than one bid of highest amount, the successful bidder 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 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.

2.21 SECURITY DEPOSIT (5% OF BID AMOUNT) ON THE DAY OF ALLOTMENT:

The successful bidder 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, his bid shall be deemed cancelled and earnest money deposited by him shall be forfeited and such bidder shall be blacklisted for five years. Further, the allotment of

such Vend/Group of vends would be done by inviting sealed tenders as in the case of unallotted Vends/Groups of vends. In other words, to become an allottee of a Group/Vend, the bidder has to deposit 5% of the bid amount on the date of opening of bid itself.

2.22 LIST OF SUCCESSFUL ALLOTTEES :

The list of successful allottees shall 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. www.haryanatax.com.

2.23 SUBMISSION OF DOCUMENTS BY THE SUCCESSFUL ALLOTTEES :

All successful allottees, before the start of operation of vend/group of vends, 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.

2.24 VERIFICATION OF DOCUMENTS :

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 license is actually granted.

2.25 GRANT OF LICENSE :

2.25.1 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 ETC(FC), Haryana.

2.25.2 All licenses, whether for wholesale or for retail sale, shall be granted subject to the provisions of the Punjab Excise Act, 1914 and the Rules/ Regulations/ Instructions/ Policies framed there under from time to time as applicable to the State of Haryana.

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

2.26 GENERAL CONDITIONS:

2.26.1 DRY DAYS:

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.

2.26.2 WEEKLY REST FOR EMPLOYEES:

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.

2.26.3 BAR ON EXIHIPTION OF PHOTOGRAPHS:

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.

2.26.4 BAR ON ADVERTISEMENT:

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

2.26.5 COMPENSATION:

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.

2.26.6 The closure of any liquor outlet in any area shall not entitle the licensee to any rebate/reduction/refund of the license fee.

2.26.7 SURETY BOND:

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

2.26.8 PROHIBITION OF LOCATION AT CERTAIN PREMISES:

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.

2.26.9 All levies as prescribed under Excise Policy 2012-13, 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.

2.26.10 Double 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.

2.26.11 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.

2.26.12 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."

2.27 APPLICATION/ PARTICIPATION FEE :

A bidder shall have to deposit a participation fee calculated @ of Rs 25,000/- for each liquor vend. Participation fee for a group will be accordingly calculated depending upon the number of vends comprised in the group. If there are three vends in a group, it will be Rs. 75,000. 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 issued by the office of DETC (Excise).

2.28 EARNEST MONEY:

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:

Sr. No.	Reserve Price of group/vend	Earnest Money
i)	Less than Rs. 50 lac	Rs. 1.5 lac
ii)	Between Rs. 50 lac & less than Rs. 100 lac	Rs. 2.5 lac
iii)	Between Rs. 100 lac & less than Rs. 150 lac	Rs. 5 lac
iv)	Between Rs. 150 lac & less than Rs. 200 lac	Rs. 6 lac
v)	Between Rs. 200 lac & less than Rs. 300 lac	Rs. 7 lac

vi)	Between Rs. 300 lac & less than Rs. 400 lac	Rs. 10 lac
vii)	Rs. 400 lac and above	Rs. 12.5 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.

2.29 FIXATION OF PHOTOGRAPHS OF PROPRIETOR / PARTNERS AND OTHER REQUIREMENTS

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.

It would be desirable that the successful allottee provides a photocopy of his PAN Card issued by the Income Tax Department alongwith other documents.

2.30 PROCESS OF ALLOTMENT OF UN-ALLOTTED GROUPS/VENDS:

Those Groups/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 15th May or the next working day, which ever is earlier. In case any Group/vend still remains unallotted upto 15th May or the next working day, the Group/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.

2.31 PROCESS OF RE-ALLOTMENT OF GROUPS/VENDS:

In case of re-allotment, the process shall begin with inviting tenders on the reserve price computed from original license fee or the balanced license fee of the

Group/Vend by reducing it in the successive slabs of 10% of original license fee or the balanced license fee of Group/Vend till it is allotted in the manner prescribed for fresh allotment in the currency of the year. The re-allotment shall be done at the risk and cost of original allottee. In case of a bid higher than the original bid, no benefit is to be given to the original allottee.

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

3. PROVISIONS REGARDING QUOTA AND ITS DISTRIBUTION [C.L. AND IMFL]:

3.1 MAXIMUM BASIC QUOTA OF C.L AND IMFL:

Maximum basic quota is being retained at 900 lac P.L and 500 lac P.L. of C.L. and IMFL respectively.

3.2 DISTRIBUTION OF COUNTRY LIQUOR QUOTA:

35% of the basic quota shall be distributed among all the distilleries operating from Haryana in equal measure. Remaining 65% 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.

3.3 LIFTING OF QUOTA:

3.3.1 BASIC 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/group of vends 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/group of vends during the financial year 2012-13 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%	

3.3.2 PENALTY ON SHORT LIFTING OF BASIC QUOTA:

Non compliance of the provision regarding lifting of quarterly quota 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.

