

**HARYANA GOVERNMENT**  
**EXCISE AND TAXATION DEPARTMENT**

**Notification**

The 1st April, 2020

**No. 26/X-I/P.A. 1/1914/S.59/2020.-** In exercise of the powers conferred by Section 59 of the Punjab Excise Act, 1914 (Punjab Act 1 of 1914) and with reference to the Haryana Government, Excise and Taxation Department, notification No. 09/X-1/P.A.1/1914/S.9/2020, dated the 28th January, 2020, I, Shekhar Vidyarthi, Excise Commissioner, Haryana, exercising the powers of Financial Commissioner hereby make the following rules further to amend the Haryana Liquor License Rules, 1970, namely:-

1. (1) These rules may be called the Haryana Liquor License (Amendment) Rules, 2020.
- (2) They shall come into force with effect from the 1st April, 2020.
2. In the Haryana Liquor License Rules, 1970 (hereinafter called the said rules), in rule 2, in the table,-  
 after class "L-1BF" and entries thereagainst, the following class and entries thereagainst shall be inserted, namely:-

"L-2BF	retail sale of Imported Foreign Liquor (BIO) by the Retail Outlets of Indian Made Foreign Liquor i.e. L-2 Licensees, and Bar Licensees i.e. L-4 & L-5, L-12C & L-12G	Fixed fee	Collector	Collector."
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3. In the said rules, in rule 24,-
  - (i) for clause (i), the following clause shall be substituted, namely:-  
 "(i) for a license in form L-1,-  
 (a) ₹1.00 crore in case the annual quota of IMFL in an excise district is less than or equal to 10 lakh Proof Litre.  
 (b) ₹1.25 crore in case the annual quota of IMFL in an excise district is more than 10 lakh Proof Litre and less than or equal to 25 lakh Proof Litre.  
 (c) ₹1.50 crore in case the annual quota of IMFL in an excise district is more than 25 lakh Proof Litre and less than or equal to 50 Lakh Proof Litre.  
 (d) ₹2.00 crore in case the annual quota of IMFL in an excise district is above 50 Lakh Proof Litre.  
 Provided that no such license shall be issued unless a refundable security of 20 % of the total license fee of L-1 license is deposited which shall be liable to be forfeited or adjusted for any amount or penalty due under the Act.";
  - (ii) for clause (i-bb), the following clauses shall be substituted, namely:-  
 "(i-bb) for licenses in form L-4/L-5:-  
 (a) L-4/L-5 licenses granted to the hotels of 5 Star grading and above: ₹ 25,00,000

Provided that L-4/L-5 licenses shall also be granted within the area notified under Gurugram-Manesar Urban Complex Plan 2031 and also such places where Haryana State Industrial Development Corporation has developed Industrial Model Townships and Theme/Specialized Parks like Industrial Model Townships, Manesar, Industrial Model Townships, Bawal, Industrial Model Townships, Rohtak, Industrial Town Park Manesar, Technology Park, Panchkula:

Provided further that such licensees shall be allowed one main bar and three additional points, alongwith room service (L-3), without any further fee. Such licensee shall further be allowed to operate the main bar round the clock. By virtue of having L-3 license, these hotels are allowed to keep liquor in the refrigerators kept in the hotels rooms along with other food articles and beverages. In case the licensee wishes to sub-lease one or more additional points, then a fixed fee of Rs. 10 Lakh per additional point shall be charged from such licensee. L-4/L-5 licensee bars can remain open up to 12.00 hours (Midnight). However, these licensed Bars may remain open upto 01:00 A.M in the districts of Gurugram, Faridabad and Panchkula. The timings of bars may be extended by one hour on payment of

additional annual fee of Rs. 10 Lakh. However, timing of these bar licenses, situated in the districts of Gurugram, Faridabad and Panchkula, may be further extended for another one hour (i.e. upto 03:00 A.M) on payment of additional annual fee of Rs. 10 Lakh. Sale of liquor including imported foreign liquor made through L-4/ L-5 outlets (bars) shall attract VAT @ 18 % + surcharge @ 5% on VAT.

(b) Hotels having grading of 4 Star: ₹ 22,50,000

Provided that such licensee shall be allowed one main bar and two additional points, alongwith room service (L-3), without any further fee. Such licensee shall further be allowed to operate the main bar round the clock. By virtue of having L-3 license, these hotels are allowed to keep liquor in the refrigerators kept in the hotels rooms along with other food articles and beverages:

Provided further that L-4/L-5 license shall also be granted provisionally to a Hotel located anywhere in the State subject to the condition that the applicant shall procure star classification of 4 star and above from the Ministry of Tourism, Government of India within the financial year of grant, failing which the provisional license shall not be renewed subsequently. The licensee shall apply for the star rating within one month of obtaining the L-4/L-5 license:

(c) for Hotels having grading of 3 Star,-

Serial No.	Name of Distirct	License fee
1.	Gurugram	₹ 20,00,000
2.	Faridabad	₹ 17,00,000
3.	All other Districts	₹ 15,00,000

Provided that such licensee shall be allowed one main bar, alongwith one additional point and room service (L-3), without any further fee. By virtue of having L-3 license, these hotels are allowed to keep liquor in the refrigerators kept in the hotels rooms along with other food articles and beverages.

