

PART III

GOVERNMENT OF PUNJAB

DEPARTMENT OF EXCISE AND TAXATION

NOTIFICATION

The 28th March, 2017

No. G.S.R. 86/P.A. 1/1914/S. 59/Amd. (133)/2017.— In exercise of the powers conferred by section 59 of the Punjab Excise Act, 1914 (Punjab Act No. 1 of 1914), and all other powers enabling me in this behalf, I, Anurag Agarwal, Financial Commissioner (Taxation), Government of Punjab, make the following rules further to amend the Punjab Liquor License Rules, 1956, namely:—

RULES

1. (1) These rules may be called the Punjab Liquor License (Amendment) Rules, 2017.
- (2) They shall come into force on and with effect from the date of their publication in the Official Gazette in respect of the procedure for the allotment of liquor vend, allotment fee, application fee, security amount, renewal of licenses and excise arrangements and in respect of other matters, these rules shall come into force on and with effect from 1st day of April, 2017.

2. In the Punjab Liquor License Rules, 1956 (hereinafter referred to as the said rules), in rule 1, in the table, under the heading captioned as "I Foreign liquor, after Form L-1, the forms L-1A (IMFL), L-1A (BIO), L-1A (BEER), Form L-1B and the entries relating thereto, shall be omitted and thereafter, the following Form and entries relating thereto shall be inserted, namely:-

"L-1 (Import) (Supplementary License to L-1)	Whole sale vend of Indian Made Foreign Liquor, Imported Foreign Liquor, Beer, Wine and Ready to Drink beverages to the trade, authorized to purchase liquor from outside State and Custom Bonded Warehouse,	Fixed fee	Collector with the prior approval of Excise Commissioner	Collector"
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3. In the said rules, for rule 25, the following rule shall be substituted, namely:-
"25. (1) The amount of fixed fee and security in respect of different kinds of licenses,

granted under these rules, shall be as follows:-

Serial No.	Kind of License	Rate of annual license fee (Rs.)	Rate of security (Rs.)
1	L-1 (Grant and Renewal)	50,00,000	15,000
2	L-1 (Import) (Supplementary License to L-1)	15,00,000	
3	L-2	At the rate of Rs. 307/- per Proof Litre on allotted quota of IMFL and Rs. 30/- per bulk litre on quota of Beer.	12 per cent of the amount of license fee.
4	L-2A (Urban & Rural)	1,000	Nil
5	L-2B	11,00,000	Nil
6	L-2C	Equivalent to one unit of Municipal Corporation, Ludhiana.	15 percent of the amount of L/fee
7	L-2D	66,000	Nil
8	L-2E (Model Shop)	No fee	Nil
9	L-3, L-4 and L-5,-		
	(i) for hotels having 4 or 5 star category certificate;	6,00,000	10,000
	(ii) for hotels in Municipal Corporations of Ludhiana, Jalandhar, Amritsar, Patiala, Bathinda and Mohali;	3,00,000	10,000
	(iii) for hotels in Municipal Corporations, other than those mentioned at (ii) above, in Municipal Committees and other areas, and	2,00,000	10,000
	(iv) for additional license for bar	50% in case of 4 star or 5 star category Hotels and one third of annual license fee of other bar licenses.	
10	L-3A, L-4A and L-5A,		
	(i) for towns with population of one lac or more; and	1,50,000	Nil

	(ii) For other towns	1,00,000	Nil
11	L-5B (Pub License),-		
	(a) Independent License	30,000	10,000
	(b) Supplementary License (with L-5, L-5A, L-5C and L-12C).	30,000	Nil
12	L-5C	55,000	Nil
13	L-5D,-		
	Annual registration fee of Commercial places viz Marriage palaces, banquet halls, community centre, Dharamshala etc	25,000	Nil
14	L-5E,-		
	(i) Corporation cities and areas falling within 5 Kms of their outer boundaries; and	50,000	Nil
	(ii) All types of Municipal Committees and other areas	25,000	Nil
15	L-10C	4,00,000	Nil
16	L-12-A		
	(a) Minimum fee; and	1,000 per license per day.	
	(b) Maximum fee	1,00,000 per license per day.	
17	L-12C,		
	(i) Members upto 2,000; and	2,75,000	Nil
	(ii) Members above 2,000	8,50,000	Nil
18	L-12CC	one third of annual license fee of the whole license and for function 10,000 per day	Nil
19	L-12E	10,000	1,000
20	L-13	50,000	1,000
21	L-14A	At the rate of Rs. 278/- per Pt. on allotted quota of PMU.	12 percent of the amount of license fee.