3.3.3 RESTRICTIONS TO LIFT QUOTA BEFORE PAYMENT OF SECURITY:

The licensees shall not be allowed to lift any quota before the deposit of initial security amount of 10%. Further after the deposit of 10% initial security amount the licensee would be allowed to lift at most 5% of his annual basic quota till the time he deposits the entire security amount of 20% of the total license fee of the vend/ group of vends.

3.3.4 PROPORTIONATE QUOTA OF VENDS/GROUPS ALLOTTED DURING CURRENCY OF YEAR:

In case of allotment of vends/group 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 be as per para 3.3.2 above.

3.4 ADDITIONAL QUOTA FOR RETAIL OUTLETS ON PAYMENT OF ADDITIONAL EXCISE DUTY:

3.4.1 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 8 Per PL and @ Rs 20 Per PL in case of country liquor and IMFL respectively, has been made.

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

3.4.3 After a licensee has lifted his mandatory basic quota of a particular quarter, any quota lifted in addition would attract payment of Additional Excise Duty. Further, the maximum additional quota that can be allowed to be lifted at any point of time shall be in proportion to the basic quota lifted and that too only when license fee due upto date has been paid in full.

4. SUPPLY OF CL FROM WHOLESALE LICENSED OUTLETS OF CL (L-13 LICENSE):

4.1 The license in form L-13 shall be granted to the retail licensees of country liquor on the basis of the amount of revenue contributed by them in terms of L-14A license fee of that particular district for the year 2012-13, on an annual fixed license fee of Rs. 7 Lac and refundable security of Rs. 2 Lac for each L-13. For the purpose of computation of revenue contribution, only direct involvement of the licensee in the allotment of vends/groups of retail outlets of CL of the district is to be taken into account. The maximum number of such L-13 licenses in every district would be restricted to eight. The mandatory quota of 35% which is to be divided equally amongst the various distilleries, would be divided equally amongst all the L-13 licensees of the district. All L-13 licensees shall ensure to meet the requirement of liquor of the retail licensees both in terms of brand and quantity.

4.2 The dates on which revenue contribution is to be seen and the number of L-13 licenses that can be granted in any district on any given date would be fixed by

4.5 For the sake of convenience of L-13 licensees the method of calculation of the rate at which they will supply country liquor to the L-14A licensees is provided below. The calculations have been done per case for PET Quart bottles and similar calculations can be obtained from DETC(Excise) office for other size/type of bottles.

The rate of supply of Country Liquor to L-14A Licensees (Ex. L-13 Godown)

	Price per case of PET Quart Bottle (In Rs.)
I. Basic Price E.D.P. (Ex-Distillery Issue Price)	Rs. 211.00
II. Excise Duty @ Rs. 15/- per P.L.	Rs. 67.50 (To be Paid by the L-13 Licensee to the State)
III. Transportation, Handling Charges Including freight/ security and other Insurance charges etc.	Rs. 16.30 (To be paid by the L-13 licensee to the distilleries for F.O.R. supply to their L-13 godown)
IV. Total (I +II+III)	Rs. 294.80
V. VAT @ 4%	Rs. 11.79 (to be paid by distillery to the State)
VI. Service Tax on Transportation @ 10.3%	Rs. 1.63 (To be paid by distillery to Central Excise Deptt. after collecting it from L-13)
VII. Total (IV +V+VI)	Rs. 308.22
VIII. TCS 1% (sale from distillery to L-13)	Rs. 3.08 (To be paid by the Distillery to the Income Tax Deptt. after collecting it from L-13)
IX. L-13 Commission	Rs. 7.00
X. Total (VII +VIII+IX)	Rs. 318.30
XI. TCS 1% (sale from L-13 to L-14A)	Rs. 3.18 (To be paid by the L-13 licensee to the Income Tax Deptt. after collecting it from L-14A)
XII. G.Total (X + XI)	Rs. 321.48

4.6 The DETC(Excise) of the district concerned would be required to visit the premises of all L-13 at the time of grant of L-13 license and subsequently atleast once a month to ensure that :

- a) the premises of L-13 licensees of the district are not located in the neighbourhood and definitely not in the same building/nearby building to each other ;
- b) no cartelization of any sort takes place;
- c) brands of all distilleries are available with all the L-13 licensees;
- d) all L-14A licensees are getting liquor of their brand and choice and are not being compelled to buy the brands of any particular distillery by the L-13 licensees.

If the DETC(Excise) finds violation of any of the stipulations listed at (a),(b), (c), or (d) above, he shall recommend initiation of the proceedings for the cancellation of the license of the L-13 licensee concerned to the competent authority. Further, in case of any sort of cartelization of L-13 licensees which compels retail licensees to buy brands of a particular distillery in lieu of the brand of their choice, the DETC(Excise) shall recommend initiation of proceedings for cancellation of license of that particular distillery also.

