

**OFFICE OF THE COMMISSIONER OF EXCISE  
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI  
L & N BLOCK, VIKAS BHAWAN, I.P. ESTATE, NEW DELHI - 110 002.**

**IT REFERS TO PUBLIC NOTICE OF 2009-2010.**

TERMS AND CONDITIONS FOR THE GRANT OF LICENSES IN FORM L-1 FOR THE YEAR 2009-2010 (01.04.2009 TO 31.03.2010) FOR THE WHOLESALE SUPPLY OF INDIAN MADE FOREIGN LIQUOR (IMFL)/BEER TO THE HOLDERS OF L-2, L-3, L-4, L-5, L-5A, L-19, L-52, L-53 AND OTHER LIQUOR LICENSE IN THE NATIONAL CAPITAL TERRITORY OF DELHI.

Licenses in Form L-1 for the wholesale vend of Indian Made Foreign Liquor/Beer for the supply to the holders of L-2, L-3, L-4, L-5, L-5A, L-19, L-52, L-53 and other such liquor licenses as granted by the statutory authority in the National Capital Territory of Delhi will be granted for the year 2009-2010 (01-04-2009 to 31-03-2010) (hereinafter called the "the licensing year") in accordance with the terms and conditions described below: -

**1. LICENSE FEE AND BRAND FEE**

- 1.1 L-1 License will be issued on regular basis on payment of basic license fee of Rs. 5,00,000/- (Rupees Five lakhs) only for the licensing year 2009-10.

The number of spirit brands i.e. whisky, vodka, rum, gin, brandy with MRP of above Rs.100/- shall be allowed in the L-1 license with the condition that the licensee would be required to pay license fee as under:

<b>Upto 5 (five) spirit brands</b>	<b>Rs.5,00,000/- (Rupees Five Lac)</b>
<b>For every additional 5 (Five) spirit brands</b>	<b>Additional Rs. 5,00,000/- (Rupees Five Lac)</b>

This restriction does not apply to any other category and as such the policy will remain unchanged for these categories (Beer, Wine and RTD)

The above eligibility conditions will apply to new brands as well as to the existing brands at the time of the registration for the licensing year 2009-2010 (01-04-2008 to 31-03-2009).

- 1.2 The L-1 licence so issued shall be for the grant of rights to sell IMFL/Beer/Wine & other liquors, subject to payment of the brand fee for each brand as below:

- (a) Rs. 10,00,000/- (Rupees Ten Lakhs only) per brand of whisky per annum or one percent of the total wholesale value of that brand, whichever is higher.
  - (b) Rs. 7,00,000/- (Rupees Seven Lakhs only) per brand of rum per annum or one percent of the total wholesale value of that brand, whichever is higher.
  - (c) Rs. 10,00,000/- (Rupees Ten Lakhs only) per brand of beer per annum or one percent of the total wholesale value of that brand, whichever is higher.
  - (d) Rs. 7,00,000/- (Rupees Seven Lakhs only) per brand of gin per annum or one percent of the total wholesale value of that brand, whichever is higher.
  - (e) Rs. 3,00,000/- (Rupees Three Lakhs only) per brand of brandy per annum or one percent of the total wholesale value of that brand, whichever is higher.
  - (f) Rs. 3,00,000/- (Rupees Three Lakhs only) per brand of Vodka per annum or one percent of the total wholesale value of that brand, whichever is higher.
  - (g) Rs. 50,000/- (Rupees Fifty Thousand only) per brand of Wine/Champagne/Liqueur/Mixed Alcoholic Beverages per annum or one percent of the total wholesale value of that brand, whichever is higher.
- 1.3 The applications for grant of L-1 license for the year 2009-10 can be submitted on any working day throughout the excise year. Only those applications, which are complete in all respects and are received in the Office of the Commissioner of Excise, Govt. of National Capital Territory of Delhi (hereinafter called "The Commissioner") shall be considered for the grant of the license. Incomplete applications will be liable to be rejected.

## **2. REGISTRATION OF BRANDS AND ELIGIBILITY OF BRANDS FOR SALE IN THE NATIONAL CAPITAL TERRITORY OF DELHI.**

- 2.1 All the brands for sale in the National Capital Territory of Delhi shall be registered with the Excise Department of the Govt. of National Capital Territory of Delhi (hereinafter called "the Excise Department").
- 2.2 The registration of brands shall be open through out the licensing year 2009-10 on payment of the following fee:
  - (a) Rs. 10,000/- (Rupees ten thousand) only per brand of Whisky/Rum.