Provided further that L-4/L-5 license shall also be granted to three star and above categories of star hotels located anywhere in the State. L-4/L-5 licenses may also be granted to those hotels having facilities equal to three star and above cagories, located anywhere in the State, by the Government.

Provided further that such licensee of category (a), (b) and (c) mentioned above shall also be allowed to serve liquor in functions, parties, events and meetings, held in up to three (03) of their identified and approved halls including banquet halls and ground floor lawns, sourced from the main bar, on payment of a one-time fee equal to 50% of his annual license fee.

The L-4/L-5 and L-12C licensees shall be allowed to procure Imported Foreign Liquor (BIO) after getting license in the form of L-2BF subject to the payment of prescribed license fee, assessment fee and permit fee:

Provided that a refundable security of ₹5,00,000 Lacs shall be taken from the L-4/L-5 licensees in addition to the license fee.”;

(d) For a license in form L-4/L-5, for clause (a), (b), (c), (d) and (e), the following clauses shall be substituted namely:-

- |     |  |                               |
|-----|--|-------------------------------|
| (a) | for revenue district Gurugram  | ₹18,00,000                    |
| (b) | for district Faridabad   | ₹15,00,000                    |
| (c) | for all other districts in the State except Gurugram and Faridabad                     | ₹10,00,000                    |
| (d) | for Bar(s) operated by Haryana Tourism Corporation.                                    | A composite fee ₹ 1,50,00,000 |
| (e) | Bars operated by Haryana Urban Development Authority in their Gymkhana and Golf Clubs: | A composite fee ₹ 1,50,00,000 |

Provided that a composite security of ₹6,00,000 Lacs shall be taken from Haryana Tourism Corporation and Haryana Urban Development Authority in addition to the composite license fee.

Provided further that any L-4/L-5 licensee is found indulging in sale of liquor in bottles instead of pegs, sale of unaccounted liquor and sale of liquor without holograms/EALs his license shall be cancelled forthwith and the security amount shall be forfeited. Such licensee and premises shall also be debarred for holding any license under the Excise Act for a period of two years.

- (iii) (a) in clause (ii), for the figure and sign “70,00,000”, the figure and sign “1,00,00,000” shall be substituted;
- (b) clause (ii-a) shall be omitted;
- (c) clause (ii-b) shall be omitted;

- (iv) after clause (ii-b), for the existing proviso, the following proviso shall be substituted, namely:-

“Provided that no new letter of intent shall be granted to the proposed Bottling Plant till actual utilization of Extra Neutral Alcohol reaches 90% of the installed production capacity of the existing distilleries in the State. Further, no letter of intent shall be revalidated in the year 2020-21 for a proposed Bottling Plant, if the applicant fails to set up the plant within the prescribed time under the provisions of his letter of intent”.

- (v) for clause (ii-c), the following clause shall be substituted, namely :-

“(ii-c) The bottling fee on Indian Made Foreign Spirit shall be levied as under:-

		For supply within State	For supply outside State within India	Export out of India
a)	For D-2 licenses bottling their own brands	₹15.00/- per Proof Litre	₹7.50/- per Proof Litre	Nil
b)	For bottling plants bottling their own brands	₹20.00/- per Proof Litre	₹10.00/- per Proof Litre	Nil
c)	For bottling of brands not covered in (a) and (b) above and where no franchise fee is levied	₹22.00/- per Proof Litre	₹11.00/- per Proof Litre	Nil
d)	For bottling of beer by the brewers	₹8.00/- per Bulk Litre	₹4.00/- per Bulk Litre	Nil

Provided that bottling fee shall be leviable on liquor for export as well as on liquor on local consumption, if no franchise fee is levied.

- (vi) in clause (iv), for the existing proviso at the end, the following proviso shall be substituted, namely :-

“Provided that a license in form L-12A shall be granted by the Deputy Excise and Taxation Commissioner (Excise) to an individual beyond possession limit for serving liquor during a day. The following categories shall apply online for grant of L-12A license:-

- (i) for serving liquor in banquet halls, farm houses, community centres, public parks/places of Haryana Sahari Vikash Pradhikarn, dharamshalas holding functions, get-togethers and marriage parties.
- (ii) for licensed hotels, restaurant and clubs for serving liquor outside their licensed premises on a temporary basis for hosting a function on a specific day.
- (iii) for individual obtaining license to serve liquor at a private place for a day, beyond the possession limit.