5. SUPPLY OF IMFL FROM WHOLESALE LICENSED OUTLETS OF IMFL (L-1 LICENSE) :

5.1 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 2012-13 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 groups of retail outlets of IMFL (L-2) 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 2012-13
1.	Ambala	9
2.	Bhiwani	6
3.	Faridabad	14
4.	Fatehabad	5

5.	Gurgaon	12
S.No	District	The number of L-1 licenses for the year 2012-13
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

5.2 The dates on which revenue contribution is to be seen and the number of L-1 licenses that can be granted in any district on any given date would be fixed by ETC(FC) depending upon the progress of allotment process in that particular district by that particular date.

5.3 The licenses for the wholesale outlets of L-1 shall be granted/approved by the DETC(Ex) of the district concerned on behalf of the Collector. However, DETC(Ex) will send a list of licensees to whom such licenses have been issued by him to the Head Office within a week from the date of issuance of such licenses for the ex-post facto approval of ETC(FC).

5.4 The licensees shall be granted licenses for wholesale outlets of IMFL (L-1) under the Haryana Liquor License Rules, 1970, as per the following conditions:-

- a) 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.
- b) 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.

- c) The applicant shall furnish authorization certificates from at least three distilleries and breweries for selling their products in wholesale.
- d) 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.
- e) The applicant shall furnish NOC from MC, CMO and Fire Officer of the respective district if either a new godown is being opened or the location of the godown is being changed. If the godown is being established at the existing location, no NOC would be required from the aforementioned authorities.
- f) 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.
- g) The stock of IMFL at the stage of L-1 shall be duty paid.

5.5 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 against payment of permit fee.

5.6 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 & L-1W licenses and other licenses as provided under other provisions of the law.

5.7 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.

6. SECURITY AND INSTALMENTS:

6.1 SECURITY:

Every successful allottee of retail licensed liquor outlets/groups of outlets shall be required to deposit a security amount equal to 20% of the annual license fee of the licensed outlets/groups of outlets, out of which, 5% of the license fee has to be deposited on the day of opening of tender; 5% of the license fee within seven days of

the allotment or on or before 31st March 2012 which ever is earlier; and another 10% of the license fee shall be deposited by 7th of April 2012.

6.2 In case of bids exceeding the reserve price by more than 25%, the bidder is required to attach a D.D. of 20% of the bid amount alongwith the bid itself. In such cases, this amount of 20% would be treated as security.

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

6.4 INSTALLMENT OF LICENSE FEE:

The remaining eighty percent shall be deposited in **nine** equal monthly installments payable by **20th** of the month starting from the month of commencement of operation of vend/group of vends 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 any of the 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.

6.5 In the event of failure to pay the installment or installments alongwith the interest, as the case may be, by the due date, the vend/group of vends shall cease to be in operation on the first day of the following month and shall ordinarily be sealed by the Deputy Excise and Taxation Commissioner (Excise) in-charge of the district or any other official authorized by him and his license may be cancelled.

6.6 ADDITIONAL SECURITY:

Rs. 1 Lac in case of retail vends/groups of vends having license fee upto Rs. 75 Lacs, Rs. 2 Lac in case of vends/groups of vends having license fee of more than Rs. 75 Lacs and upto Rs. 500 Lacs and Rs. 5 Lacs in case of vends/groups of vends having license fee above Rs. 500 Lacs will be taken as **Additional Security** amount to be refunded after the close of the year when nothing is due against the licensee. The amount of additional security would be refunded by the DETC(Ex.) of the district concerned after the expiry of the year but before 15th April. **In case of successful allottee, the earnest money would be first adjusted towards additional security amount as specified above and the balance amount of earnest money shall be adjusted towards the security amount (20% of the bid amount).**

6.7 SECURITY AND INSTALLMENTS IN CASE OF ALLOTMENT/RE-ALLOTMENT DURING CURRENCY OF THE YEAR:

In case of vends/groups 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/group of vends 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 of allotment. Thereafter, installment of license fee shall be computed by dividing the balance from 80% of license fee by dividing it by the number of remaining months upto December. It will be payable as in case of other vends/groups of vends. In case the vend/group of vends 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.

6.8 No interest shall be payable on the security amount.

7. MINIMUM RETAIL SALE PRICE:

7.1 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
1	Country Liquor	90	50	30
2	IMFS / FL			
2.1	Foreign Liquor Bottled in Origin or in India			
2.1A	Premium Brands Yrs. & above Age or spirits of comparable quality & Standards (Black Dog 18 Yrs. & above, Chivas Regal 18 Yrs. & above etc.),	2300	-	-