- (b) Rs. 3,000/- (Rupees three thousand)  
only per brand of Beer/ Brandy/ Gin/ Vodka/ Wine/ Champagne/  
RTD and other liquors

2.3 The registration and approval of the brands shall be subject to the brands fulfilling, besides all other conditions of the Punjab Excise Act, 1914 as extended to the National Capital Territory of Delhi and the rules made there under, the following conditions: -

- a) It shall be a product of the manufacturing unit (Including a bottling unit) duly licensed by the Government.
- b) It shall not be manufactured from rectified spirit or country liquor i.e. it shall be made from neutral alcohol (double distilled), extra neutral alcohol, etc.
- c)
  - i) Only such IMFL brands, as have their Trade Mark registered, shall be allowed registration in Delhi. However, the brands with registered trademark assigned to the applicant under a valid agreement made in accordance with the Trade and Merchandise Marks Act, 1958 will be permitted.
  - ii) The brands with Foreign TMC's will be allowed in the Licensing year 2009-10 provided they have applied for registration to the Trade Mark Registration Authority of India before the submission of application for registration of the particular brand further subject to that no brand shall be allowed to be registered in Delhi having identical or deceptively similar Trade Mark which is already registered in the name of a different proprietors in respect of the same goods or description of goods. This will however be subject to the verification of authenticity of Foreign TMC by the concerned Issuing Authority.
  - ii) Trade Mark Certificate is not required for brands of Wine and Beer.
- d) The cost of the inspection for verification of sale figures as prescribed hereinafter shall be borne by the applicant. If any brand does not fulfill the required criteria for registration as mentioned below, the applicant will have no right for refund of expenses/cost borne by him for the sale verification.
- e) The Whisky brands shall be divided into five categories so far as the eligibility for Licensing / registering various brands is concerned. These categories are as follows :-

## **CATEGORY I (CHEAPER BRANDS WHISKY)**

Brands with retail price of Rs.100/- per quarts. These brands shall be allowed registration in Delhi only if the brands have sold a minimum of 50,000(Fifty Thousand) cases all over India, including the National Capital Territory of Delhi in any of the two preceding financial years i.e. 2007-2008 or 2008-2009. The brands shall also qualify for registration, if the above minimum requirement of cases sold is fulfilled any time during the financial year 2009-10.

## **CATEGORY II**

Brands with retail price between Rs. 101/- and 250/-per quarts. These brands shall be allowed registration in the National Capital Territory of Delhi only if the brands have sold a minimum of 75,000(Seventy Five Thousand) cases all over India, including the National Capital Territory of Delhi in any of the two preceding financial years i.e. 2007-2008 or 2008-2009. The brands shall also qualify for registration, if the above minimum requirement of cases sold is fulfilled any time during the financial year 2009-10.

## **CATEGORY III**

Brands with retail price between Rs.251/- and Rs. 400/-per quarts. These brands shall be allowed registration in the National Capital Territory of Delhi only if the brands have sold a minimum of 30,000 (Thirty Thousand) cases all over India, including the National Capital Territory of Delhi in any of the two preceding financial years i.e. 2007-2008 or 2008-2009. The brands shall also qualify for registration, if the above minimum requirement of cases sold is fulfilled any time during the financial year 2009-10.

## **CATEGORY IV**

Brands with retail price between Rs.401/- per quarts and above. No sale figures will be required in this category.

## **CATEGORY V**

An international whisky brand being bottled in India and with retail price upto Rs.600/- per quarts shall be registered only if it has sold over 5,00,000 (Five lac) cases worldwide in any of the two preceding financial years i.e. 2007-2008 or 2008-2009. The brands shall also qualify for registration, if the above minimum requirement of cases sold is fulfilled any time during the financial year 2009-10.

**f) RUM BRANDS**

**CATEGORY 1 (CHEAPER RUM BRANDS)**

A Rum brand with retail price of Rs.100/- per quarts shall be registered only if it has sold 30,000 (Thirty Thousand) cases all over India, including the National Capital Territory of Delhi in any of the two preceding financial years i.e. 2007-2008 or 2008-2009. The brands shall also qualify for registration, if the above minimum requirement of cases sold is fulfilled any time during the financial year 2009-10.