The commercial places like Banquet Halls, Hotels having Party Hall/Lawns shall have to mandatorily register with the Excise Department in the office of Deputy Excise and Taxation Commissioner (Excise) of the respective district. The annual registration fee of Banquet Halls and Hotels having Party Halls/Lawns shall be as under:-

Serial No.	Location of Banquet Hall/Hotel	Annual Registration fee
1	Corporaion limit of Gurugram & Faridabad	₹40,000
2	Corporaion limit of Ambala, Hisar, Karnal, Panchkula, Panipat, Rohtak, Sonapat & Yamunanagar.	₹25,000
3	Council/Committee limit of remaining Distirct Headquarter cities	₹15,000

4	Banquet Halls/Hotels falling on National/State Highway outside the Municipal limit of a District (subject to the provision of Excise Policy and Excise rules).	₹10,000
5	Banquet Halls falling in Rural Areas (other than those specified in category 4 above)	₹5,000

The fee structure for L-12A license shall be as under:-

Serial No.	Location of Banquet Hall/Hotel	Annual Registration fee
(i)	For person serving liquor at commercial venues	₹7,500/- per day per function
(ii)	For individual serving liquor at a private place beyond the possession limit	₹1,000/- per day per function

The application for grant of L-12A license at all the commercial venues shall mention the details of caterer i.e. name and style, GSTIN, the approximate number of guests and the quantity of liquor.”.

“Provided further that in case any banquet hall/hotel is found serving liquor without a valid L-12A License, a penalty of ₹50,000/- shall be imposed for first offence, ₹1,50,000/- for second and third offences. Further, in case of subsequent violations, such banquet hall/hotel shall be debarred for grant of any excise license for a period of one year.

(vii) for clause (iv-b), the following clauses shall be substituted, namely :-

“(iv-b) for a license in form L-12C,-

(a)	for revenue district Gurugram	₹ 18,00,000/-
(b)	for district Faridabad	₹15,00,000/-
(c)	All other districts in the State except Gurugram and Faridabad :	₹ 10,00,000/-”.

Provided that L-12C licenses shall be granted to the Clubs of repute situated in the district headquarter cities, except as provided hereunder, having infrastructure and level of facilities required to meet the parameters and condition prescribed by the District Level Committee constituted for this purpose. The club having L-12C license shall be entitled to all the facilities granted to L-4/L-5 having grading of 3 star. The fee of this license shall be Rs.20 Lakh:

Provided further that a new license in the form of L-12C for residential condominium shall be allowed at district headquarter cities. The main bar shall be equivalent to the L-4/L-5 license while any additional mini club within the condominium shall also get license @ 20% of the license fee of its main bar for each such additional mini club. This will be subject to the condition that only the residents of the condominium or their guests shall be allowed to utilize this facility:

Provided further that in case of L-12C license granted to Sirhind Club, Ambala, the army official shall be allowed to utilize their quota through CSD canteen while the civilian members shall not be entitled for the liquor supplied through CSD canteen:

Provided further that any L-12C licensee is found indulging in sale of liquor in bottles instead of pegs, sale of unaccounted liquor and sale of liquor without holograms/EALs his license shall be cancelled forthwith and the security amount shall be forfeited. Such licensee and premises shall also be debarred for holding any license under the Excise Act for a period of two years.

Provided further that a refundable security of ₹5,00,000 Lacs shall be taken from the L-12C licensees in addition to the license fee.”;

(viii) for clause (iv-c) and entries thereagainst the following clauses and entries thereagainst shall be substituted namely:-

“(iv-c) for a license in form L-12CC,-

(a)	Golf Club with the capacity Up to 9 holes (with 2 sale points).	₹ 30,00,000/-
(b)	Golf Club with the capacity Up to 18 holes (with 3 sale points).	₹ 50,00,000/-

Provided that license to serve liquor shall only be granted to Golf Clubs having facilities of 9 holes or more and they shall not be permitted as an additional point attached to any hotel or any type of bar license. The L-12CC Club bar licensee can remain open up to 12.00 hours (Midnight). However, these licensed Bars can remain open upto 01:00 A.M in the districts of Gurugram, Faridabad and Panchkula. The timings of bars can be extended by one hour on payment of additional annual fee of Rs. 10 Lakh. However, timing of these bar licenses, situated in the districts of Gurugram, Faridabad and Panchkula, can be further extended for another one hour (i.e. upto 03:00 A.M) on payment of additional annual fee of Rs. 10 Lakh.

**Note 1.-** Any additional point above the points already allowed, shall be allowed on payment of a fee equal to 20 % of the annual license fee for each such point and maximum number of three additional points per license shall be allowed.

**Note 2.-** In case of bars operated by Haryana Tourism and Haryana Urban Development Authority in their Gymkhana and Golf Clubs, they shall be allowed additional point on payment of a fee equal to ₹ 1 lakh for each such point.

Provided that a refundable security of ₹5,00,000 Lacs shall be taken from the L-12CC Club bar licensees in addition to the license fee.”;

(ix) in clause (v), for clause (i) and entries thereagainst, the following clause and entries thereagainst shall be substituted, namely :-

“(v) (i) The annual license fee for the wholesale outlet of country liquor (L-13) shall be as under:-

- (1) ₹30.00 lakh in case the annual quota of country liquor in an excise district is equal to or less than 25 lakh Proof Litre.
- (2) ₹35.00 lakh in case the annual quota of country liquor in an excise district is more than 25 Lakh and less than 50 Lakh Proof Litre.
- (3) ₹40.00 lakh in case the annual quota of country liquor in an excise district is equal to or more than 50 Lakh Proof Litre.

