

**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI**  
**OFFICE OF THE COMMISSIONER OF EXCISE, ENTT. & LUXURY TAX**  
**L -BLOCK, VIKAS BHAWAN, I.P.ESTATE, NEW DELHI – 110 002**

**PUBLIC NOTICE FOR GRANT OF L-1F LICENCE(WHOLESALE VEND OF FOREIGN LIQUOR) FOR 2018-2019.**

(Rule 34 of the Delhi Excise Rules, 2010)

Licenses in Form L-1F, for the wholesale vend of Foreign Liquor for supply to the holders of L-6FG, L-6FE, L-7FG, L-7FE, L-10, L-12F, L-13F, L-15F, L-16F, L-17F, L-18F, L-19F, L-20F, L-21F, L-23F, L-28F, L-29F and other such liquor licences as granted by the statutory authority in the National Capital Territory of Delhi will be granted for the year **2018-19** (hereinafter called the "the licensing year") in accordance with the terms and conditions described below:-

**1. LICENCE FEE**

- 1.1.** Application for grant of L-1F licences shall have to be submitted in the prescribed form (Annexure-1) along with the other required annexure, to the Deputy Commissioner of Excise, Government of National Capital Territory of Delhi, L-Block, Vikas Bhavan, IP Estate, New Delhi-110002 during office hours on any working day.
- 1.2.** L-1F Licence will be issued on regular basis on payment of basic licence fee for the licensing year **2018-19**. The licence fee will be charged fully irrespective of issue of date of licenses.

The number of spirit brands i.e. Whisky, Vodka, Rum, Gin, Brandy etc. shall be allowed in the L-1F licence with the condition that the licensee would be required to pay licence fee as under:

S. No.	Category	Licence fee
<b>1</b>	<b>Upto five spirit (Whisky/Rum/ Gin/ Brandy/ Vodka etc.) brands</b>	Rs. 15,00,000/- (Rupees fifteen lacs)
<b>2.</b>	For each additional spirit brand viz Whisky/ Rum/ Gin/ Brandy/ Vodka etc.	Additional Rs. 50,000/-(fifty thousand) per brand
<b>3.</b>	<b>Upto ten brands of Wine/Beer/ Liqueur/ Cider/</b>	<b>Rs. 7,00,000/-</b>

	Alcopop /Mixed Alcoholic Beverages etc;	
4.	<b>For each additional brand of Wine/Beer/ Liqueur/ Cider/ Alcopop /Mixed Alcoholic Beverages</b>	<b>Additional Rs. 50,000/- ( fifty thousand) per brand</b>

**1.2A If a licensee, who is holder of a non-renewable license in the current licensing year and has paid licence fee on account of extension of duration of licence in the preceding year, for the same brands, he will be given benefit of adjustment of licence fee, which he has already paid, for the extended period of licence, in the current licensing year.**

**However, he will not be eligible for adjustment of the said licence fee, already paid, if the brands proposed to be registered are different.**

**1.3** The above brand restriction does not apply on any other category and as such the policy will remain unchanged for these categories (Beer, Wine, Mild liquor and Mixed Alcoholic Beverages).

**1.4** If there is no change in warehouse (L-32), brands and labels, which were approved in previous year (to the same licence holder in previous year), the same shall be approved after payment of license fees/brand/label registration fees for the current year and undertaking of the licensee that there is no change. Provided that licensee shall fulfill all other eligibility norms for the current year.

## **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 2018-19 on payment of the license fee and the following Label Registration fee:

- (a) Rs. 30,000/- (Rupees thirty Thousand only) per brand of Whisky, Rum, Gin, Vodka and Brandy.
- (b) Rs. 20,000/- (Rupees Twenty thousand only) per brand of Beer.

(c) Rs. 10,000/- (Rupees Ten thousand only) per brand of Wine, Liqueur, Alcopop/Mixed Alcoholic Beverages and other mild liquors.

- 2.3** The registration and approval of the brands shall be subject to the brands fulfilling all conditions of the Delhi Excise Act, 2009 and the Rules made there under.
- 2.4** There shall be no restriction on the number of brands to be allowed on one licence.
- 2.5** The applicant will have to produce the authorization letter from either Foreign Liquor brand owning company or from the authorized importer in India for the purpose of registration of any Foreign Liquor brand. The authorization letter shall contain the following information:
- (1) Period of validity.
  - (2) Name of Brands.
  - (3) Area/State permitted.
  - (4) Name and address of authorized company.