**CATEGORY II**

A Rum brand with the retail price between Rs. 101/- and Rs. 250/- per quarts shall be registered only if it has sold 40,000 (Forty thousand) cases all over India, including the National Capital Territory of Delhi in any of the two preceding financial years i.e. 2007-2008 or 2008-2009. The brands shall also qualify for registration, if the above minimum requirement of cases sold is fulfilled any time during the financial year 2009-10.

**CATEGORY III**

For Rum brands with the retail price above Rs. 250/- per quarts, no sale limit has been prescribed.

The above eligibility conditions will apply to brands for future registration as well as to the existing brands at the time of registration for the licensing year 2009-10.

**(g) BEER BRANDS**

**CATEGORY I**

A Beer brand with above 5 per cent alcoholic strength shall be registered only if it has sold 2,50,000 (Two lac fifty thousand) cases all over India, including the National Capital Territory of Delhi in any of the two preceding financial years i.e. 2007-2008 or 2008-2009. The brands shall also qualify for registration, if the above minimum requirement of cases sold is fulfilled any time during the financial year 2009-10.

**CATEGORY II**

A Beer brand with below 5 per cent alcoholic strength shall be registered only if it has sold 80,000 (Eighty thousand) cases all over India, including the National Capital Territory of Delhi in any of the two preceding financial years i.e. 2007-2008 or 2008-2009.

The brands shall also qualify for registration, if the above minimum requirement of cases sold is fulfilled any time during the financial year 2009-10.

### CATEGORY III

For Diet Beer brands, no sale limit has been prescribed. Diet Beer should have alcoholic strength below 5% and caloric value less than 31 gms per 100 ml.

### CATEGORY IV

An international Beer brand (including mild beer) shall be registered only if it has sold over 5,00,000 (Five lac) cases worldwide in any of the two preceding financial years i.e. 2007-2008 or 2008-2009. The above eligibility conditions will apply to brands for future registration as well as to the existing brands at the time of registration for the licensing year 2009-10.

### CATEGORY V

For Mixed Alcoholic Beverages with alcoholic strength of less than 5% and Wine Brands, no sale limit has been prescribed.

- (h) IMFL Brands (Whisky and rum only) having retail price of Rs.100/- declared, as cheaper brand will also be sold through special L-2 vends situated in the premises of existing country liquor vends in addition to regular L-2 vends. Cheaper brands will be sold only in one category of retail price of Rs.100/- with wholesale price of Rs.21/- per quart (Rs.252/- per case). L-1 licensee will be allowed to lower ex-distillery/wholesale price so as to bring their brands at par with the cheaper brands. However, once a brand has been declared as cheaper brand, it shall continue to be so, during the currency of the licensing year and the licensee shall not be permitted to opt out of this category once he has exercised his option
- (i) Beer brands will also be sold through special L-2 vends situated in the premises of existing country liquor vends.

## 3. ELIGIBILITY TO HOLD LICENCE

- 3.1 L-1 license shall be granted only to a company incorporated under the Companies Act, 1956, a firm registered under the Partnership Act, 1932 or a Society registered under the relevant Co-operative Societies Act or sole proprietor having licensed manufacturing units (distillery/brewery/Winery/bottling plant). The distillery/brewery/winery/ bottling plant, however, can have the same persons to act as their attorney/authorized

representative. But each distillery/Brewery/Winery/Bottling Plant shall have to maintain a separate godown at the premises being used by the same attorney. Attorney once nominated shall not be changed during the currency of the license without the prior intimation to the Collector of Excise, Govt. of NCT of Delhi (hereinafter called "the Collector"). The distilleries/breweries/bottling plants shall be responsible for any act of omission or commission done by the said attorney/authorized representative.

- 3.2 Apart from the affidavits filled by an applicant for L-1 license regarding sale figures, the applicant for the L-1 license shall have to furnish along with the application a certificate from the excise authorities of the concerned State countersigned by an officer not below the rank of an Excise Officer as regards the sale figures and EDP. The applicant will also be required to furnish attested photocopies of the export pass/export verification certificate (EVC) issued by the Excise authorities as a further proof of the sale figures. The manufacturing unit and attorney/authorized signatory both will be responsible for providing any wrong information in this regard.