S.No.	Liquor	Size of Bottles		
		Quart	Pint	Nip
2.1B	Deluxe Brands: scotches / Spirits of 12 Yrs. & above But less than 18 Yrs. Age or spirits of comparable quality & Standards (Black Dog 12 Yrs. Teacher Highland etc.),	1300	750	400
2.1C	Regular Brands: Scotches / Spirits of 8 Yrs. & above but less than 12 Yrs. Age or spirits of comparable quality & standards (Black Dog 8 Yrs., Teachers, Black & White, Old smuggler, Passport, Haig etc.),	1000	550	300
2.2	Super Deluxe Brands : (Antiquity Blue, McDowell's Single Malt etc.),	520	290	155
2.3	Deluxe Brands: (Antiquity Rare Whisky etc.),	420	220	120
2.4	Semi Deluxe Brands: (Signature Whisky, Smirnoff Vodka, Bacardi Rum, Peter Scot, Blenders Pride etc.),	400	210	115
2.5	Premium Brands: (Royal challenge, DYC etc.),	340	175	105
2.6	Semi Premium Brands (Royal Stag, McDowell's No. I Platinum, Red Knight etc.),	280	170	100
2.7	Prestige Brands : (McD No. I, AC Black, Whyte Hall, Imperial Blue,	205	115	75

	Magic Moment etc.),			
S.No.	Liquor	Size of Bottles		
		Quart	Pint	Nip
2.8	Semi Prestige Brands: (New Approved ACP, New Approved AC Old Reserve, Mughal Monarch, 8 PM, Green Label, London Duet, Royal Arm, White Mischief Vodka, Romanov Vodka, Raffles, Blue Diamond Duet, WMP Gin, Old Smuggler Rum, B R Gin, BP Gold,	195	105	70
2.9	Regular Brands: (AC Sek C, AC Extra Dry Gin, Director's Special, Officer's Choice, Bagpiper, Old Monk Rum, White House, Royal Crest, Diplomat, Gold Riband, John Silver Rum, White Lace Gin, B.D. Gin, Silver Grand, Silver Peg, Bermuda, Blue Moon Gin etc.,	185	100	65
2.10	Economy Brands: (Aristocrat, Bonnie Special, Hayward, Golden Border, Benson, etc.),	165	95	60
2.11	Cheap Brands : (Goldy, Studd, Champion Whisky, Rum & Gin etc.)	135	75	45
2.12	In addition to above the minimum retail sale price of following packes of IMFS (Prestige Brands & above) is fixed as under:- Size 4.5 Liters 2 Liters 1000 ml. 700 ml. 500 ml. 275 ml. (RTB) 90 ml. 60 ml. (Scotch)	<u>Price</u> Rs. 1150/ Rs. 520/- Rs. 270/- Rs. 220/- Rs. 160/- Rs. 35/- Rs. 40/- Rs. 100/-		

S.No.	Liquor	Size of Bottles		
		Quart	Pint	Nip
3.	BEER			
3.1	Mild Beer containing Alcoholic contents upto 5%	Rs. 50/- per bottle of 650 ml.		
3.2	Strong Beer containing Alcoholic contents above 5%	Rs. 55/- per bottle of 650 ml.		

7.2 No maximum sale price is fixed for any of the above.

7.3 Categorization as approved by the department at the time of registration of brand labels will be applicable. For the purpose of categorization the DETC(Ex.) concerned would indicate the category in which a particular label of the brand is to be approved at the time of sending his recommendation for the approval of the label of the brand.

7.4 PENALTY FOR NON MAINTENANCE OF MINIMUM RATES:

The retail sale license is 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/group of vends shall be sealed by DETC(Excise) for this period with prior intimation to Excise Collector and Excise & Taxation Commissioner. The sealing of the vend/group of vends shall be in addition to any other penal proceedings under the Law.

8. LEVIES:

8.1 Excise duty and Permit fee :

During the year 2012-13, the rates of Excise Duty and Permit Fee shall be as under:

Sr. No.	Item	Rate of Excise Duty (in Rs.)	Rate of Permit Fee (in Rs.)
1	Country Liquor	15 Per PL	Nil
2	IMFS / FL		
	2.1 Foreign Liquor Bottled in India		
	2.1A Premium Brands	70 per PL	3 per PL
	2.1B Deluxe Brands	60 per PL	3 per PL
	2.1C Regular Brands	60 per PL	3 per PL
	2.2 Super Deluxe Brands, Deluxe Brands, Semi-Deluxe Brands, Premium Brands, Semi-Premium Brands,	50 per PL	3 per PL
	2.3 All other brands like; Prestige Brands, Semi Prestige Brands, Regular Brands Economy Brands & Cheap Brands etc.	40 per PL	3 per PL
3	BEER	20 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	4 Per BL

		more than 25 degree		
Sr. No.	Item		Rate of Excise Duty (in Rs.)	Rate of Permit Fee (in Rs.)
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-1W, L-1AB1 & L1-B1-A for respective types of liquor. Permit Fee on IMFS and Beer shall be paid by L-1 licensees for all types of permits obtained for liquor.