### **3. ELIGIBILITY TO HOLD LICENCE**

**3.1.** The licence in Form L-1F shall be granted to following:-

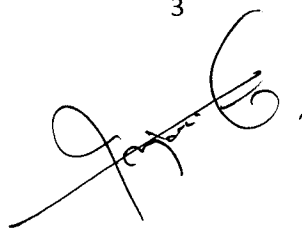
- (1) A Company incorporated under the Companies Act, 1956.
- (2) A firm registered under the Partnership Act, 1932.
- (3) A Society registered under the relevant Co-operative Societies Act.
- (4) Sole proprietor.
- (5) A firm registered under Limited Liability Partnership Act, 2008.

Provided that applicant has not been black listed by the Department for any violation by any of the provision of Excise Law. Further, provided that applicant has not been convicted by any Court of competent jurisdictions for any offence under the Excise Law.

**3.2.** The licensee may appoint an attorney/authorized representative for the National Capital Territory of Delhi. The licensee shall be liable for all omission and commission of attorney/authorized representative in connection with terms & conditions of L-1F Licence.

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

The Excise Department and the Government shall be under no obligation to grant any particular number of L-6FG, L-6FE, L-7FG, L-7FE, L-10, L-12F, L-13F, L-15F, L-16F, L-17F, L-18F, L-19F, L-20F, L-21F, L-23F, L-28F, L-29F and other such liquor licences. The holder of L-1F licences shall not be entitled to any



compensation or relief on the ground that a particular number of L-6FG, L-6FE, L-7FG, L-7FE, L-10, L-12F, L-13F, L-15F, L-16F, L-17F, L-18F, L-19F, L-20F, L-21F, L-23F, L-28F, L-29F and other such liquor licences were not granted.

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

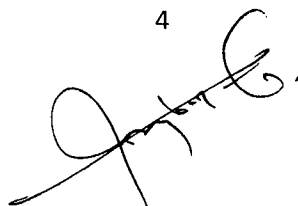
All days of religious importance and such other days as considered appropriate will be declared as "dry days" in addition to dry days normally declared. The holders of L-1F licences shall not be entitled to any compensation or relief due to any increase in the number of dry days beyond the likely number mentioned hereinabove or due to change in the working hours of the bonded ware-House or of retail vends during the course of the year.

## **6. PROCEDURE TO APPLY**

- 6.1** Application in the prescribed form (Annexure 1) together with its appendices 'B' and 'C' for the grant of licence shall be made to the Deputy Commissioner (Excise). 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, Limited Liability Partnership Act, 2008 or a society registered under the Co-operative Societies Act, the application shall be signed by the Proprietor, duly authorized working partner, President or secretary of the society, as the case may be. Proof of authorization must be filed along with the application.
- 6.2** Information as required for this purpose in the application form shall be furnished with complete detail truly and faithfully, so as to enable the smooth processing of application. The applicant shall not be entitled to any relief or compensation on account of delay in the finalization of their case for the grant of licence.
- 6.3** The licence in Form L-1F will be granted on fixed fee.
- 6.4** No applicant shall be granted a licence in Form L-1F who is not eligible to hold a licence and does not fulfill all the requirements of Delhi Excise Act, 2009 and the Delhi Excise Rules, 2010.

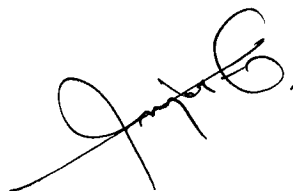
## **7. OTHER CONDITIONS OF LICENCE**

- 7.1.** Licence in Form L-1F for the licensing period shall be subject to the general condition *inter alia* as contained under Rules 50,51,53,54 and 66 of the Delhi Excise Rules, 2010. The licensee shall abide by the provision of the Delhi Excise Act, 2009 and the Rules framed and orders/instructions issued there



under from time to time and any law in force in the N.C.T. of Delhi relating to liquor.