#### **4. INFORMATION REGARDING OTHER RELATED LICENSE.**

- 4.1 Holders of L-1 licenses will be permitted, under rule 34(2) of the Delhi Liquor License Rules, 1976 to sell IMFL including beer only to vends having license in form L-2, L-3, L-4, L-5, L-5A, L-19, L-19A, L-52, L-53 and other such liquor licenses granted by the statutory authorities.
- 4.2 The Excise Department and the Government shall be under no obligation to grant any particular number of L-2, L-3, L-4, L-5, L-5A, L-19, L-19A, L-52, L-53 and other such liquor licenses. The holder of L-1 licenses shall not be entitled to any compensation or relief on the ground that a particular number of L-2, L-3, L-4, L-5, L-5A, L-19, L-19A, L-52, L-53 and other such liquor licenses were not granted.

#### **5. SALE HOURS AND DRY DAYS.**

All days of religious importance and such other days as considered appropriate will be declared as "dry days" in addition to dry days normally declared. The holders of L-1 licenses shall not be entitled to any compensation or relief due to any increase in the number of dry days beyond the likely number mentioned hereinabove or due to change in the working hour of the bonded ware-house or of retail vends during the course of the licensing year. Working hour for liquor and bonded warehouse shall be decided by the competent administrative authority. The bonded warehouses of licensees may open one hour prior to the timings of liquor shops.

## **6. PROCEDURE TO APPLY**

- 6.1 Application in the prescribed form (Annexure I) together with its appendices 'B' and 'C' for the grant of license shall be made to the Collector. In case, the applicant is a company incorporated under Companies Act, the application shall be signed by the Managing Director or duly authorized Director of the company by the board of directors of the company concerned. In case of individual partnership concern or a society registered under the Co-operative Societies Act, the application shall be signed by the Proprietor, duly authorized working partner, chairman or secretary of the society, as the case may be.
- 6.2 Information as required for this purpose in the application form shall be furnished with complete details truly and faithfully, so as to enable the smooth processing of application for grant of L-1 licenses. The applicants shall not be entitled to any relief or compensation on account of delay in the finalization of their case for the grant of license.
- 6.3 The attention of the intending applicants is invited to the provisions of rule 31 A of the Delhi Liquor License Rules, 1976, regarding the procedure for the grant of license in Form L-1 on fixed fee.
- 6.4 No applicant shall be granted a license in Form L-1 which is not eligible to hold a license and does not fulfill all the requirements of rule 31 A of the Delhi Liquor License Rules, 1976.

## **7. OTHER CONDITIONS OF LICENSE**

- 7.1 License in Form L-1 for the licensing period shall be interalia subject to the general conditions as contained in rules 33, 34 and 35 of the Delhi Liquor License Rules, 1976. The licensee shall abide by the provisions of the Punjab Excise Act, 1914 as extended to the National Capital Territory of Delhi, the rules framed thereunder and orders/instructions issued thereunder from time to time and any law in force in the National Capital Territory of Delhi relating to liquor and bonded warehouses.
- 7.2 These terms and conditions, unless repugnant to the express provisions of the Punjab Excise Act, 1914 as extended to the National Capital Territory of Delhi and the rules made thereunder, shall be in addition to the said Act and the Rules.
- 7.3
  - (a) The price structure for the brands for the IMFL/Beer which qualify for the grant of L-1 wholesale license for the year 2009-2010 will be fixed by the Commissioner under the Delhi Liquor License Rules, 1976 as amended from time to time.
  - (b) No licensee shall supply liquor in bottles having marking of another distillery embossed on it.



- (c) The licensee shall keep one week's stock in his bonded warehouse of all the brands approved for sale in the National Capital Territory of Delhi so that uninterrupted supply to the retail vendors/outlets can be maintained throughout the licensing year. In case, the licensee fails to maintain the required stock, action under section 36 and 80 of the Punjab Excise Act, 1914 as extended to the National Capital Territory of Delhi shall be taken against him.
  - (d) The licensee has to give a certificate from the Government authorized laboratory or other reputed private institution regarding quality of particular brand and that it fulfils the specifications laid down by the Bureau of Indian Standards.
  - (e) All the licensee will be bound for Value Added Tax (VAT) as already implemented in NCT of Delhi w.e.f. 01-04.2005.
- 7.4 (a) L-1 Licensees shall be at liberty to declare the EDP based on which MRP shall be worked out as per prescribed rates of various excise levies, Value Added Tax, retail profit etc in the following cases:-
- (i) Whisky/wine : with MRP above Rs.350.00 per quarts
  - (ii) Rum/Gin/Vodka/Brandy: with MRP above Rs.250.00 per quarts

