

GOVERNMENT OF PUNJAB

EXCISE AND TAXATION COMMISSIONER'S OFFICE,
PUNJAB, PATIALA

Notification

The 18th March, 2011

No. G.S.R. 20/P.A.1/1914/Ss.21 and 59/Amd. (56)/2011.—In exercise of the powers conferred by clause (d) of section 21 and section 59 of the Punjab Excise Act, 1914 (Punjab Act No. 1 of 1914), read with Government of Punjab, Department of Excise and Taxation, Notification No. S.O.17/PA.1/14/S.9/2007, dated the 24th April, 2007, and all other powers enabling me in this behalf, I, A. Venu Prasad, I.A.S., Excise Commissioner, exercising the powers of Financial Commissioner, make the following rules further to amend the Punjab Distillery Rules, 1932, namely :—

RULES

1. (1) These rules may be called the Punjab Distillery (Second Amendment) Rules, 2011.

(2) They shall come into force on and with effect from the first day of April, 2011.

2. In the Punjab Distillery Rules, 1932 (hereinafter referred to as the said rules), in rule 4, in clause (a), for the words "ten lac rupees", the words "twenty lac rupees " shall be substituted.

3. In the said rules, in rule 5, for the words, letter and figure "equivalent to the fee for grant of license in Form D-2", the words "of rupees ten lac" shall be substituted.

4. In the said rules, in rule 7, for sub-rule (1), excepting the proviso, the following sub-rule shall be substituted, namely :—

"(1) A license granted under these rules, shall be valid for a period of one year from the date of issue, unless it is cancelled, determined or surrendered earlier, and shall be renewable by the Excise Commissioner with prior approval of the Financial Commissioner on an application made by the licensee after a period of three years. Although, the license is renewable after a period of three years, yet a fee of rupees twenty lac shall be deposited by the licensee annually."

5. In the said rules, for rule 35, the following rule shall be substituted, namely :—

" 35 (1) The licensee shall, if there is a demand upon his distillery for such a quantity, produce during each calendar year at least 90 per cent of the out turn of plain and spiced country spirit, which his stills are capable of producing according to the estimate of their charge capacity entered in his license. The out turn of a distillery shall be calculated annually on the basis of the following figures : —

(i) Minimum fermentation efficiency	84% of fermentable sugar present in barley, wheat, maize, rice (Nakku), Bajra, Jowar or other grains ;
(ii) Minimum distillation efficiency	97% of alcohol present in the wash ; and
(iii) Minimum recovery of alcohol	52.47 litres of 100% alcohol per quintal of fermentable sugar present in the barley, wheat, maize, Rice (Nakku), Bajra, Jowar or other grain, consumed for production of alcohol.

(2) If the licensee fails to maintain the figures as specified in sub-rule (1), he shall be liable to recovery of differential loss in the form of excise revenue besides cancellation of license and forfeiture of security."

6. In the said rules, for rule 37, the following rule shall be substituted, namely :—

"37. The licensee shall always have in stock, gur, molasses or mahua, or fermentative base cane, juice, barley, wheat, maize, Rice (Nakku), bajra, jowar, in a store to be provided by him and approved by the Excise Commissioner, a quantity of gur, molasses or mahua, or fermentative base cane, juice, barley, wheat, maize, Rice (Nakku), bajra, jowar sufficient for the preparation of wash for full working of all his stills, calculated upon the data set forth in rule 35 for 10 full working days in the month from 1st October to 31st March and seven and half full working days from 1st April to 30th September. The licensee shall report on 1st and 16th of the every month to the concerned Excise Officer/ Inspector, the quantity then in stock and shall permit the Excise Officer/ Inspector to verify the quantity, if he desires to do so".

7. In the said rules, in rule 93,—

(i) for clause (kk), the following clause shall be substituted, namely :—

"(kk) Brand registration fee shall be as under :—

(i) Punjab Medium Liquor ;	Rs. 10,000/-
(ii) Wine and cider ;	Nil
(iii) Indian made Foreign Liquor, Beer and Ready to Drink beverages	Rs. 50,000/-
(iv) Imported Foreign Liquor (bottled in origin) ;	Rs. 25,000/-
(v) Subsequent change in the approved label during the year ; and	Rs. 1,000/-
(vi) Brand Registration fee for hotels of 3-star and above category in respect of liquor imported from abroad of which brands are not already approved by the Excise Commissioner.	Rs. 2,000/-

No separate fee for pints and nips shall be charged where fee has been paid for quarts :

Provided that a licensee, shall be required to pay full brand registration fee as specified above, for approval of labels for export of brand in other States in case such brand is not approved for sale in the State of Punjab :

Provided further that for export of any brand out of India no brand registration fee shall be charged :

Provided further that a licensee will be required to submit an Authority Letter of the company producing imported foreign liquor (BIO) brands, at the time of registration of labels.

Provided further that the distilleries or breweries or bottling plants manufacturing PML, IMFL and beer, shall not imitate name, design and colour scheme of the brands of others such manufacturers. The Excise Commissioner, may refuse to grant approval for the registration of a particular brand, if it is found that there is even a minor similarity of the name, design and colour scheme of other ; and

(ii) in clause (s), for the figures "2010-2011", the figures "2011-2012" shall be substituted.

8. In the said rules, after rule 122, the following rules shall be inserted, namely :—

"122-A. The licensee shall be required to install CCTV cameras in the distillery at such locations, as may be specified by the Excise Commissioner for the purpose of monitoring the functioning in the distillery. The specification of such cameras and the technical requirements for their monitoring at the central level shall also be fixed by the Excise Commissioner. The entire cost for installation of cameras and their monitoring shall be borne by the licensee."

122-B. All liquor bottles of Punjab Medium Liquor, Indian Made Foreign Liquor and Imported Foreign Liquor sold in the State of Punjab, shall be affixed with the Intaglio Printed Security Labels with Hologram at the cost of the licensee. However this provision shall not be applicable for liquor to be sold to and by the Canteen Store Depot (CSD).".

A. VENU PRASAD,

Excise Commissioner, Punjab.