The licensee shall be required to deposit a refundable security amount of ₹ 10.00 lakh per L-13 outlet in the district.

(x) for clause (i-c) and entries thereagainst, the following clause and entries thereagainst shall be substituted, namely:-

“(i-c) for a license in form L-1AB ₹ 60,00,000;”

(xi) for clause (i-e) and entries thereagainst, the following clause and entries thereagainst shall be substituted, namely:-

“(i-e) for a license in form L-1B,-

1	In case of new License or where the annual sale from L-1B, in the year 2019-20, is equal to or less than 50 Lakh Proof Litre.	₹ 50,00,000;”
2	In case the annual sale from L-1B, in the year 2019-20, is more than 50 Lakh Proof Litre.	₹ 1,00,00,000;”

(xii) for clause (i-eeee), the following clause shall be substituted, namely :-

“(i-eeee) For a license in form L-1BF. –

- (a) The license fee for L-1BF shall be ₹1,00,00,000.
- (b) The license shall be granted by inviting online application on the departmental portal.
- (c) The applicant shall be allowed to make only one application. The applicant shall be, a wholesale licensee in the State of Haryana or any other State, or a proprietor firm or a partnership firm, or , a company registered under the Companies Act, 2013 (Central Act 18 of 2013) or a society registered under the relevant law or a firm registered under Limited Liability Partnership Act, 2008 (Central Act 6 of 2009).
- (d) The applicant shall deposit an application fee of ₹2,00,000. The application fee shall be non refundable and non adjustable. The application shall also be accompanied with an earnest money of ₹10,00,000. The application shall be accompanied with documents establishing the identity of the applicant. Identity proof(s) of all the person(s), like proprietor, all the partners, directors and the authorized person, if there is any one so authorized, should be uploaded online along with the application.

- (e) All the applications which are found in order in accordance with the provisions of excise law shall be considered as eligible. The Department shall publish list of eligible applicants on its official website and, this will be treated as date of allotment of his license. The license shall be valid for a period starting from the day of grant of license or 1st April, 2020 whichever is later.
- (f) The eligible applicant shall deposit security amount equal to 25% of the license fee and additional license fee, if applicable, within a week, or such other time as may be prescribed in the notice, of the date of allotment. The earnest fee shall be adjustable towards the payment of amount of security.
- (g) The earnest money of the applicant shall be forfeited in the following cases:-
- In case the applicant furnishes any false or forged document in his application
  - In case the applicant is found guilty of indulging in any malpractice
  - If the successful applicant fails to deposit installment of security amount within seven days of the allotment.
  - If the successful applicant fails to furnish documents as he is required to submit to the department within the seven days of the allotment or for any other reason as the Excise Commissioner may think fit.
- (h) If the department considers that sufficient number of eligible applications have not been received, it shall initiate another round(s) of allotment by inviting more applications.
- (i) If excessive large number of applications are received, the Excise and Taxation Commissioner may reduce quota of all the licensees in equal amount so that the total minimum quota of all the licensees is in commensurate with the requirement of the State.
- (j) The eligible applicant shall submit all other documents as are required under the provisions of the notice, instructions and the Punjab Excise Act, 1914 and the rules framed there under.
- (k) The applicant shall be treated as licensee once he has deposited his security amount.
- (l) The successful applicant shall pay the license fee and additional license fee, if applicable, in eight monthly installments each equal to 10% of the license fee and additional license fee, if applicable. The remaining part of the license fee shall be adjusted from the 25% security amount. Each installment of license fee shall be payable by 20th of every month starting from April, 2020 to November, 2020. The balance amount from security, if any, shall be refundable after adjusting any amount due towards licensee. Interest shall be leviable for the period of delay in depositing the license fee in accordance with the provisions of retail licensees of Indian Made Foreign Liquor and Country Liquor.
- (m) The minimum quota for L-1BF License shall be fixed as under:-
- Whisky, Scotch, Rum, Vodka, Gin, Brandy etc. 10000 cases
  - Beer 7000 cases
  - Wine, Cider, Liqueur etc 3000 cases
- Provided that the licensee shall have to lift the minimum quota as mentioned above in the financial year. In case of failure to lift the minimum quota shall attract a penalty of ₹3000 per case of whisky and wine as mentioned above in (i), (iii) and ₹1500 per case of beer as mentioned above in (ii). The quota shall be monitored on quarterly basis. Penalty shall be leviable for deficient quantity of quota lifted at the end of each quarters calculated on cumulative basis. In case of shortage of quota penalized in a quarter, the same quota shall not be penalized again in any subsequent quarters(s). Each quarter shall have 25% of the annual quota of each segment. The quota of wine shall be allowed to be transferred on request to the segment of whisky to be computed in cases without any additional fees.
- (n) The licensee shall also be entitled to 'Additional Quota' which will be 50% of 'minimum quota' without any additional license fee. It will be available after exhausting his 'minimum quota'.
- (o) The assessment fee and permit fee shall be levied as under:-

Type of Liquor	Assessment fee	Permit fee
Whisky	₹200 per Proof litre	₹25 per Proof litre
Wine	₹200 per Bulk litre	₹25 per Bulk litre
Beer	₹70 per Bulk litre	₹10 per Bulk litre

