

**(TO BE PUBLISHED IN THE DELHI GAZETTE PART IV- EXTRAORDINARY)
GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
FINANCE (TAXES AND ESTABLISHMENT) DEPARTMENT
DELHI SECERETARIAT, I.P.ESTATE, NEW DELHI-2**

No:F.10(8)/Fin(T&E)/2009-10/jsfin/295

Dated : 12-04-2010

NOTIFICATION

No:F.10(8)/Fin(T&E)/2009-10 – In exercise of the powers conferred by section 58 of the Punjab Excise Act, 1914 (Punjab Act 1 of 1914) as extended to the National Capital Territory of Delhi, the Lieutenant Governor of the National Capital Territory of Delhi is pleased to make the following rules further to amend the Delhi Liquor Licence Rules, 1976 and since it is considered that they should be brought into force at once, he is further pleased to direct that they shall come into force without previous publication, namely:-

Short title and commencement	1.	(1)	These rules may be called the Delhi Liquor Licence (Amendment) Rules, 2010.
		(2)	They shall come into force on the date of their publication in the official Gazette.
Amendment of rule 1	2.	(1)	In the Delhi Liquor Licence Rules, 1976 (hereinafter referred to as the "principal Rules") in rule 1, -
		(2)	in entry "I-(Foreign Liquor)", for L-53 licence the following shall be substituted, namely :- " L-53 Retail vend of beer/wine in -do- -do- Departmental Stores."
		(3)	in entry "I-(Foreign Liquor)" after the category of L-4C, the following categories shall be added, namely :- "L-4D Service of mild foreign liquor do do i. e. wine, beer and mixed alcoholic beverages only for "on" consumption. "L-4DF Service of mild Imported do do foreign liquor i. e. wine, beer and mixed alcoholic beverages only for "on" consumption."
		(4)	in entry "I- (Foreign Liquor)" after the category of L-52FG, the following category shall be added, namely :- "L-52D Retail vend of foreign liquor do do to holders of licence in form L-1 (for wholesale supply of IMFL) "
		(5)	in entry "I- (Foreign Liquor)" after the category of L-54, the following categories shall be added, namely :- "L-55 Retail vend of beer, manufactured do do by Microbrewery L-56 Retail vend of foreign liquor do do and Imported foreign liquor In Shopping Malls in Public as well as Private Sector "
		(6)	in entry "V- Special", after the category of L-49A," the following categories shall be added, namely :- "L-49B For Hotel Management do do Institutes for keeping liquor for the purpose of teaching

			L-49C For liquor exhibitors and Importers of liquor samples. do do "
Amendment of rule 17	3.		in the principal Rules, in rule 17, the following proviso shall be added, namely :- " provided that the wholesale vend of IMFL holding L-1 licence may have L-52D licence. "
Amendment of rule 18	4.		in the principal Rules, in rule 18, in coloumn 1" for the existing entry, the following entry L-53 licence shall be substituted, namely :- " L-53 for retail vend of beer/wine."
Amendment of rule 24	5.	(1)	in the principal Rules, in rule 24, after sub-clause (h) of clause (ii), the following sub-clause shall be added namely :- "(i) L-53 (retail vend of beer/wine in departmental stores) – Rs. 2,00,000.00 per annum."
		(2)	in the principal Rules, in rule 24, after sub-clause (d) of clause (vii),the following sub-clause shall be added namely :- "(e) L-53F(permission for retail sale ---- 10 percent of of Imported Foreign wine and beer licence fee of in existing L-53 licences) L-53 licence."
		(3)	in the principal Rules, in rule 24, after sub-rule (vii), the following sub-rules shall be added, namely :- "(viii) L-52D (Retail vend of foreign liquor to holders of licence in form L-1 (for wholesale vend of IMFL) ----- Rs. Ten lac (Rs. 10,00,000.00) per annum (ix) L-55 (Retail vend of beer manufactured by Microbrewery) ----- Rs. Two lac fifty thousand (Rs. 2,50,000.00) per annum (x) L-56 (Retail vend of foreign liquor and Imported foreign liquor In Shopping Malls in Public as well as Private Sector) ----- Rs. Six Lac(Rs 6,00,000.00) per annum (xi) L-49B (For Hotel Management Institutes for keeping liquor for the purpose of teaching) ----- Rs.Five thousand (Rs. 5,000.00) per annum (xii) L-49C (For Liquor Exhibitors) ---- Rs. twenty five thousand (Rs. 25,000.00) per event "
Amendment of rule 26	6.		In the principal Rules, in rule 26, in sub-rule (1), in clause (A), after sub-clause (j), the following sub-clause shall be added, namely :- "(k) L-4D (Service of mild foreign liquor i. e. wine, beer and mixed alcoholic beverages only for "on" consumption:- No. of seat Covers Licence fee per annum Upto 1- 50 Rs. 2,50,000.00 Upto 51-100 Rs. 3,50,000.00 Upto 100- 200 Rs. 4,50,000.00 Above 200 Rs. 5,50,000.00 "