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22	L-17-		
	(i) Demureed Spirit (upto 500 BL): and	5,000	2,000
	(ii) Exceeding 500 BL	10 per BL	3,000
24	L-52-		
	(i) PMI		
	(a) Urban; and	30,000	Nil
	(b) Rural	6,000	Nil
	(ii) IMFL		
	(a) Corporation Area:	30,000	Nil
	(b) Other Urban Area; and	30,000	Nil
	(c) Rural	8,000	Nil

Note: License fee at the rate of Rs. 307/- per PL shall be levied on Imported Foreign Liquor.

The State Government reserves the right to change nomenclature of various levies, levied under the Punjab Excise Act, 1914 and relevant rules.

(2) In addition to the fixed license fee, as stated in sub-rule (1), the following fees shall also be charged, namely:-

(a) an extra license fee on Indian Made Foreign Liquor and Imported Foreign Liquor including BIO brands as provided under rule 36-A;

(b) (i) Special Development Fee at the rate of forty rupees per proof litre on Punjab Medium Liquor;

(ii) Special Development Fee at the rate of ten rupees per proof litre on Beer; and

(iii) Special Development Fee at the following rates on IMFL/IFL:-

EDP Range of IMFL/IFL (2016-17)	Rate of Special Development Fee Per PL (2017-18)
EDP upto 650	16/-
EDP 651-950	20/-
EDP 951-1200	24/-
EDP 1201-1400	28/-
EDP 1401-1500	35/-
EDP 1501-2500	38/-

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EDP 2501-3500	52/-
EDP 3501-4500	56/-
EDP 4501-7000	60/-
EDP above 7000	60/-

Special Development Fee shall be charged from L-14A, L-2, L-3, L-4, L-5, L-3A, L-4A, L-5A, L-12C licensees at the time of issue of permits. The proceeds of Special Development Fee shall be utilized by the Government for various social schemes.

(3) The L-2 and L-14A licensee shall lift his entire balance quota by 10th March, 2018. In case the licensee fails to lift any part of his quota, he would be required to deposit the license fee and all other levies under the Excise Act, 1914 or the Rules and Excise Policy by 15th March, 2018. In case of non-lifting of PML/IMFL/Beer quota from the L-13/L-1 vend. licensee would be liable to pay Special Development Fee on the un-lifted quota at the rate applicable for PML, Extra License Fee on rate applicable to the lowest category of IMFL Brands and Special Development Fee, Assessed fee and Special Development fee on Beer respectively by 15th March.

4. In the said rules, for rule 31, the following rule shall be substituted, namely:-

31. The assessed fee shall be levied on the following rates per bulk litre for Beer, Wine and Ready to drink beverages and per proof litre for Indian Made Foreign Liquor, Imported Foreign Liquor including Bottled In Origin brands and Rum, namely :-

KIND OF LICENSES

Kind of liquor	L-1,	L-2B	L-2D	L-6, L-7 and L-8	L-3, L-4 and L-5C	L-3A, L-4A and L-5A	L-5B	L-1 (Canteen Store Dept), L-1 CRPF and L-1 ITDP	L-10C (Micro Brewery/ Pub)	L-12C
Indian Made Foreign Liquor	-	-	-	6.20	425/-	-	-	375/-	-	425/-
Imported Foreign Liquor (Bottled in origin)	-	425	-	8.80	425/-	-	-	375/-	-	425/-

Wine	-	-	12/-	1.80	20/-	-	18/-	16/-	-	20/-
Indian Made Beer										
Light	35/-	-	-	0.10	42/-	42/-	-	72/-	-	42/-
Strong	42/-	-	-	0.10	42/-	42/-	-	72/-	-	42/-
Canned light	35/-	-	-	-	-	-	-	-	-	-
Canned strong	42/-	-	-	-	-	-	-	-	-	-
Imported Beer (Bottled in origin)										
Light	35/-	42/-	18/-	0.35	42/-	42/-	-	72/-	-	42/-
Strong	42/-	42/-	18/-	0.35	42/-	42/-	-	72/-	-	42/-
Cider	5.50/-	-	-	0.10	3.00/-	-	-	2.25/-	-	2.50/-
	per bottle				per BL			per BL		per BL
Rum	-	-	-	0.35	-	-	-	127/-	-	-
Draught Beer (Strong and Light)	-	-	-	-	-	-	75/-	-	-	-
Supplied by Micro Brewery (I-10 C)	-	-	-	-	-	-	16/-	-	50/-	-
Ready to drink beverages	20/-	-	-	-	25/-	25/-	22/-	20/-	-	25/-
Sweets and wines upto 13.5% v/v	4.50/-	20/-	12/-	-	20/-	-	-	-	-	-