- (p) VAT on Imported Foreign Liquor (BIO) shall be charged at the rate of 10% with surcharge @ 5%.
- (q) A penalty of ₹5000 per bottle, irrespective of size of bottles involved, shall be imposed on every unaccounted bottle of whisky and wine found at the L-1BF premises, or at any other premises like L-1, L-2, L-4 & L-5, L-12C, L-12G, L-10B etc. The penalty shall be imposed on the licensee in whose premises it is found. In case of Beer the penalty shall be ₹2000 per bottle irrespective of size of bottle.
- (r) A penalty of ₹7000 per Bottle shall be imposed on the stock of Whisky and Wine of Imported Foreign Liquor (BIO) found short at any licensed premises. In case of beer, a penalty of ₹3000 per Bottle shall be imposed.
- (s) The outgoing licensee of L-1BF for the year 2019-2020 may transfer quota of unsold stock of imported foreign liquor as on 31-03-2020 to any of incoming licensees for the year 2020-2021. A transfer fee shall also be levied @ ₹120 per proof litre for whisky, Scotch, Rum, Vodka, Gin and Brandy etc. and ₹120 per Bulk litre for wine and ₹50 per Bulk litre for Beer.
- (xiii) after clause (i-eeee), the following clause shall be inserted, namely :-

“(i-eeee) for a license in form L-2BF.–

- (a) The license in form L-2BF shall be granted at a fixed fee.
- (b) The license in form L-2BF shall be granted as follows:-
- (i) The license in form L-2BF shall be granted to certain earmarked retail outlets of Indian Made Foreign Liquor i.e. L-2, at a fixed price which will be determined in accordance with the potential of the vend for Imported Foreign Liquor (BIO). The license fee of such retail outlets of Indian Made Foreign Liquor (L-2) shall be displayed in the excise arrangement separately and will be over and above the tender amount of the vend. Each such L-2BF shall be granted a minimum quota of Imported Foreign Liquor (BIO) in terms of cases of whisky, Beer and Wine. The minimum quota of such L-2BF shall be displayed in the excise arrangement. The security and license fee of L-2BF will be recovered in accordance with the provisions as are applicable for recovery of security and license fee of retail outlets i.e. L-2 and L-14A. The provisions of lifting of quota and penalty for non-lifting of quota in case of retail outlets of L-2 and L-14A shall apply mutatis mutandis to these L-2BF licensees. However, the penalty for short-lifting shall be ₹5000 per case for whisky & wine and ₹2000 per case for Beer.
- (ii) The license in form L-2BF shall also be granted to Retail outlets of Indian Made Foreign Liquor (L-2) of the State, other than those which are earmarked in the above mentioned (i) at the following license fee and quota:-
- (a) License fee ₹5,00,000 for minimum quota of 1000 cases comprising of 500 cases of Whisky, 350 cases of Beer and 150 cases of Wine.
- (b) The license fee of L-2BF shall be paid in lump sum in advance.
- Both the above mentioned categories of L-2BF licensees will be entitled to additional quota upto 50% of their minimum quota without any additional fee. The quota of Imported Foreign Liquor (BIO) shall be separate from quota of Indian Made Foreign Liquor.
- (iii) The license in form L-2BF shall also be granted to L-4 & L-5, L-12C & L-12G at a fixed fee of ₹2,00,000 payable in lump sum. The rates of the assessment fee and permit fee will be as under:-

Type of Liquor	Assessment fee	Permit fee
Whisky	₹75 per Proof litre	₹25 per Proof litre
Wine	₹75 per Bulk litre	₹25 per Bulk litre
Beer	₹40 per Bulk litre	₹10 per Bulk litre

3. In the said rules, in rule 27-A,-

(i) in sub-rule (1), for clauses (iii) and (iv) the following clauses shall be substituted, namely:-

“(iii) The fee for license in form L-10B obtained by the nearest L-2 licensee Located in shopping malls. ₹25,00,000

provided that the L-10B licensees shall be allowed to procure Imported Foreign Liquor (BIO) from any L-1BF licensee of the State subject to the payment of assessment fee and permit fee which will be as under:-

Type of Liquor	Assessment fee	Permit fee
Whisky	₹75 per Proof litre	₹25 per Proof litre
Wine	₹75 per Bulk litre	₹25 per Bulk litre
Beer	₹40 per Bulk litre	₹10 per Bulk litre