- 7.2.** The Whole Sale Price (WSP) shall be taken as the price at which the Liquor shall be sold by the holder of L-1F licence excluding Custom Duty, Duty, VAT and other levies, if any, which includes CIF(cost, insurance and freight), margins and all other charges of the importers/L-1F Licencee. Hence the applicants for L-1F Licence are required to submit the details of their cost card mentioning the CIF(cost, insurance and freight) value, Custom Duty (if any), Excise Duty, VAT and other levies, if any, Margins and all other charges of the Importers/L-1F licencee.
- 7.3.** The Licensee will have to submit an affidavit declaring that the whole sale price declared in Delhi is lowest in comparison to wholesale price declared anywhere in India and shall not be allowed whole sale price more than the said WSP for any brand of Foreign Liquor. In case there is reduction in whole sale price at any time during the year, the licensee shall have to intimate the Commissioner Excise of such change immediately and in any case within seven days failing which it shall be treated as breach of Terms & Conditions. Any loss of excise revenue arising out of breach of terms and conditions shall be recovered from the licensee besides other proceedings which are liable to be initiated against the licensee as provided under the Delhi Excise Act,2009 and Rules made thereunder.
- 7.4.** These terms and conditions, unless repugnant to the express provisions of the Delhi Excise Act, 2009 and the Rules made thereunder, shall be in addition to the provisions of the said Act and the Rules which are deemed to be incorporated in these Terms & Conditions as if they are expressly set out herein. Applicants are advised to access, read and understand the same before applying.
- 7.5.** All the licensee will be bound by the provisions of Delhi Value Added Tax (VAT) Act,2004 as already implemented in NCT of Delhi w.e.f. 01.04.2005 and as amended from time to time. The VAT on the WSP and Excise Duty shall be payable at the time of sale/transfer of stock from BWH to retail vends.
- 7.6.** It will be mandatory to mention retail price on all the bottles of all sizes of all brands of Foreign Liquor being supplied in the National Capital Territory of Delhi.
- 7.7.** It will be mandatory to mark as "For Diplomatic Supply Only" or "For Duty Free Shop Only" in the labels of Foreign Liquor for the supplies meant for diplomatic supply and duty free shops as the case may be.
- 7.8.** The licensee shall adhere to all instructions/orders of the Department regarding supply of consignment to the retail vends of liquor, Hotels, Clubs, Restaurants and diplomatic missions/Embassies.
- 7.9.** The licensee shall not sell any liquor not conforming to the specifications prescribed by the Commissioner or if he has not prescribed any specifications, to the specifications laid down by the Indian Standard Institute now known as Bureau of Indian Standards or any international specification. The consignment of liquor should be free from sedimentation of foreign particle.
- 7.10** The grant of L-1F (Wholesale) licence shall be subject to the acceptance of the terms and conditions as a whole and the licensee should adhere to all



provisions of Delhi Excise Act, 2009, Delhi Excise Rules, 2010 and terms & conditions.

**7.11** The licensees are required to make the arrangement of the following in Bonded Ware House to ensure successful implementation of Excise Supply Chain Information Management System (ESCIMS):

- (i) Latest Specs Desktop with Win 7 Operating System, Anti Virus (with latest patches).
- (ii) UPS for adequate capacity to support equipment incase of power shutdown.
- (iii) High speed Broadband Internet Access with Wi-fi enablement in the operating area
- (iv) Laser/Inkjet Printer
- (v) Bar Code Printer
- (vi) Adequate Number of HHTs (models suggested)

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No.	Activity	Parameters	HHTs Required
1	TP Dispatch for a window of 2 hours (11:00 am to 1:00 pm)	<=250 bottles/cases	1
		>250 and <=500	2
		>500 and <=750	3
		>750 and <=1000	4
		>1000 and <=1250	5
		> 1250 and <=1500	6
		>1500 and <=1750	7
		>1750 and <=2000	8
		>2000 and <=2250	9
		>2250 and <=2500	10
		>2500 and <=2750	11
		>2750 and <=3000	12
		>3000 and <=3250	13
		>3250 and <=3500	14
		>3500 and <=3750	15
		>3750 and <=4000	16
		>4000 and <=4250	17
>4250 and <=4500	18		
> 4500 and <=4750	19		
>4750 and <=5000	20		

(vii) Consumables as per specs - paper, labels, ink, etc.

(viii) Adequate Number of Trained Manpower to manage simultaneous operations

- (ix) Desktop for Excise Inspector at BWH with Broadband Internet Access. The cost of bar code generation/affixation and other related costs including service tax shall be borne by the licensee.

Note: \*The figures given above for implementation of ESCIMS is indicative only. The Licensing Authority will judge the sufficiency of the no. of HHT & other hardwares at the time of grant of License.