5. In the said rules, in rule 34, in first line of proviso, after the word "licenses", the words, "except licenses L-1 and L-1 (Import)" shall be inserted.
6. In the said rules, in rule 35, for sub rules (1) and (2), the following shall be substituted, namely:-
- (3) The following licenses may be granted on fixed fee by inviting applications for a Licensing Unit, namely:-
- (i) A license in Form I-2, for the wholesale and retail sale of foreign liquor, for consumption, off the premises and a model liquor shop in each Zone/Group of Municipal Corporation and 'A' class Municipal Committee for selling Indian Made Foreign Liquor/Imported Foreign Liquor/Beer/Ready to Drink Beverages and Wines shall be allowed to the licensee to be opened in the area of his Zone/Group. The licensee would be required to provide neat and clean environment. These shops can also be opened in a well established

departmental store or in any show room/ Malls. These shops shall be in addition to the regular shops in a Group and no additional fee should be charged from them. The license in Form L-2F shall be granted to these shops; and

- (ii) A license in Form L-14A for retail sale of country liquor (also called the Punjab Medium Liquor), for consumption, off the premises.
- (2) The Punjab Medium Liquor and Indian Made Foreign Liquor vends shall be disposed off as licensing units. A Licensing Unit in urban areas shall consist of one L-14A vend and one L-2 vend under one roof. In rural areas, a licensing unit may consist either of a single L-14A vend or a L-14A vend and L-2 vend. The licensing units shall be formed by the Collector with prior approval of The Excise Commissioner, Punjab. The size of group or zone in financial terms, shall be as under-

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|-----|--|--------------------|
| i | All Municipal Corporations (Corporation area and other Municipal Committee Area, Notified Area Committee and rural vends clubbed with the Corporation) | Upto Rs.40 crore. |
| ii | Urban areas, (Municipal Committees, Nagar Panchayats and Notified Area Committee or their combination and rural area vends which have been clubbed with this area) | Upto Rs.30 crore. |
| iii | Rural areas | Upto Rs. 20 crore. |

The licensing units on above lines shall be formed by the Collectors-cum-Deputy Excise and Taxation Commissioners on the advice of the Assistant Excise and Taxation Commissioners and with the approval of the Excise and Taxation Commissioner, Punjab.

The license fee of a group or zone shall be the sum total of the license fee, prescribed for each of the units in that group or zone.

If it is found that through draw of lots allotment of group/zone remains pending on fixed license fee/quota, in that circumstances the re-allotment of such un-allotted group/zone shall be made by inviting fresh applications and if the same remains again pending then sealed quotations for these groups may be called by reducing the license fee by 5 % at fixed reserve price after giving three days public notice. If this process does not succeed then the Government is authorized to run this group/zone at its own or through its representative. The

Excise and Taxation Commissioner shall be authorized to take decision for this purpose.

After depositing the fee as specified in sub-rule (6) of rule 36,-

- (i) if successful applicant or allottee fails to deposit the balance amount of prescribed security;
- (ii) if there is no other person in the waiting list; and
- (iii) the number of successful allottees are less than the number of units or zones in that particular area, the procedure, as given in the foregoing paragraph, shall be followed;

~PROVIDED THAT the Excise and Taxation Commissioner may allow formation of Group/Zones in a particular area (difficult stations) of a size exceeding the financial limits prescribed above with prior approval of the Financial Commissioner (Taxation). Ex- Post facto approval of the Cabinet shall be obtained.