(iv) for a license in form L-10C ₹10,00,000

4. In the said rules, in rule 31-A, for the figure “325”, the figure “410” shall be substituted.

5. In the said rules, in rule 36-A-,

(i) for sub-rule (1), the following sub-rule shall be substituted, namely:-

“(1) The allotment of vends in rural areas shall be grouped into Zones. The Command area of a Zone shall be the geographical area specified for the Zone in the Excise Arrangements. The Deputy Excise and Taxation Commissioner (Excise) will be the competent authority to determine such command area as part of the Excise arrangement. The location of vends in urban areas will be fixed. The licensee shall have freedom, in the rural areas, to locate his vend(s) at any place within the command area of the Zone, subject to approval of the Deputy Excise and Taxation Commissioner (Excise). A Zone shall comprise of two retail vends in urban areas with prefixed locations; two retail vends in rural areas, with flexibility to the licensee to decide the location of these vends anywhere in his command area. The licensee shall have the flexibility to decide the type of vend i.e. Country Liquor only or Indian Made Foreign Liquor only or both Country Liquor and Indian Made Foreign Liquor, subject to the overall limit of two retail vends, and the licensee shall also decide the proportionate quota out of his Zone’s quota for each individual vend for Country Liquor/Indian Made Foreign Liquor as the case may be. The Indian Made Foreign Liquor shall include Indian Made Foreign Spirit, Imported Foreign Liquor (BIO), Beer, Wine, Cider and Ready to drink beverages. The process of allotment shall be conducted by a committee consisting of the Deputy Commissioner with Deputy Excise and Taxation Commissioner (Excise), Deputy Excise and Taxation Commissioner (Sales Tax) of the respective district as its members in the presence of the participants who wish to be present on the date of evaluation of e-bids to be published by the department in the newspapers. The allotment of Zone of vends shall be done by way of inviting e-bids. The Deputy Excise and Taxation Commissioner (Excise) shall upload the Geographic Information System coordinates of all L-2, L-14A vends, sub-vends and anumat-kaksh located in his district on the web portal of the Department.

After preparing the Excise Arrangement the Deputy Excise and Taxation Commissioner (Excise) of the district shall display the same in his office, office of the Deputy Commissioner of the district, office of Deputy Excise and Taxation Commissioner (Sales Tax) of the district as well as office of the Joint Excise and Taxation Commissioner (Range) concerned and on the departmental website [www.haryanatax.gov.in](http://www.haryanatax.gov.in) and shall invite the objections from the public/stakeholders for two days after the display and shall decide these objections if any within two days. The decision of the concerned Dy. Excise and Taxation Commissioner (Excise) of the district shall be final:

Provided that allotment of un-allotted zones of vends, the process of inviting tenders shall be continued by successively reducing the reserve price in the following manner:-

(i) In the slab of 5% of the original reserve price in case reserve price of the zone is less than Rs. 5.00 crore,

(ii) In the slab of 3% of the original reserve price in case reserve price of the Zone is more than Rs.5.00 Cr. till these are allotted or up to 25th April, or the next working day in case 25th April happens to be a holiday, whichever is earlier and the decision of Excise and Taxation Commissioner in this regard shall be final:

Provided further that in case of cancellation of a license, the process of re-allotment shall be initiated by inviting e-bids through advertisement immediately. The reserve price for re-allotment shall be computed proportionately for the remaining period for which the Zone of vends is to be re-allotted

using the original license fee. In case no bid is received, the reserve price shall be further reduced by 10 % of the above mentioned original reserve price or Rs. 50 lac, whichever is lower and the process of inviting e-bids shall be repeated till the Zone of vends is re-allotted. This re-allotment shall be done at the risk and cost of original licensee.”

(ii) In the said rules, in rule 36-A-, sub-rule (3), shall be omitted.

(iii) for sub-rule (4), the following sub-rule shall be substituted, namely:-

“(4) Each bidder shall have to furnish the earnest money alongwith his bids. The Earnest Money shall be payable in the form of bank drafts only. The bank drafts shall be payable in favour of the Excise and Taxation Commissioner, Haryana, Panchkula. The amount of Earnest Money shall be as under:-

Sr. No.	Reserve Price of Zone	Earnest Money
(i)	Less than ₹3 crore	₹10 lakh
(ii)	₹3 crore and above but less than ₹5 crore	₹20 lakh
(iii)	₹5 crore and above but less than ₹10 crore	₹40 lakh
(vi)	₹10 crore and above but less than ₹25 crore	₹60 lakh
(v)	₹25 crore and above	₹80 lakh

(iv) for sub-rule (5), the following sub-rule shall be substituted, namely:-

“(5) The bidder shall have to deposit a participation fee of ₹50,000 for each Zone. The participation fee is non refundable and non adjustable. The participation fee shall be deposited in the Office of Deputy Excise and Taxation Commissioner (Excise) concerned either in cash or by demand draft in favour of Deputy Excise and Taxation Commissioner (Excise).”

(v) In sub-rule (17), the following sub-rule shall be substituted, namely:-

“(17) The licensee to whom a retail liquor outlet of country liquor (L-14A) or Indian Made Foreign Liquor (L-2) is allotted, shall be bound to lift its entire annual quota of Country Liquor or Indian Made Foreign Liquor on quarterly basis from the licensed wholesale outlet of Country Liquor (L-13) and licensed wholesale outlet of Indian Made Foreign Liquor (L-1) located at every district in the State. The lifting of quota shall mean physical lifting of liquor from the licensed wholesale outlet of Country Liquor (L-13) and licensed wholesale outlet of Indian Made Foreign Liquor (L-1). It shall be obligatory for a licensee to lift entire basic quota of Country Liquor and Indian Made Foreign Liquor to his/ her Zone of vends as per the schedule below:-

Quarter	Month-wise	
April	9%	25%
May	8%	
June	8%	
July	7%	45%
August	7%	
September	6%	
October	10%	75%
November	10%	
December	10%	
January	9%	100%
February	8%	
March	8%	

The licensee shall have to lift 100% of the quota allocated to him as per the schedule described above. Failure to lift prescribed quarterly quota shall attract short quota penalty. Further, the licensee shall have to lift the unlifted quota of previous quarter in the next quarter.