Amendment of rule 31A	7.		<p>In the principal Rules, in rule 31A in sub-rule (i), after clause (v), the following clause shall be added, namely:-</p> <p>“ (VI) Additional sourcing may be allowed to holders of L-1 licence to source their registered IMFL/Beer brands from other units (own unit/sister concern/ with a valid agreement for bottling) subject to the condition that the licensee shall pay an additional licence fee equivalent to basic licence fee for each additional unit and the licence shall bear the differential cost, if any, due to change of freight and export pass fee etc.”</p>
Amendment of rule 34	8.	(1)	<p>in the principal Rules, in rule 34, for the heading of sub-rule (21), the following shall be substituted, namely :-</p> <p>“ Licence in form L-53 for retail vend of beer/wine by departmental stores. ”</p>
		(2)	<p>in the principal Rules, in rule 34, in sub-rule (21), for clause (b), the following shall be substituted, namely :-</p> <p>“(b) The licensee shall not sell beer/wine to any other L-2, L-2A, L-52 and L-54 licensee.”</p>
		(3)	<p>in the principal Rules, in rule 34, in sub-rule (21), for clause (c), the following shall be substituted, namely :-</p> <p>“(c) The licensee shall not sell beer/wine of any brand, not approved by the Government and the Government shall be under no obligation to permit the sale of any brand of beer/wine.”</p>
		(4)	<p>In the principal Rules, in rule 34, after sub-rule (22), the following sub-rules shall be added, namely :-</p> <p>“ (23) “A licence in form L-4D for service of wine/beer/mixed alcoholic beverages for consumption ‘on’ the premises.</p> <p>(a) The licensee shall not store or serve any liquor other than wine/beer/mixed alcoholic beverages at a premises other than the one specified and endorsed on the licence.</p> <p>(b) The licensee shall not store wine/beer/mixed alcoholic beverages at a place other than the store room as specified and endorsed on the licence.</p> <p>(c) The licensee shall serve wine/beer/mixed alcoholic beverages only in open bottles or in glasses.</p> <p>(d) licensee shall not purchase any wine/beer/mixed alcoholic beverages from any person other than one holding the license in form L-1 and L-1F, without the permission of the Excise Commissioner.</p> <p>(e) Before the grant of the licence, the applicant shall submit the following documents, namely:-</p> <p>(i) a site plan indicating the Store-room area for the bar and for the service of IMFL/beer;</p> <p>(ii) A copy of certificate of registration under the Shops and Establishment Act issued by the competent authority.</p> <p>(iii) A copy of VAT Registration Certificate issued by the competent authority, if any.</p> <p>(iv) A copy of eating house licence issued by Deputy Commissioner of Police licensing.</p> <p>(v) A copy of health and trade licence issued by MCD/NDMC.</p>

(24) Licence in form L-56 for retail vend of Foreign Liquor and Imported Foreign Liquor in Shopping Mall, in Public as well as Private Sector

- (a) (i) The licensee shall not sell liquor to any person for consumption "on" the premises.
- (ii) The licensee shall exhibit prominently in the licensed premises notices drawing the attention of the public to the provision of rule 19 of the Delhi Liquor Import, Export, Transport and Possession Rules, 1976 and to the fact that consumption of liquor on the premises or in any public place is punishable under section 68 of the Act with fine which may extend to two hundred rupees.
- (b) The licensee shall not sell liquor to any other L-2, L-2A, L-52, L-52D, L-53, L-54 and L-56 licensee
- (c) The licensee shall not sell liquor of any brand not approved by the Government and the Government shall be under no obligation to permit the sale of any brand of liquor.
- (d) The licensee shall display at a conspicuous place in the approved premises a list showing the retail price (inclusive of VAT) of each size of bottle of each brand of liquor on sale and the price or maximum price, if any, fixed by the Excise Commissioner under the provision of sub-rule (17A) of rule 33.
- (e) Assessed fee and vend fee at such rates as may be prescribed and duty unless such duty has been paid by the wholesaler, shall be payable by the licensee before grant of a transport pas for any liquor purchased by him.
- (f) No licensee shall claim any discount/concession /rebate in any shape beyond what is permissible.