7. In the said rules, in rule 36,-

(a) for sub-rule (2), the following sub-rule shall be substituted, namely:-

~(2) The application form for the grant of liquor vends shall be available in the office of the Assistant Excise and Taxation Commissioner (hereinafter referred to as AETC), In-charge of the district. The application Forms can also be downloaded from the website of the department (www.pextax.com). In addition, these application forms shall also be available in various bank branches authorized by the department for receipt of application forms. The applicant can submit his application for any Licensing Unit/Group/Zone of any district in any of the bank branches. The cost of application forms shall be as under:-

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|---|---------------|
| (i) A licensing unit or group of units of License fee upto Rs. 10 crore | Rs.50,000/- |
| (ii) A zone/group of units of License fee from Rs. 10 crore to Rs. 30 crore | Rs.75,000/- |
| (iii) A zone/group of units of L/fee above Rs. 30 crore | Rs.1,00,000/- |

The fee shall not be refundable or adjustable. If the first or any subsequent allotment procedure is cancelled by the department or, any application form is rejected by the department being invalid and not put to

draw of lots, then the amount of application fee shall be refunded to the concerned applicant, after deducting two thousand rupees per application as processing fee. Out of the total proceeds from the sale of application forms, fifty percent shall be deposited in the Development Fund constituted under the Punjab Development Fund Act, 2014 (Punjab Act No. 1 of 2015).

The application forms shall be serially numbered at three places, i.e. in the application form, in the slip of draw of lots and on the receipt, issued to the applicant."

(b) in sub rule (4) at the end, the following shall be added, namely:-

" A fee of rupees 100/- shall be charged by the Bank for processing the application."

(c) for sub rule (6)(a), the following shall be substituted, namely :-

"(6)(a) The grant of licenses L-14A and L-2 shall be made out of those applications, which may be found to be complete in all respects. In case, the number of applications for a licensing unit is more than one, the allotment shall be made by a draw of lots. This would entail two draws, one for successful allottee and other for allotment of zone. Once an applicant is declared successful, a draw for allotting a zone to him would be made simultaneously.

A successful applicant shall be required to pay allotment fee immediately on the draw of his lot which shall be at the rate of 2% of the license fee in Corporation areas, urban and rural areas. This payment may be made by cash or through demand draft, banker's cheque, pay order or other pre paid Bank instruments.

(c) for sub-rules (14), (15) and (16), the following sub-rules shall be substituted, namely -

"(14) A successful applicant shall have to deposit twelve percent of the license fee fixed for a licensing unit/zone/group as security. The allotment fee charged shall be adjusted towards the twelve percent security, which shall be recovered in the following manner:-

(i) Five percent security within 48 hours of the draw of lots (including 2% allotment fee)

(ii) Seven percent security by 31st March 2017, the licensee shall have the option to deposit the required seven percent security in two parts i.e. five percent security upto 07.04.2017 and remaining two percent security upto

15.03.2017 with prior approval of Deputy Excise and Taxation Commissioner, Incharge of the Division, for this he shall be liable to pay interest @ 1.5% (to be calculated on daily basis). The amount of 12% security shall be adjusted in the year 2017-18 in last months of January, February and March, 2018. A successful applicant shall be required to open his vend on or before 15th April 2017. In case he fails to do so, the Assistant Excise and Taxation Commissioner of the district concerned may extend the period up to 30th May, 2017 on payment of late fee of rupees 25000/- in Corporation areas and rupees 10000/- in other areas. This provision shall not be applicable to the opening of model shop.

- (15) After deducting the amount of twelve per cent security, the licensee is required to pay the remaining license fee, in nine installments i.e. nine per cent each in the month of April, May and June, ten per cent each in the month of July, August, September, October and November and eleven per cent in the month of December. Each monthly installment is payable by the close of last working day of each month. In case of late payment of any installment an interest at the rate of one and a half per cent, per month, to be calculated on daily basis, shall be charged in addition to the amount of penalty. If the entire license fee for the month is not paid by the fifteenth day of the next month, the license shall be deemed to have been suspended and vend(s) shall stand closed. The suspension of the license shall be revoked only after making payment of the balance of the installments along with interest and penalty. If no payment is made the suspended license shall be cancelled upto 30th of the month and thereafter re-allotment process shall be started as per law. In case of special circumstances, if concerned Deputy Excise and Taxation Commissioner considers that Government revenue is secured, he may extend the above validity upto 15 days with penalty and interest instead of closing or re-allotment of vends. At the time of applying for quota of PML, IMFL and Beer excluding, Wine and Ready to Drink Beverages (RTD), a licensee will be required to pay the license fee installment for PML, for IMFL and for Beer at the time of issue of permits. This amount shall be adjusted towards monthly installment of his license fee, as mentioned above.
- (16) The amount of twelve per cent security shall be adjustable towards the license fee and thereafter, the remaining amount of license fee i.e. eighty eight per cent would be deposited. The permits of PML, IMFL and Beer would be issued after depositing the proportionate license fee to be