The prices so declared, shall not be varied/increased during the Licensing Year. However, Excise Commissioner may allow one time downward revision of price during the licensing year. If as a result of downward revision, the brand moves to a category with higher sales criteria, the revision shall not be allowed unless, the brand satisfies the higher sales criteria so prescribed.

- (b) The ex-distillery price shall be determined in other cases on the following basis:-

In case of all other brands of IMFL and Beer, prices will be fixed on the basic premise of lowest ex-distillery price / ex-brewery price net of all duties/fees, discounts/ commission of whatsoever nature allowed in respect of any market in India, excluding National Capital Territory of Delhi and CSD irrespective of the fact whether the brand is supplied by the applicant distillery/brewery/winery/bottling plant or any other distillery/brewery/winery or bottling plant under any kind of usership/franchise agreement or under any other arrangement. For this purpose, the minimum ex-distillery price during the period 01.04.2008 to 31.03.2009 (in the case of submission of application before 31.03.2009, the period will be w.e.f. 01.04.2008 to the date of submission of application) will be the basis for fixation of prices. The EDP/EBP per case so declared shall be for the Quarts size and in whole rupee only. Fraction of

paise, if any, will not be considered. The maximum increase that will be allowed in EDP in case of Pints and Nips of IMFL (excluding beer), will not be more than Rs. 12/- and Rs. 24/- per case respectively. The maximum increase that will be allowed in EBP in case of pints of beer will not be more than Rs.24/- per case. It shall be incumbent upon the L-1 licensee to pass on the benefit of lowering of EDP in other state below that of Delhi to the consumer of Delhi. As such it would be mandatory for the L-1 Licensee to intimate any such change to the Commissioner at the earliest possible and in any case not later than seven days from the date of such change and failure to do so shall be deemed as breach of terms and conditions of the license and also the differential amount due to any reduction in the duties levied, EDP etc will be recovered from the date of such reduction in other states.

- ( c ) It will be mandatory to mention Retail Price on all the bottles of all sizes of all brands of IMFL/Beer being supplied in National Capital Territory of Delhi.
  - (d) It will be mandatory to affix holograms on each and every bottles of IMFL being supplied in National Capital Territory of Delhi as being done in case of IFL. The hologram will be supplied by the department and the actual cost of the hologram (no other charges on account of labour etc) would be allowed in the price structure.
  - (e) MRP of quarts in case of IMFL shall be rounded off in the nearest multiple of Rs.10/- on the higher side only. MRP in case of pints & nips of IMFL shall be rounded off in the nearest multiple of Rs.5/- on the higher side only. MRP of beer shall be rounded off in the nearest multiple of Rs.5/- on the higher side only.
- 7.5
- (a) The landed price shall be determined by addition to the ex-distillery price, the export pass fee, central excise if any, import fee, freight, insurance, handling charges, octroi and other incidentals. A profit margin of 5 % of landed price on IMFL including beer and local transportation charges of Rs. 2.50 only per case shall be allowed to L-1 licensees to determine the wholesale price. No L-1 licensee shall allow any discount/commission/rebate in any shape to any retail licensee for retail sale beyond what is permitted by the Policy. No extra price will be allowed for monocartons.
  - (b) The freight charges are fixed at threshold amount of Rs. 300/- plus Rs. 10.50 per k.m of distance between Delhi and the distillery/brewery/winery/bottling plant by shortest route. For the purpose, Connought place shall be taken as the center point of Delhi from which such distance shall be measured.