8.2 IMPORT DUTY:

The import duty shall be levied as under:

Sr No	Item	Import Duty
1	CL	Rs 1 per PL
2	Beer	Rs 10 per BL
3	RTB	Rs 4 per BL
4	Draught Beer	Rs 1 per BL
5	Potable RS for CL	Rs 6 per PL
6	Potable RS otherwise	Rs 6 per PL
7	Absolute Alcohol	Rs 6 per PL
8	Denatured Spirit except as at SrNo 9	Rs 3 per BL
9	Denatured Ethanol/Denatured spirit for Automobile fuel	Nil
10	IMFS, *RUM, *Cider	Rs 16 per PL
11.	Wine*	Rs. 4 per PL

* Introduced in 2012-13.

8.5 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	90.00 per PL	Nil	
2	Rum	42.50 per PL	Nil	
3	BEER	15.00 per BL	Nil	
4	Draught Beer	19.00 per BL	Nil	
5	Cider	9.5 per BL	Nil	
6	Sweet Wine	with spirit upto 25 degree	3.00 per BL	Nil
		with spirit more than 25 degree	4.00 per BL	Nil
7	Ready to Drink Beverages (RTB)	15.00 per BL	Nil	
8.	IFL (BIO)	Nil	200 per bottle	

Rate of Import Duty and Export Duty on liquor imported or exported by L-9 licensees is given 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

8.6 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 are also required to get their labels

approved on the same terms and conditions. Additional label fee is 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
Cider/Champagne | Rs. Ten Thousand per brand. |
| (vi) | Vodka/Brandy/Cider/Wine
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 to not register or deregister the brand in Haryana. Further, in case of a brand registered in Haryana and any change in its ex factory price, the approval of the department shall be obtained by the concerned licensee.

8.7 BOTTLING FEE:

A bottling fee @ Rs. 8/- per P.L. shall be charged on bottling of IMFS being bottled by bottling plants and distilleries both where no franchise fee is leviable. Bottling fee wherever applicable, would be leviable on liquor for export as well as on liquor for local consumption.

8.8 STOCK TRANSFER FEE:

A transfer fee @ Rs. 4/- per PL from country liquor, Rs.13/- per PL from premium brands scotches / Spirits of 18 Yrs. & above Age or spirits of comparable quality & Standards (Black Dog 18 Yrs. & above, Chivas Regal 18 Yrs. & above etc.), Deluxe Brands: scotches / Spirits of 12 Yrs. & above But less than 18 Yrs. Age or spirits of comparable quality & Standards (Black Dog 12 Yrs. Teacher highland etc.), Regular Brands: Scotches / Spirits of 8 Yrs. & above but less than 12 Yrs. Age or spirits of comparable quality & standards (Black Dog 8 Yrs., Teachers, Black & White, Old smuggler, Passport, Haig etc.), Super Deluxe Brands : (Antiquity Blue, McDowell's Single Malt etc.), Deluxe Brands (Antiquity Rare Whisky etc.), Semi Deluxe Brands (Signature Whisky, Smirnoff Vodka, Bacardi Rum, Peter Scot, Blenders Pride etc.), Premium Brands: (Royal challenge, NYC etc.), Semi Premium Brands (Royal Stag, McDowell's No. I Platinum, red Knight etc.) and Rs.3/- per PL from Prestige Brands : (McD No. I, AC Black, Whyte Hall, Imperial Blue, Magic Moment etc.), Semi Prestige Brands: (New Approved ACP, New Approved AC Old Reserve, Mughal Monarch, 8 PM, Green Label, London duet, Royal Arm, White Mischief Vodka, Romanov Vodka, Raffles, Blue diamond Duet, WMP Gin, Old Smuggler Rum, B R Gin, BP Gold, Regular Brands: (AC Sek C, AC Extra Dry Gin, Director's Special, Officer's Choice, Bagpiper, Old Monk Rum, White House, Royal Crest, Diplomat, Gold Riband, John Silver Rum, White Lace Gin, B.D. Gin, Silver Grand, Silver Peg, Bermuda, Blue Moon Gin etc., Economy Brands: (aristocrat, Bonnie Special, Hayward, Golden Border, Benson, etc.), Cheap Brands : (Goldy, Studd, Champion Whisky, Rum & Gin etc.) shall be charged on closing stock remaining with the licensees on 31.3.2012 and allowed to be carried over to the next year 2012-13.

Any quantity of liquor in physical possession of the outgoing licensee at the termination of the contract for the year 2011-2012 and transferred to an incoming licensee for the year 2012-2013 in accordance with the provisions of the Haryana Liquor License Rules, 1970 shall not be counted towards lifting of annual quota for the year 2012-2013.

8.9 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.

9. FIXED FEE LICENSES:

9.1 L-1B LICENSES:

9.1.1 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.

9.1.2 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.

9.1.3 The license fee of L-1B is fixed at Rs. 10 lacs per annum. Further excise duty levied on IMFS shall also be paid by L-1B licensees while obtaining permits.

9.1.4 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 marketed in the State of Haryana is required to be registered under the provisions of the policy.