calculated at a rate Rs.307/- per proof litre for IMFL, Rs.278/- per proof litre for PML and Rs.30/- per bulk litre for Beer. However, this condition shall not be applicable in case of permits for wine and ready to drink beverages."

- (d) in sub-rule (28), for the figures "2016", wherever occurring, the figures "2017" shall be substituted.
- (e) in sub-rule (30), in the existing proviso, for the figures "2016", the figures "2017" shall be substituted.
- (f) for sub-rule (38), the following sub-rule shall be substituted, namely:-

"(38) (a) Thirty per cent of the total quota of PML shall be lifted by a L-14A licensee from L-13 out let of the distillery and a distillery in pipe line, specified and allotted to him by the Excise Commissioner and the remaining seventy per cent of the said quota, may be lifted by him from any distillery of his choice. In case of open quota distillers shall be allowed to fix their price upto 5 % over and above the EDP of the fixed quota. Any management of the distillery that opts for this shall inform the Excise and Taxation Commissioner regarding their increased rates upto 25th of March, 2017. These rates shall remain same throughout the year. The EDP shall not be changed by the distilleries during the currency of the financial year. The licensee shall lift his allotted quota of PML, IMFL, quarter wise as under:-

(a)	Upto the end of 1st Quarter	-- 20%
(b)	Upto the end of 2nd Quarter	-- 40%
(c)	Upto the end of 3rd Quarter	-- 75%
(d)	Upto 10.03.2018	-- 100%

The licensee shall lift his allotted quota of Beer quarter wise as under:-

(a)	Upto the end of 1st Quarter	-- 25%
(b)	Upto the end of 2nd Quarter	-- 55%
(c)	Upto the end of 3rd Quarter	-- 70%
(d)	Upto 10.03.2018	-- 100%

Only that quota shall be treated as lifted against which excise pass has been issued. In case, the licensee fails to lift his fixed quota of PML, IMFL, and Beer at the end of any quarter then permits for any type of country liquor, Indian Made Foreign Liquor and Beer for the next quarter shall not be issued to him.

(b) the licensees having L-2 vends attached to their units may be given the option to convert ten percent of the quota of Punjab Medium Liquor to Indian Made Foreign Liquor subject to the following conditions:

- (i) this option may be exercised only in respect of own registered brands of Indian Made Foreign Liquor of the distilleries, subject to the condition that the Ex-distillery Price (EDP) of such Indian Made Foreign Liquor is not more than Rs.1200/- per case;
- (ii) the total conversion allowed under this provision for any single distillery shall not be more than 10.00 lac PL;
- (iii) the Extra License Fee on such conversion shall be charged at half the rate applicable to the brands of IMFL to be lifted. However, other levies shall have to be charged as applicable on IMFL;
- (iv) this option shall not be available to Licensees who have only L-14A vend/vends in their licensing units; and
- (v) the conversion from PML to IMFL shall only be from the open 70% quota of PML, which may be lifted from any of the D-2 licensee who are producing their own registered IMFL brands;

"Provided that the quota for a distillery in pipe line shall be applicable only in those cases where a Letter of Intent has been granted for a distillery and a bottling plant, and not for a bottling plant alone, and the work on the distillery is completed to the extent of 75 per cent. This facility shall be available up to a maximum period of six months or till a proper D-2 License is obtained, whichever is earlier. At the expiry of a period of six months, if a D-2 license is not issued in favour of the distiller, the facility of allocation of fixed quota and the open quota, shall be withdrawn without issuing any notice."

(g) for sub-rule (39), the following shall be substituted, namely:-

"(39) A licensee shall also be allowed to lift additional quota upto 20% of the basic quota of Punjab Medium Liquor, Indian Made Foreign Liquor and Beer, if he has lifted the entire allotted quota of PML, IMFL and Beer and has paid full license fee for the year. The additional quota of PML shall be available on payment of half the rate of the license fee and all other levies."