Non compliance of the provision regarding lifting of quarterly quota shall attract penalty at the rate of Rs.70/-and Rs.125/-per proof litre of Country Liquor and Indian Made Foreign Liquor respectively for the deficient quantity.

The licensee shall also be allowed to transfer his quota after paying the transfer fee of ₹ 6.00 per Proof Litre for Country Liquor and ₹12.00 per Proof Litre for Indian made foreign liquor which shall be payable by the transferor licensee at the time of making such request for transfer of quota”.

- (vi) for sub-rule (19), the following sub-rule shall be substituted, namely:-

“(19) 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 100 meters in rural areas and less than 50 meters in urban areas from the main gate of a recognized school/college/main bus stand and a place of worship. Provided that such place of worship is not built upon encroached Government land. Provided further that such place of worship must have a pucca structure of at least 400 square feet.

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

However, this provision shall not apply in such cases, wherever a new recognized school/college/main bus stand or a place of worship comes up in the prescribed distance limit from a vend already established.

- (vii) for sub-rule (22), the following sub-rule shall be substituted, namely:-

“(22) The Excise and Taxation Department shall offer/facilitate setting up liquor vends having high revenue potential in Haryana Sahari Vikash Pradhikarn, Gurugram Metropolitan Development Authority, Haryana State Infrastructure and Industrial Development Corporation area and land of Haryana Tourism Corporation/Urban and Rural Local Bodies. However, the rent thereof, as decided by the concerned Department/Corporation, shall be paid by the licensees directly to such Department/Corporation. The Deputy Excise and Taxation Commissioner(Excise) shall monitor and ensure its compliance on a quarterly basis. However, in case of Haryana Tourism Complexes, only L-2 vends will be allowed. No Anumat Kaksh will be allowed with the L-2 vends in the tourist complexes.”.

- (viii) for sub- rule (24) to (27), the following sub-rules shall be substituted, namely:-

“(24) The licensee shall convert one or more of his composite vends/sub-vends to Avant-Garde Outlet(s) in posh market or shopping mall of the urban area, where he intends to sell Indian Made Foreign Liquor only. For this purpose, some of the retail outlets in the posh markets or Shopping Malls of the Urban Areas shall be identified to be allotted as Avant-Garde Outlets. The Avant-Garde Outlets shall be identified by the department, keeping in view the clientele and potential of the area. The Avant-Garde Outlets shall have a separate section for Indian Foreign Liquor (BIO). The Avant-Garde Outlets shall be entitled to lift an additional quota up to 10% of his basic quota without any additional excise duty i.e. at the rate of excise duty as applicable to basic quota:

Provided that the provision of machine generated invoices (POS) shall be mandatory for all the retail licensees to issue an invoice on sale. Separate POS Machines for IMFL and CL shall be installed at sale counter of all the retail vends. In case of violation of this provision, a penalty of ₹ 5000 per incident shall be imposed on the licensee, after enquiry by the Deputy Excise & Taxation Commissioner (Excise) concerned. It is provided further that if any retail Licensee in urban areas having license fee of his zone equal to or above ₹15 crore, wants to convert his vend into a Avant-Garde Outlet after allotment of vends, he may be allowed to do so with the approval of the Department. Such applications may be examined and considered for approval by a committee comprising of the Deputy Excise and Taxation Commissioner (Excise), Deputy Excise and Taxation Commissioner (Sales Tax) and two senior most Excise and Taxation Officers of the district.”.

“(25) Every successful allottee of retail Zone of vends shall be required to deposit a security amount equal to 20% of the annual license fee of the Zone of vends, out of which, 5% of the license fee shall be deposited on the day of evaluation of e-bids; 5% of the license fee within seven days of the allotment on or before 31st March, 2020 whichever is earlier; and the remaining security equal to 10% of the license fee shall be deposited by 7th of April, 2020.

In case of bids that exceed the reserve price by more than 25%, the bidder shall have to deposit an amount equal to 15% of his bid amount in addition to the amount applicable as per Earnest money deposit slabs. In case of successful bid, 15% of his bid money shall be deducted by the system and shall be deposited as 15% security.

The 83% of his bid money shall be payable by him in monthly installments each payable by 20th of each month starting from the month of commencement of his operation of vends in their Zones, and every subsequent month. The payment shall continue till full amount of 83% is paid by the licensee by way of monthly installments. A part of his security, equal to 17% of his bid money, shall be adjusted at the end towards his license fee after the payment of installments amounting to 83% of his bid money. The adjustment shall be made over a period of last two months in two equal installments; each equal to 8.5 % of his bid money. ”.