9.2 L-1B-1 LICENSE, WHOLE SALE OF BEER/WINE:

9.2.1 A brewer / wine manufacturer (except local manufacturer of wine from State of Haryana) 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 through L-1B1 which will be granted and renewed at annual fee of Rs 10 Lac. Further excise duty levied on beer/ wine shall also be paid by L-1B1 licensees while obtaining permits.

9.2.2 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.

9.2.3 It has also been decided to allow the brewers to sell draught beer in kegs of different sizes through their L-1B1 depots against duty paid permits directly to bar licensees in the State.

9.2.4 For the local manufacturer of wine a new license in form L-1W has been introduced as per provisions of the para 11.2 of the policy. A local manufacturer of wine would therefore take license in form L-1W and not in form L-1B1.

9.3 WHOLESALE VEND OF READY TO DRINK BEVERAGES (RTB) (L1-B1-A) TO TRADE ONLY

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

9.4 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 25 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.

9.5 L-1BF LICENSE FOR IFL:

9.5.1 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 outside 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, L-12Cs and L-12Gs of the State. The licensee shall be required to get the brands registered as in case of IMFL and Beer.

9.5.2 The fee structure for L-1BF license shall be as under:

9.5.2.1 License Fee :

For sale volumes below 10,000 cases in the financial year Rs 15 Lac per annum.

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

9.5.2.2 Permit Fee :-

The permit fee on Imported Foreign Liquor shall be levied as under:-

- | | |
|--|-------------------|
| (a) Scotch, Whisky, Rum, Vodka, Gin, Brandy etc. | Rs. 60/- per P.L. |
| (b) Wine, Liqueur, Beer and Cider | Rs. 20/- per B.L. |

9.5.2.3 Brand-Label Fee :-

L-1BF licensee shall be required to get its brand labels approved from the Excise Commissioner before marketing brands in the State of Haryana at the following fee:

- | | |
|-----------------------|------------------------------------|
| (a) Scotch/Whisky | Rs. Fifty Thousand per brand. |
| (b) Beer | Rs. Forty Thousand per brand. |
| (c) Rum | Rs. Forty Thousand per brand |
| (d) Gin | Rs. Twenty Five Thousand per Brand |
| (e) Vodka/Wine/Brandy | Rs. Ten Thousand per brand. |

Cider/Champagne/Liqueur

9.5.3 General Provisions/Conditions for L-1BF :-

- a) There shall be no restriction on the number of brands to be allowed on one license.
- b) It will be mandatory to affix additional label containing “For sale in Haryana only” on all the bottles of all sizes of all brands of foreign liquor being supplied in the State of Haryana.
- c) It will also be mandatory to affix Holograms on each and every bottle of foreign liquor except miniature being supplied in the State of Haryana. The Hologram will be supplied by the department on such cost as may be decided by the competent authority from time to time. Further, the holograms may be affixed only in the presence of Departmental Excise Official incharge of the L-1BF.
- d) Permit fee on Imported Foreign Liquor shall be paid by L-1BF licensee for all types of permits obtained for liquor.

9.6 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. Five 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.

9.7 D-2, B-1, BWH-2, L-12, L-17, L-11, L-15 AND S-1 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.

SR NO	Name of License	Abbreviation	Fee per annum
1	Distillery License	D-2	Rs 1.25 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 10,000/-
9	Winery License	S-1	Rs. 10,000/-

Note:- In future no license for new bottling plant either for country liquor or for IMFS shall be granted. However two existing bottling plants of IMFS would continue to operate.

9.8 L-4/L-5/L-12C/ L-12G BAR LICENSES:

9.8.1 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 the district head quarter cities having infrastructure and level of facilities required to meet the parameters and conditions prescribed by the District Level Committee constituted

for this purpose. However no such license shall be granted in the village abadi deh area amalgamated in the municipal area of such cities. Bar licenses shall also be granted to three star and above categories of star hotels located any where in the state. 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 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.

Note :-Existing bars located anywhere will continue to operate.

9.8.2 L-4/L-5/L-12C/L-12G licenses operative in 2011-2012 and fulfilling the criteria laid down under the new excise policy may be renewed for the year 2012-2013 without referring their cases to the district level approval committee.

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

- (a) L-4/ L-5 granted to Hotels with grading of 4 star - Rs. 25 Lac
having 75 rooms and above and Hotels with 5 star
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. By virtue of having L-3 license, these hotels would be allowed to keep liquor in the refrigerators kept in the hotels rooms alongwith other food articles and beverages.

- (b) 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. By virtue of having L-3 license, these hotels would be

allowed to keep liquor in the refrigerators kept in the hotels rooms alongwith other food articles and beverages.

- (c) All other L-4/ L-5 and L-12C licenses in the State - Rs. 6 Lac
- (d) For Bar(s) operated by Haryana Tourism Corporation. - A composite fee of Rs. One Crore.
- (e) Bars operated by HUDA in their Gymkhana and Golf Clubs - A composite fee of Rs. 50 Lacs.
- (f) A license in Form L-12G exclusively for Golf Clubs is prescribed with following fee:-
- i) Upto 9 holes Rs. 10 Lacs with 2 points
 - ii) Above 9 holes Rs. 15 Lacs with 4 points

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.