(h) for sub-rule (44), the following sub-rule shall be substituted, namely:-

"(44) Regarding carried forward quota/stock- licensee can take carried forward quota/stock in addition to the quota of the next year. In this case he shall be required to pay the differential amount between the license fee in the current year and license fee in the previous year. In case there is any increase in the levies viz. Special Development Fee, extra license fee, permit fee and department development cess on PML, LMFL, then, he shall be required to pay that increase also. The licensee shall pay this increase upto 31st May without interest and after that he shall have to pay interest at the rate of 1.5% per month. The labels for the brand of carry forward quota shall not be required new approval again. In case licensee is unable to get work at his existing place, he shall be allowed to take quota to his new place. In case he does not get work at any place in the State, he shall be allowed to transfer carried forward quota/stock to the new licensee with the prior permission of the Collector. The licensee shall give information of his unsold/carry forward quota to Assistant Excise and Taxation Commissioner of his district upto 31st March."

8. In the said rules, for rule 36-A, the following, shall be substituted, namely:-

"36-A. Sale price, license fee and quota of P.M.L., L.M.F.L. and Beer:-

(1) The Punjab Medium Liquor of 50 degree, Rum/Gin/whisky of 65 degree and 75 degree shall be allowed to be sold at PML vends.

(2) The minimum retail sale price in respect of Punjab Medium Liquor 50 degree, 65 degree and 75 degree shall be as under:-

Sr.No.	Type of liquor	Minimum Retail sale rates		
		Quart	Pint	Nip
1	PML 50 degree except areas at Sr. No. 2 below	175.00	93.00	56.00
2	PML 50 degree for Ludhiana, Jalandhar, Patiala and Amritsar districts	185.00	98.00	59.00
3	Rum/Gin/Whisky 65 degree except areas at Sr. No. 4 below	230.00	125.00	70.00
4	Rum/Gin/Whisky 65 degree for Ludhiana, Jalandhar, Patiala and Amritsar districts	240.00	130.00	75.00
5	PML 75 degree	265.00	143.00	80.00

- (3) (i) The Indian Made Foreign Liquor/Imported Foreign Liquor, to be sold in the State of Punjab, shall be classified on the basis of Ex-Distillery Price (EDP) range with extra license fee, specified against each, namely:-

Serial No.	EDP range of IMFL/IFL (in rupees)	Rate of extra license fee (ELF) in rupees per PL
1	EDP upto 650	40/-
2	EDP 651 to 950	48/-
3	EDP 951-1200	60/-
4	EDP 1201-1400	72/-
5	EDP 1401-1500	88/-
6	EDP 1501-2500	91/-
7	EDP 2501-3500	130/-
8	EDP 3501-4500	140/-
9	EDP 4501-7000	220/-
10	EDP above 7000	260/-

- (ii) The extra license fee on Indian Made Foreign Liquor, Imported Foreign Liquor including Bottled In Origin brands, shall be charged at L-1 stage/first stage of import by the other licensees. Such, levy shall not be charged, if this levy has already been paid in the State of Punjab.
- (iii) Minimum retail sale price band of Indian Made Foreign Liquor/Imported Foreign Liquor for Quart (750ML), Pint (375ML) and Nip (180ML), shall as under, namely:-

Sr. No.	EDP range per cases	Minimum rates		
		Quart	Pint	Nip
1	601-700	340	172	90
2	701-800	358	181	96
3	801-900	370	187	98
4	901-1000	391	199	105
5	1001-1100	405	205	107
6	1101-1200	417	212	110
7	1201-1300	438	224	113
8	1301-1400	450	230	116

9	1401-1500	475	242	122
10	2001-2100	550	277	142
11	2501-2600	640	325	163
12	2801-2900	676	340	173
13	2901-3000	688	348	175
14	3001-3100	700	355	179
15	4001-4100	830	418	212
16	5001-5100	1070	512	260
17	6001-6100	1345	575	293
18	11001-11100	1800	902	458
19	20001-20100	2925	1465	740

The Minimum Retail Sale Rates shall be fixed by the Excise and Taxation Commissioner for each brand at the time of label Approval/Registration.