“(26) The balance security equal to 3% of his bid money shall be refunded after adjusting any amount found outstanding or unpaid towards him by the 15th April, 2021. This amount shall be refunded by the Deputy Excise and Taxation Commissioner (Excise) of the District. No interest of any kind shall be payable on the security amount. The schedule of instalments shall be as under:-

Month	Instalments (in terms of %age license fee)
April	5.00
May	10.30
June	10.30
July	10.30
August	8.20
September	8.20
October	8.20
November	8.20
December	8.20
January	6.10

If an allottee/ licensee fails to make the full payment of security in the prescribed time, his license shall be cancelled automatically and security deposited, if any, forfeited. In case of failure to adhere to the prescribed time for payment of any of the ten installments, interests on late payment shall be charged from the first day of the month of default till the date of payment @ 18% per annum. ”.

“(27) In case of Zone of vends which are allotted/re-allotted during the currency of the financial year, the security equal to 10% of bid money shall be deposited on the day of allotment and remaining security equal to 10% of bid money shall be deposited within ten days of the date of allotment. The Zone of vends shall come into operation from the day following the date of allotment/re-allotment. The license fee for the month in which the allotment/re-allotment is made shall be payable by the end of the month, in proportion to the remaining days of that month. The remaining amount out of 83% of the license fee shall be payable upto January in equal monthly installments. Thereafter, his security shall be adjusted as in case of other allotments.

In case the allotment or re-allotment takes place after December, 2020, the 83% of his bid money shall be recovered upto the last date of month in which it is allotted/re-allotted. The installment for the month of allotment/re-allotment shall be computed treating it as a full month.

The date of payment for the month of allotment/re-allotment shall be 20th if allotment takes place before 20th or the last day of the month if allotment takes place on or after 20th.”.

6. In the said rules, in rule 37, in sub-rule 31, after clause (iv), the following clause shall be added namely:-

“(v) he shall not sell expired liquor. In case he is found selling expired liquor, such licensee shall attract a penalty of ₹50,000/- for first offence, ₹75,000/- for second offence and ₹1,00,000/- for each subsequent offences.”.

7. In the said rules, in rule 37, in sub-rule (32), for clause (iv), the following clause shall be substituted, namely:-

“(iv) The stock transfer fee shall be levied at the rate ₹7.00 per proof litre for country liquor, ₹13 per proof liter for all brands of Indian Made Foreign Liquor and ₹11 for beer per bulk litre.”

Provided further that inter-district transfer of left over stock of the licensee of the pervious year to a current licensee shall be allowed only in case of wholesalers, after approval of the Collector (Excise). The stock transfer fee in such cases shall be ₹ 9.00 per proof litre for country liquor, ₹ 15.00 per proof litre for all brands of Indian Made Foreign Liqour and ₹ 12.00 per bulk litre for beer.

It is further provided that stock surrendered due to determination of wholesale license during the currency of the year shall also be allowed to be transferred to another licensee of the same district or to another licensee of some other district by the Collector (Excise). The stock transfer fee in such cases shall be ₹ 9.00 per proof litre for country liquor, ₹ 15.00 per proof litre for all brands of Indian Made Foreign Liquor and ₹ 12.00 per bulk litre for beer.

**Note:** Where the rate of excise duty in the Excise Policy for the year 2020-21 have been increased in case of any type of liquor over the rates of excise duty for the years 2019-20, the differential excise duty on the unsold stock as on 01.04.2020 shall be payable, in addition to the stock transfer fee, if any.

8. In the said rules, in rule 38, in sub rule (16A),-

(i) for clause (a), the following clause shall be substituted namely :-

“(a) L-14A/L-2 licensee shall have to maintain a minimum distance of 2.5 Kilo meters between the two vends, between the two sub-vends and between vend/sub-vend in rural areas only. The sub-vend shall also be subject to all other provisions of law. The vend/sub-vend is required to be preferably located on the ‘phirni’ but outside the Lal Dora of the Village. All the provisions with regard to location of vends shall apply to the sub-vends also.

(ii) for clause (g), the following clause shall be substituted, namely:-

“(g) (a) For opening a sub-vend, the licensee shall have to obtain a license in form L-14A, L-2/SV on payment of fixed annual fee of ₹2,00,000/- per sub-vend in rural area. Sub-vend shall be allowed within the command area of the Zone, subject to the prior approval of Deputy Excise and Taxation Commissioner (Excise). For sub-vends in rural areas, the provisions shall be applied as per para (b), (c) and (d) mentioned below:-

(b) Sub-vends shall be allowed for each Gram Panchayat with a population more than 1000 (as per 2011 census).

(c) Sub-vends for a Gram Panchayat having population less than 1000 (as per 2011 census), shall be allowed with the consent of the Gram Panchayat, by the Deputy Excise and Taxation Commissioner (Excise).

(d) One vend and one sub-vend or two sub-vends shall be allowed in a Gram Panchayat, if the population of such Gram Panchayat is more than 5000 (as per 2011 census).”.

SHEKHAR VIDYARTHI,  
Excise and Taxation Commissioner,  
Haryana.