- 7.6 The price structure determined for the year 2009-2010 shall be reviewed/revised under the Delhi Liquor Licence Rules, 1976 as amended from time to time in case of change in the statutory levies by other States/Union territories from where liquor is imported. As such it would be mandatory for the L-1 Licensee to intimate any such change to the Commissioner at the earliest possible and in any case not later than seven days from the date of such change and failure to do so shall be deemed as breach of terms and conditions of the licence and also the differential amount due to any reduction in the duties levied, etc will be recovered from the date of such reduction in other states
- 7.7 The licensee shall not sell any liquor not conforming to the specifications prescribed by the Commissioner or if has not prescribed any specifications, to the specifications laid down by the Indian Standard Institute now known as Bureau of Indian Standards. The consignment of liquor should be free from sedimentation or foreign particle.
- 7.8 The licensee shall furnish to the Collector a declaration in writing by the 8<sup>th</sup> of every month certifying that he has cleared all outstanding Excise revenues and other dues recoverable from him. The Collector or any Excise officer may refuse to issue any passes or permits to the licensee in the absence of such declaration or for any sufficient reasons to be recorded in writing, if he has reasons to believe that the licensee has not, on demand, paid any dues recoverable under section 60 of the said act or the dues payable on account of undue pecuniary benefits obtained by the licensee due to furnishing of wrong information or/and suppressing the material information furnished to the Excise Department at the time of fixation of wholesale price for their brands of IMFL/Beer. The licensee shall not be entitled to any compensation or relief on account of such refusal.
- 7.9 Original/photocopy of challan and invoice duly attested by the Excise authority for each of the consignments of IMFL/Beer shall be handed over to the Excise Inspector posted at the licensed premises at the time of inbonding of each consignment. In case, challan is available but invoice is not available, the consignment of IMFL/Beer following any such consignment for which invoice was not available shall be inbonded when photocopy of the invoice for the previous consignment is handed over to the excise Inspector posted at the licensed premises. The licensee shall submit the weekly stock position on every Monday to the Collector.
- 7.10 (a) The applicant will also be required to install requisite computer hardware and software at the bonded warehouse as per configuration prescribed by the Excise Department, Govt. of NCT of Delhi, from time to time in respect of its on-going computerization online programme.

- (b) All L-1 licencees shall have barcode scanners for inbonding and outbonding of stocks and the liquor bottle cases shall also bear the barcodes.
- (c) The bar-codes shall be merged in the artwork of the main labels on bottles, monocartons and mother cartons.

7.11 The grant of L-1 (wholesale) licence shall be subject to the acceptance of the terms and conditions as a whole.

## 8. GRANT OF LICENCE

8.1 All the applications for the grant of fresh L-1 licence shall be subject to the acceptance by the specified competent authority, who, may accept or reject any application without assigning any reason. The licensing authority or the Government shall be under no obligation to grant any license for which application has been made.

8.2 An applicant whose application is accepted, immediately on being informed, shall complete the following formalities: -

- (a) He shall pay the entire license fee before the grant of L-1 license. For all categories of IMFL, minimum fixed brand fee (non-refundable) and the brand registration fee shall be deposited as soon as the brand is approved. Minimum fixed brand fee will be adjusted against the brand fee worked out @ 1% of the total wholesale value. This shall be charged at the time of issue of import permits.
- (b) He shall furnish a security of a sum of Rs. 2,00,000/- (Rupees two lakh) per brand in the form of FDR in the manner specified in sub-rule (1) of rule 33 of the Delhi Liquor License Rules, 1976.
- (c) He shall furnish a personal bond with the surety in the sum of Rs.5,00,000/- (Rupees five lacs) only in the manner as may be prescribed by, and to the satisfaction of the Collector.
- (d) He shall submit the following additional documents to the Collector:
  - (i) Three recent passport size photographs of Managing Director and Attorney of the Distillery.
  - (ii) A site plan of the premises proposed for opening of liquor bonded warehouse.

- (iii) The licensee shall furnish names, addresses and three photographs of each of the employees working at the bonded warehouse to the Excise Department.