The minimum retail sale price of those categories, which have not been covered in above table shall be fixed on the basis of the above formula. It shall be mandatory for the licensee to display the rates of the brands on a board on his vend. The Excise Commissioner, Punjab may issue instructions from time to time for any other brands to be displayed as per requirement. If at any stage BDP of any brand changes its minimum retail sale price, shall also be changed as per the formula. Minimum retail sale price for a different size of bottle/container, other than those mentioned above, shall be fixed proportionate to their volumes based on the minimum and maximum retail sale price fixed for 750 ml, 375 ml and 180 ml by the Excise Commissioner, Punjab.

- (4) The minimum retail sale price of Beer per bottle of 650 ML at L-1/A and L-2 vends shall be as under:-

Sr.No.	Ex-Brewery Price Range per case	Minimum Retail Sale Rates of bottle (rupees)
1	Brands having ERP of less than Rs. 300 per case (Light Beer)	100
2	Brands having ERP of less than Rs. 300 per case (Strong Beer)	120

Note: The retail sale price of other segments shall be fixed by the Excise and Taxation Commissioner at the time of Label registration.

Minimum retail sale price of Can beer, shall be fixed at the time of registration of brands by the Excise Commissioner, Punjab;

(CIIR 7, 1939 SAKA)

Provided that in case a licensee is found guilty of selling the liquor in contravention of the prices fixed as mentioned in sub-rules (2),(3),(4), he shall be liable for the following action, namely:-

For 1st offence	Penalty of Rs. Three lac :
For 2nd offence	Penalty of Rs. Ten lac; and
For 3rd or subsequent offences	Suspension of the license of licensing unit or group or zone for one week.

- (5) Maximum retail sale price of IMFL to be supplied at marriage palaces shall be fixed by the Excise Commissioner, Punjab. It shall be mandatory for the licensee not to sell liquor to be served in marriage palaces on the rates more than those fixed by the Excise Commissioner:

Provided that in case a licensee is found guilty of selling the liquor in contravention of the price fixed then, a penalty of Rupees One Lac shall be imposed upon him. In case of repeated violation, the penalty shall be double the amount imposed during the previous violation and on violation for the third time, his vend shall be closed for one month.

- (6) If any change in price of liquor takes place during the year, due to implementation of Goods and Service Tax (GST) system, then, the minimum retail sale price of liquor may be changed accordingly.
- (7) The value of one licensing unit in terms of license fee shall be upto four hundred Lac rupees. The fee of more than one group/zones in Corporation and other urban area or Nagar Panchayat shall be kept the same, as far as possible, with a variation of ten percent. The quota of PML shall be 870 laes proof litre and that of IMFL shall be 380 laes proof litre and that of Beer shall be 330 laes bulk litre. Canned Beer shall be included in the quota of Beer.
- (8) A successful allottee shall get the vend premises approved before actually operating the vend. Approval shall be accorded automatically in respect of the vend where a vend is functioning during the year 2016-17. For any other place the approval of the department shall be required before a licensee is to operate the vend. L-2 vends shall be allowed to be operated in the premises of the L-14A vend only and not under a separate roof (except for Model Shops). In urban areas, where there are no zones, licensee shall be allowed to open vend at any place. Where there are zones, the number of vends shall be fixed and licensee can open vend in the area of his allotted zone only. In Rural area, the vends shall be allowed to open on the basis of revenue limit of the village. The site of liquor vends which are covered by the orders passed by courts shall not be approved on the basis of

the above provision. The licensee shall be bound to obey the orders passed by the Hon'ble High Court/Supreme Court.

No illegal/unauthorized branch or vend shall be allowed to be opened anywhere in the State. If licensee opens illegal/unauthorized branch or vend, strict action shall be taken by the Department by way of immediately closing his illegal/unauthorized vend and also his approved vend for a period of atleast one month."

9 In the said rules, in rule 37(i), in condition 9-B, for the existing proviso, the following shall be substituted, namely: -

" Provided that the educational institution should be recognized and the religious place should either be registered or recognized. If any new recognized educational or registered/recognized religious place opens during the year, then, this condition, in respect to such institution/place, shall be considered in the next financial year;" and

(ii) after condition 9-B, the following condition shall be added, namely :-

"9-C The licensee shall be bound to comply with the judgment dated 15.12.2016 passed by the Hon'ble Supreme Court of India in Civil Appeal No. 12164-12166 of 2016 (Arising out of SLP 14911-14913 of 2013), wherein following directions were issued:-