9.8.4 SECURITY AND LICENSE FEES OF BARS:

A security of Rs. 2 lac shall be taken from the L-4/L-5/L-12G/L-12C licensees in addition to the license fee as mentioned above. For Haryana Tourism Corporation and HUDA a composite security of Rs. 5 lacs each shall be taken in addition to the composite license fee as mentioned above.

9.8.5 The annual license fee for a bar (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 may be cancelled and security shall be forfeited.

9.8.6 Any new license obtained in Form L-4/L-5/L-12C/L-12G during the year 2012-2013 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 31st March 2013.

9.8.7 Except as provided other wise, L-3 License 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 tourist 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.

9.8.8 HOURS OF SALE IN BARS AND PUBS:

L-4/L-5/L-10E/L-12C/L-12G, license bars 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.

9.8.9 PROCUREMENT OF STOCK:

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. However if these two L-2 either belong to the same person/group or make a cartel to exploit the situation, then they can procure liquor from a third nearest L-2 of different person/group as approved by the DETC(Excise). 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 the bar licensee would make a written request to the DETC(Ex.) concerned. The DETC(Ex.) after obtaining a non availability certificate from the L-2 concerned, shall make requisite arrangement for supply of such brands from any other L-2 of that district or from any other L-2 of the State in case it is not available in the district.

9.8.10 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.

9.8.11 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).

9.8.12 The bars will be allowed to import foreign imported liquor directly from outside the State with the permission of DETC(Ex.) of the district concerned who will ensure disposal of such a request within a week. The bar licensees will also be allowed to take their supplies of IFL from L-1BF in the state. Further the bars procuring Imported Foreign Liquor from any source other than L-IBF will have to pay

a permit fee at the rates mentioned below while obtaining permits for the procurement of IFL:

- | | | |
|-----|--|-----------------|
| (a) | Scotch, Whisky, Rum, Vodka, Gin, Brandy etc. | Rs. 65/- per PL |
| (b) | Wine, Liqueur, Beer and Cider | Rs. 20/- per BL |

9.8.13 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.

9.8.14 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 @ 15%.

9.9 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.

9.10 L-10C LICENSE FOR PROMOTION OF 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 Microbrewery Project. The license shall be granted to holders of L-4/5 license on payment of Annual License Fee of Rs. 2.50 Lac. The excise duty shall be charged on the basis of its daily installed capacity @ Rs 18 per BL.

9.11 LICENSE IN THE FORM OF L-10E (PUB LICENSE):

To promote consumption of low alcohol content drinks, pubs would be allowed to be opened in the city of Gurgaon, Faridabad & Panchkula for payment of fixed annual license fee of Rs. 4 Lac. However these will be allowed to restaurants of repute only and all conditions of L-4/L-5 license shall apply.

9.12 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.

9.13 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.
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9.14 LICENSE IN THE FORM OF L-1AB1:

License in form L-1AB1 is granted to those persons who are non brewer and hold exclusive rights for the sale of brands of beer in the State of Haryana. The license fee is Rs. 25 Lacs per annum. The licensee is required to pay excise duty and other levies as applicable to L-1B1 licensees in the State.

10. EX-DISTILLERY PRICE OF COUNTRY LIQUOR :

The Ex-distillery Issue Price of country liquor as fixed for the year 2012-2013 is given as under:-

Sr.No.	Item	Quarts (In case)	Pints (In case)	Nips (In case)
1	New Glass Bottles	238.00	259.06	297.00
2	Old Glass Bottles	218.50	239.00	277.00
3.	PET	211.00	232.00	270.00

11. INCENTIVES FOR LOCAL MANUFACTURING OF WINE:

11.1 Winery License: A Winery License in form S-I shall be granted / renewed on the payment of license fee of Rs. 10,000/- per annum as per the provisions of the Excise Laws / Excise Policy for the year 2012-13.

11.2 L-1W License: A local wine manufacturer from the State of Haryana shall obtain a license in form L-1W to market its products in the State of Haryana. The L-1W license shall be granted and renewed at an annual fee of Rs 1 Lac by the Excise Commissioner. The L-1W licensee would make its supplies to the L-1s of the State. Further excise duty levied on wine shall also be paid by L-1W licensees while obtaining permits.

11.3 Sale of wine at Winery (License S-1A): To promote consumption of wine in comparison to hard liquor a separate license in form S-1A for retail sale of wine shall be granted to the local wineries of the State for selling their own indigenously manufactured products in the adjoining premises of the winery. The stock of wine under this license shall be duty paid stock. An annual license fee of Rs. 5000/- shall be charged for this license.