## 9. PREMISES

- 9.1 The licensed premises/BWH established at site/premises, the land use of which is non-residential and non-agricultural. The building of the BWH shall be a pucca one with sufficient storage capacity but not less than 500 sq. ft. in any case, proper electrical fittings and adequate fire safety equipments/arrangements as prescribed by the Delhi Fire Service. The licensee should submit an affidavit with regard to fire safety arrangements at the BWH. The licensed premises shall be duly insured against fire and natural hazards. The licensee shall keep the premises thoroughly clean and dry and shall comply with the orders issued by the Collector for removal of defects in the building.
- 9.2 The number of godowns for the purpose of Bonded Ware House to the L-1 Licensee will be allowed as per the Delhi Liquor License Rules, 1976.
- 9.3 The following information shall also be provided in regard to the licensed premises:
  - (a) A correct plan of the premises which the applicant proposes to use for the purpose of his building under his license and of the entire building. The plan shall be submitted in duplicate showing the plan and elevation of the premises and the position of the various rooms, cupboards, racks and all important details connected with the premises.
  - (b) A "No Objection Certificate" from the landlord in regard to the use of the premises for the storage of Indian Made Foreign Liquor/Beer if it is not owned by the applicant.
  - (c) Court fee stamp of Rs. 5/- (Rupees Five) only, duly affixed on the application form.
  - (d) The licensee would be required to install and maintain a close circuit TV in the office of the inspector posted in the bonded warehouse.

## 10. PAYMENTS

- 10.1 The licensee shall make all the payments to the Government in connection with the operation of his license in cash or by bank draft drawn in the name of the Collector of Excise, Government of National Capital Territory of Delhi.
- 10.2 The licensee shall pay interest @ 18 % p.a. from the date on which any payment recoverable from him under section 60 of the said Act becomes due to the Government until the date such payment is actually made or such amount is actually recovered, whatsoever, may be the reason for the lapse of time before payment is made or recovery is effected.

- 10.3 The licensee shall not be entitled to any interest or any other relief or compensation on account of any delay in the payment of any amount to him by the Government.

## **11. PROHIBITION**

11.1 In pursuance of the Directive Principles of the State Policy relating to prohibition, contained in Article 47 of the Constitution of India, the Lt. Governor of the National Capital Territory of Delhi may issue orders and directions from time to time and such orders and directions shall be binding on the licensee and no compensation shall be payable on that account.

11.2 The licensee shall abide by the following prohibition measures namely:

- (1) The licensee shall not display any neon or glow signs in and around the licensed premises to attract the customers.
- (2) The licensee shall display a notice board prominently in front of the licensed premises declaring that "Drinking of Liquor is injurious to health".
- (3) All persons employed by the licensee in the licensed premises shall be required to possess identity cards issued under the signatures of the Collector and the employees shall be required to produce the identity cards on demand by the Excise Officer or any officer not below the rank of Sub-Inspector.
- (4) The licensee shall not keep nor distribute, sell or publish/have displayed any advertising material of its liquor products or products having similar nomenclature which are directly or indirectly likely or intended to promote the sale or consumption of liquor by way of advertising in newspapers, hoardings, banners etc. Eco-friendly carry bags with advertisements/messages can, however, be supplied to the patrons subject to such advertisement/messages not exhorting people to take to drinking.
- (5) No licensee shall advertise its liquor products or any product having similar nomenclature of liquor product unless such advertisement conforms to the program code and advertisement code as laid down in the Cable Television Network (Regulation) Act, 1995 and Cable Television Network Rules, 1994.

## **12. EXECUTION OF BOND**

The licensee shall be required to execute a bond for the payment of duty as required under Sec 16 of the Punjab Excise Act, 1914 as extended to National Capital Territory of Delhi, at the time of issue of permit in r/o each and every consignment while importing liquor into the National Capital Territory of Delhi

and only after payment of import fees fixed by the Commissioner, with the prior approval of the Lt. Governor, on IMFL excluding beer before issue of the import permits.

13. The licensee shall be bound to furnish any information in connection with L-1 licence truly and faithfully within a reasonable time as may be prescribed by the Commissioner or the Collector or the District Excise Officer or the Excise Officer. Refusal to furnish the information, furnishing of false information or non-compliance of the orders will be regarded as the breach of the terms and conditions of the license. Breach of terms and conditions may also result in non-issue of import/transport permits and suspension/cancellation of license.
14. The Commissioner/Collector reserves the right to cancel or suspend any L-1 license at will as per provisions of Sec. 36 (g) of the Punjab Excise Act, 1914 as extended to the National Capital Territory of Delhi.
15. The Government reserves the right for a mid-term review of manner of levying duties / fees and amount of duties / fee etc. to be paid / payable in case any amendment is made to the Act, Rule or Law related to liquor & bonded warehouse in Delhi during the period of licence. Accordingly the changes if any shall be binding to all the L-1 licensees.

**Sd/-**  
**Commissioner (Excise)**