- (i) All states and union territories shall forthwith cease and desist from granting licenses for the sale of liquor along national and state highways;
- (ii) The prohibition contained in (i) above shall extend to and include stretches of such highways which fall within the limits of a municipal corporation, city, town or local authority;
- (iii) The existing licenses which have already been renewed prior to the date of this order shall continue until the term of the license expires but no later than 1 April 2017;
- (iv) All signages and advertisements of the availability of liquor shall be prohibited and existing ones removed forthwith both on national and state highways;
- (v) No shop for the sale of liquor shall be (i) visible from a national or state highway; (ii) directly accessible from a national or state highway and (iii) situated within a distance of 500 metres of the outer edge of the national or state highway or of a service lane along the highway.
- (vi) All States and Union territories are mandated to strictly enforce the above directions. The Chief Secretaries and Directors General of Police shall within one month chalk out a plan for enforcement in consultation with the

state revenue and home departments. Responsibility shall be assigned *inter alia* to District Collectors and Superintendents of Police and other competent authorities. Compliance shall be strictly monitored by calling for fortnightly reports on action taken.

10 In the said rules, in rule 38,-

(a) in special condition (1),

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

"(a) The license shall be granted only to the person/firm/company having retail trade (L-2 License) of atleast one group/zone in concerned revenue district. This license shall be granted in the same name and style of the trade as of the L-2 license.

The licensee shall sell foreign liquor, wholesale or retail, bottled or otherwise, only to a person holding license in form L-1, L-2(of the same revenue district), L-2A (Beer only), L-3A, L-4, L-4A, L-5, L-5A, L-6, L-7, L-8, L-9, L-10, L-13A (if so authorized by the Collector for the purchase of Indian Made Foreign Liquor of the strength of 40 degrees under proof) L-10B, L-12, L-13A, L-12B or L-12C or to a licensee in any State, and he shall not sell un-bottled liquor to any retail vendor, who is not licensed to sell for consumption on his premises, and he shall sell bottled liquor only in sealed and capsuled bottles. However, if L-2 licensee does not get liquor of any particular brand in his district or the required quantity of that brand is not available in his district then he can obtain permits for purchase of liquor from any L-1 licensee in the State with prior approval of the concerned Deputy Excise and Taxation Commissioner." and

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

"(e) The licensee shall purchase Indian Made Foreign Liquor, Imported Foreign Liquor, Beer, Wine and Ready to Drink Beverages (Indian and Imported) directly from manufacturing units of the State (Distillery, Brewery or Bottling Plant licensees of the State). Licensee can transfer liquor from one L-1 to another L-1 on payment of prescribed permit fee."

(b) after special condition (1), the following special condition shall be inserted, namely:-

"(1-I) A supplementary license in Form L-1 (Import) for the additional Whole sale or retail vend of Indian Made Foreign Liquor, Imported Foreign Liquor, Beer, Wine and Ready to Drink Beverages to the trade.

(a) This license shall be in addition to L-1 license. This license shall be granted only to L-1 Licensee.

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- (b) The annual license fee for this license shall be 15 lac rupees. If this license is granted during the year in any month, the licensee shall pay license fee of Rs. 15 lacs for the same.
- (c) The licensee shall be authorized to purchase liquor from outside State and Custom Bonded Warehouse.
- (c) for special condition (1-A), the following shall be substituted, namely:--
"(1-A) A license in Form L-1A (IMFL), L-1A (BIO), L-1A (BEER), shall be omitted. However, the licensees L-1A (IMFL), L-1A (BIO), L-1A (BEER) shall return back the stock for the year 2016-17, to the respective manufacturing companies."
- (d) special condition (1-B), shall be omitted.
- (e) In special condition 10C, for clause (c), the following clause shall substituted, namely:-
"(c) The licensee shall sell Beer manufactured in his micro brewery or brewery pub for consumption in lounges on the premises. He shall not be allowed to sell Beer off the premises."
- (f) in special condition (15),
(i) in the existing clause (c), for the words "rupees twenty seven thousand and five hundred", the words "rupees fifty thousand" shall be substituted; and
(ii) after clause (c), the following clause shall be added, namely :-
"(p) Licensee shall install CCTV Camera on the premises. The expenditure on this account shall be borne by the licensee."

ANURAG AGARWAL,
Financial Commissioner Taxation,
Government of Punjab,
Department of Excise and Taxation.