11.4 Wine tasting at Winery (License S-1B): A separate license in form S-1B for “Wine Tavern” meaning a place for consumption of own indigenously manufactured wine with or without eatables on the premises of S-1A license shall be granted to the license holder of S-1A license, at an annual license fee of Rs. 1000/-.

12. MISCELLANEOUS PROVISIONS

12.1 INTRODUCTION OF HOLOGRAM ON COUNTRY LIQUOR AND IMFS BOTTLES:

In order to safeguard against spurious and adulterated liquor, the manufacturers of country liquor and IMFS are required to affix such hologram as approved by the Department of Excise and Taxation in the manner prescribed. The Holograms for different sizes should be of different colours.

12.2 GLASS BOTTLES:

To ensure use of glass bottles for country liquor as an institutional measure, the distilleries may provide at least 18% of the total quota on demand to the licensees into new glass bottles. This 18% shall be equally spread over all the distilleries, who shall be allotted quota equally and all of them shall comply with the provision.

12.3 INSTALLATION OF CCTV CAMERAS IN THE DISTILLERIES, BREWERIES AND BOTTLING PLANTS

In order to monitor the manufacturing and bottling operations and dispatches of liquor, the CCTV cameras would be installed in the Distilleries, Breweries & Bottling Plants as per the directions of the department.

12.4. 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) shall 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.

12.5. STRENGTH OF COUNTRY LIQUOR AND IMFL:

Country Liquor of the strength of 50⁰ proof and IMFL of 75⁰ proof shall be allowed. However, in case of IMFL, with the permission of Excise & Taxation Commissioner, IMFL below 75⁰ proof may also be allowed.

12.6 VAT:

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

12.6.2 Notwithstanding anything contained in the foregoing para, VAT shall also be levied on all types of liquor sold by Bar licensees (L-4/L-5/L-12C/L-12G) and Pub licensee L-10E.

12.6.3 The VAT so levied shall be charged at the rate of 4% except in the following cases:

- a) VAT on sale of IFL (BIO) shall be levied @ 25%.
- b) VAT on liquor including IFL sold by Bar & Pub licensees (L-4/L-5/ L-12C/L-12G/L-10E) shall be levied at the rate of 15%.

12.7 DRY DAYS:

Dry days shall be observed when retail and wholesale 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)

- ii) Dry days on account of any direction of Election Commission of India or State election commission in the eventuality of any election notified by Election Commission of India or State Election Commission in Haryana or in the adjoining States where polling is held for State Assembly or parliament as per the directions of the Election Commission of India.

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

12.8 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

12.9 EXCISE ARRANGEMENTS:

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

12.10 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. The area of M.C. Thanesar will remain as defined vide notification dated 19th September, 2002 subject to the areas excluded vide notification dated 23rd April, 2003.

12.11 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.

12.12 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 is there for payment to Panchayats, Panchayat Samitis and Zila Parishads 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 is to be made from the State exchequer. 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) is 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.

12.13 PAYMENT TO SPORTS DEPARTMENT:

Re. 0.50 (Fifty Paise) per bottle on the sale of Country Liquor, IMFS and Beer (Rs. Twenty Crore approximately) shall be provided for the promotion of sports activities in the State. The above amount shall be provided by the State Government from the overall collection of excise revenue.

12.14 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 authorized to take sample of liquor. When sampling is done by the Health Department, videography will be done to capture the sampling process.

12.15 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.

12.16 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.

12.17 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.

12.18 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., 275 ml. falling in Ready to Drink Beverages (RTB) , 90 ml. in IMFS/ IFL for premium brands and above and 60 ml. pack in scotches which are bottled in India shall be allowed. The Excise & Taxation Commissioner is authorized to allow all sizes of bottles in respect of IFL (BIO).

12.19 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.

12.20 GRANT OF ADDITIONAL GODOWNS:

Additional godown may be granted in exceptional cases on extra fee of Rs. Two 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-13, L-1B, L-1B1, L-1AB, L-1AB1 & L-1BF licensees for storage of IMFS/Beer on the same set of conditions.

12.21 USE OF GRAIN BASED SPIRIT FOR PRODUCTION OF LIQUOR :

The State of Haryana is one of the main producers of food grains and contributes significantly to the central pool. In the process, some food grain gets spoiled and is not accepted by the procuring agencies / dealers. Use of such grain for production of grain based spirit is accordingly highly desirable so that such grain gives some remuneration to the farmers. Therefore all the distilleries of the State should encourage use of grain for production of spirit.

12.22 PROHIBITION FOR IMITATION OF LABELS OF THE BRANDS:

It has been observed sometimes that the distilleries/ breweries/bottling plants copy the name of the brands, design and colour scheme of others' popular brands in order to mislead the consumer which needs to be discouraged. Therefore, the distilleries/ breweries/bottling plants manufacturing CL, IMFS and beer shall not imitate name, design and colour scheme of the brands of others. ETC may refuse

approval for the label of a particular brand and discontinue already approved label, if it is found that there is even a minor similarity of name, design and colour scheme of others without any prior notice.

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