(25) Licence in form L-52D for the retail vend of IMFL to holder of license in form L-1 (for whole sale supply of IMFL).

(a) An enterprise holding L-1 licence/licenses having same constitution and having 5 or more liquor brands with price range above Rs.350 per quarts in case of whisky/wine, Rs. 250/- in case of vodka/gin/rum/brandy and no limit in case of beer/mixed alcoholic beverages may open maximum five L-52D vends.

- (b) (i) the licensee shall not sell liquor to any person for consumption "on" the premises.
- (ii) the licensee shall exhibit prominently in the licensed premises notices drawing the attention of the public to the provision of rule 19 of the Delhi Liquor Import, Export, Transport and Possession Rules, 1976 and to the fact that consumption of liquor on the premises or in any public place is punishable under section 68 of the Act with fine which may extend to two hundred rupees.
- (c) The licensee shall not sell liquor to any other L-2, L-2A, L-52, L-52D, L-53, L-54 and L-56 licensee:

Provided that in case of licensee holding more than one L-52D license, the transfer of stocks from one licensed premises to another shall not be construed as a sale, but no such transfer is permissible except with the prior permission of the Collector.

(d) The licensee shall sell liquor of those brands which are approved by the Collector under their wholesale licenses.

			<p>(e) The licensee shall display at a conspicuous place in the approved premises a list showing the retail price(inclusive of VAT) of each size of bottle of each brand of liquor on sale and the price or maximum price, if any, fixed by the Excise Commissioner under the provision of sub-rule (17A) of rule 33.</p> <p>(f) Assessed fee and vend fee at such rates as may be prescribed and duty unless such duty has been paid by the wholesaler, shall be payable by the licensee before grant of a transport pas for any liquor purchased by him.</p> <p>(g) No licensee shall claim any discount/concession /rebate in any shape beyond what is permissible.</p> <p>(26) Licence in form L-49B for Hotel Management Institutes for keeping liquor for the purpose of training:</p> <p>(a) The licence shall be issued to Hotel Management Institute or other teaching institute recognized by the Government.</p> <p>(b) The liquor shall be used for teaching purpose only.</p> <p>(c) The liquor shall be purchased from licensed retail vends only.</p> <p>(d) The limit of liquor shall be decided by the Excise Commissioner.</p> <p>(27) Licence in form L-49C for liquor Exhibitors and importers of liquor samples.</p> <p>(a) Vend fee or any other fee shall be charged at the rates approved by Excise Commissioner.</p> <p>(b) Total number of brands and their quantity shall be as approved by Excise Commissioner.</p> <p>(c) The IMFL/IFL brands registered in Delhi shall not be permitted during such exhibitions.</p> <p>(d) The licence will have validity for the specified period only.”</p>
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By order and in the name of
the Lt. Governor of the National
Capital Territory of Delhi,

Sd/-
(AMAR NATH)
ADDITIONAL SECRETARY (FINANCE)

No: No:F.10(8)/Fin(T&E)/2009-10/jsfin/295

Dated : 12/04/2010

Copy to:

1. The Secretary(GAD),Govt.of NCT of Delhi with one spare copy for ita publication in the Delhi Gazette Part-IV(extraordinary) in today's date.
2. The Excise Commissioner, GNCTD, L-Block, Vikas Bhawan, New Delhi.
3. OSD to Hon'ble Lt. Governor, Raj Niwas, Delhi.
4. Secretary to Finance Minister,Govt.of NCT of Delhi.
5. The Joint Secretary (L&J),GNCT of Delhi, Delhi Sachivalaya,I.P.Estate,New Delhi.
6. Guard file.
7. Web site.

Sd/-
(AMAR NATH)
ADDITIONAL SECRETARY (FINANCE)