## **8. GRANT OF LICENCE**

- 8.1** All the applications for the grant of fresh L-1F licence shall be subject to acceptance by the competent authority, who, may accept or reject applications. The licensing authority or the Government shall be under no obligation to grant any licence for which application has been made.
- 8.2** An applicant whose application is accepted, on being informed, shall immediately complete the following formalities:-
- a) He shall pay the entire licence fee before the grant of L-1F licence.
  - b) The Label registration fee shall be deposited as soon as the brand is approved.

## **9. LABELS**

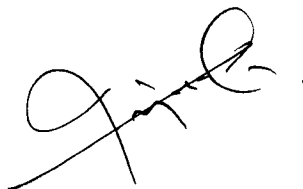
The licensee shall be bound to abide by the instructions of the department to affix any additional label containing such information as required and directed by the excise department.

## **10. SECURITY**

The licensee shall be bound to deposit security, as decided by the competent authority, as and when asked by the Department.

## **11. PREMISES**

- a) The licence in Form L-1F shall be granted only to the applicants who are holding a custom Approved Bonded Warehouse Licence or having space allotted in the Customs Approved Bonded Warehouse or any other BWH/Warehouse licence subject to submission of NOC from Custom Department.
- b) The licensee shall have a separate BWH/Warehouse for Excise Department duly approved by the Excise Commissioner in addition to Custom approved Bonded Warehouse. The Bonded warehouse shall have sufficient space for



movement of men and material and to facilitate affixing of Hologram/security features in the presence of the Excise Inspector in the premises. Further, it shall be located adjacent or nearby as far as possible to the Custom approved Bonded warehouse of the licensee. The licensee shall submit the following

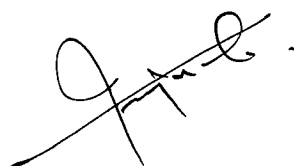
- i) A site plan of the Bonded warehouse showing area, adequate fire safety arrangements.
- ii) Justification for the adequacy of the space alongwith Bonded warehouse fee of Rs.20,000/-(10.00AM to 6.00PM),
- iii) Proof of requisitioned legal possession of the premises or any other documents as deemed appropriate by the licensing authority,
- iv) An affidavit to the effect as detailed in Annexure.

## **12. PAYMENT**

- 12.1** The licensee shall make all the payments to the Government in connection with the operation of his licence by bank draft drawn in the name of the Deputy Commissioner (Excise), Government of National Capital Territory of Delhi.
- 12.2** The licensee shall pay interest @12% p.a. from the date on which any payment recoverable from him under section 30 of the Delhi Excise Act, 2009, 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 affected.
- 12.3** 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.

## **13. PROHIBITION**

- 13.1** In pursuance of the Directive Principles of the State Policy relating to prohibition, contained in Article 47 of the Constitution of India, the Government 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.
- 13.2** The licensee shall also abide by the following prohibition measures namely:
  - i) The licensee shall not display any neon or glow signs in and around the licenced premises to attract customers.
  - ii) The licensee shall display a notice board prominently in front of the licenced premises declaring that "Drinking of Liquor is injurious to health".





- iii) The licensee shall not keep or distribute, sell or publish/have displayed any advertising material of its liquor product 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.
- iv) No licensee shall advertise its liquor products or any product having similar nomenclature as liquor products unless such advertisement conforms to the program codes and advertisement code s laid down in the Cable Television Network Rules, 1994.
14. The licensee shall be bound to furnish any information in connection with L-1F licence truly and faithfully within time prescribed by the Commissioner or the Deputy Commissioner or the Assistant Commissioner or the Excise Officer. Refusal to furnish the information, furnishing of false information or non-compliance of the order will be regarded as breach of the terms and condition of the licence. Breach of terms and conditions may also result in non-issue of import/transport permits and suspension /cancellation of licence.
15. The Deputy Commissioner reserves the right to cancel or suspend any L-1F licence as per provisions of Section 17 of the Delhi Excise Act, 2009.
16. The Government reserves the right to review the manner of levying duties/fees and amount of duties /fee etc. to be paid/payable in case there is any amendment/change in law related to liquor & bonded warehouse in Delhi during the period of licence. The changes, if any, shall be binding on all the L-1F licensees.

  
(AMJAD TAK)  
19/3/18  
**COMMISSIONER (EXCISE)**