

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI  
OFFICE OF THE COMMISSIONER OF EXCISE, ENTERTAINMENT AND LUXURY TAX  
L & N BLOCK, VIKAS BHAWAN, I. P. ESTATE, NEW DELHI - 110002.

No.F.1(644)/Ex/R/L-17/1998-99/ 258

Dated: 19-12-2011


CIRCULAR

Following terms and conditions are framed within the ambit of section 20 of the Delhi Excise Act, 2009 for allowing the transfer of licence in the case of restaurant (L-17/ L-17F, L-18/ L-18F, L-19/ L-19F): -

1. Proceedings of any kind under the Delhi Excise Act, 2009 and rules framed thereunder or under the erstwhile Punjab Excise Act, 1914 and rules framed thereunder should not be pending against the licensee before any such approval is allowed.
2. The transferee will run the restaurant/ bar in the same premises and will submit the lease of the premises and insurance in his name within a period of 03 months.
3. Prior approval of Licensing Authority should be sought within the purview of section 20 of the Delhi Excise Act, 2009.
4. An affidavit will be attached along with the application for obtaining permission for transfer of licence in the prescribed format. (Annexure 'A')
5. Licensing Authority may permit the transfer of licence subject to payment of 25% of annual licence fee for the restaurant in question.
6. In case prior approval of Licensing Authority has not been sought but transferee has been able to prove that the mistake committed has been bonafide and licensing authority on being satisfied may permit such transfer of licence subject to meeting of all other terms & conditions as specified above on payment of 35% of licence fee (25% of transfer fee and 10% on account of penalty for not obtaining prior approval). The decision of Licensing Authority regarding bonafides will be final.
7. No refund for licence fee will be allowed to the transferor licensee for any unexpired period of financial year.

Contd.....2/-

8. Transferee will submit all licenses/ NOCs from link departments viz. Health & Trade Licence, Eating House Licence, NOC from DFS and Approval of DOT along with PAN Card and DVAT registration certificate in the name of transferee and comply with any other condition imposed by D.C. (Excise) within a period of three-months or the validity of the licence, whichever is earlier.
9. Permission for transfer on compliance of above terms and conditions will be allowed only if transfer has happened after coming into force of Delhi Excise Act, 2009 i.e. after 04.10.2010. The cases of transfer prior to 4.10.2010 will be examined as per appropriate provisions of Punjab Excise Act, 1914 and rules framed thereunder.

  
(A. K. SINGH)  
Commissioner (Excise)  
19.12.11

1. The Assistant Commissioner, Restaurant Branch
2. System Analyst to upload the same on official website.



AFFIDAVIT

I, \_\_\_\_\_ S/o. \_\_\_\_\_ R/o. \_\_\_\_\_  
 \_\_\_\_\_ and Director/ Partner/ Proprietor of  
 \_\_\_\_\_ do hereby solemnly  
 affirm and declare as under: -

1. That I am a citizen of India.
2. That Sh/ Ms. \_\_\_\_\_ was granted a license for running a restaurant under the name \_\_\_\_\_ and style \_\_\_\_\_ of \_\_\_\_\_ at \_\_\_\_\_  
 \_\_\_\_\_ (the same premises).
3. That the above-named unit has been acquired by me/ us from \_\_\_\_\_ and we are desirous of getting Excise License transferred in our name \_\_\_\_\_.
4. That all the amended licenses/ NOCs along with necessary documents would be submitted to Excise Department at the time of renewal of licence.
5. That the seating capacity of the unit is \_\_\_\_\_ seat covers and there is no change in licensed premises.
6. That I have gone through the Delhi Excise Act, 2009 and rules framed thereunder i.e. the Delhi Excise Rules, 2010 and understood the same.
7. That I undertake to abide all the provisions made under the Delhi Excise Act, 2009 and the Delhi Excise Rules, 2010 and shall stand good any loss to the department if in future it is established that I have furnished wrong statement in obtaining the authorization of L-17/ L-17F licence.
8. The information and documents submitted by me/ us are true and correct.

DEPONENT

Verification: -

Verified on \_\_\_\_\_ at New Delhi that the contents given above are true and correct to the best of my knowledge and belief.

DEPONENT