

## TAMIL NADU BREWERY RULES, 1983

Under these Rules, the Government issue a letter of indent after satisfying themselves about the proposed scheme for the manufacture of Beer and approval of the Scheme. The Commissioner of Prohibition and Excise grants the privilege and licence for the manufacture of Beer within six months from the date of letter of indent given by the Government or within such extended time with the approval of plan for the manufactory.

These rules regulate the brewing bottling and export of beer and collection of Excise Duty.

### **(1) CATEGORY OF LICENCE:**

Brewery Licence

### **(2) NAME OF THE RULE COVERED:**

The Tamil Nadu Brewery Rules, 1983.

### **(3) NO. OF LICENCES FUNCTIONING NOW: 4**

1. Tvl.Chennai Breweries Limited  
(Tvl.Balaji Distilleries Limited) Aranvoyal, Tiruvallur District  
( Commenced from May 2003)
2. Tvl.Mohan Breweries and Distilleries Ltd.,  
No.7, Selva Street, M.M.Nagar,  
Valasaravakkam, Tiruvallur District.
3. Tvl.Empee Breweries Ltd.,  
Kuthambakkam,  
Thiruvallur District.
4. SNJ Breweries Pvt.Limited,  
Madhurandhagam Taluk, Kancheepuram district

### **(4) PURPOSE OF LICENCE:**

For Manufacture of beer.

### **(5) HOW TO APPLY:**

Any person desirous of getting the privilege of manufacturing beer and a licence for brewery shall submit his scheme to Government in Form B1 along with fees of Rs.500/-.

After approval of the scheme by the Government a letter of Intent in Form B2 shall be sent to the applicant. The letter of Intent is valid for a period of six months. (Rule 3)

For getting the privilege of manufacturing beer and a licence for a brewery application shall be made in Form No.B3 within six months from the date of letter of intent. Application should be affixed with a court fee stamp to the value of Rs.2/-.(Rule 4)

### **(6) TO WHOM APPLY:-**

Commissioner of Prohibition and Excise.

**(7) FEES DETAILS:**

Application Fee	--	Rs. 2,000/-	(Rule 4)
Licence Fee	--	Rs. 10,000/-	(Amended in G.O.Ms.No.2, P&EIII Dept., dated 4.1.2009)
Privilege Fee	--	Rs.4,00,000/-	
Addl, Privilege fee	--	Rs. 50,000/-	
			(for manufacture of Draught beer)
Security Deposit	--	Rs.6,00,000/-	( Rule 8(1)) (Amended in G.O.ms.No.27, P&E III dated 1.4.2007)

**(8) REQUIREMENTS FOR THE ESTABLISHMENT OF LICENSED PREMISES:**

The Building for manufactory or ware-house shall be constructed with brick or stone and the roof with cement concrete or Madras Terrace.

All the windows, ventilators and skylights in the building shall be fitted with rods spaced not more than 10 cms apart centre to centre.

All the windows, ventilators and skylights in the warehouse and store room shall be covered with galvanized wire net or square-mesh not more than 1/2 centimetre apart.

All the doors, fitted to the buildings shall be open outwards.

No thatched building within the manufactory premises or warehouse compound.

There shall be separate rooms or compartments for fermentation process, storage of finished beers in vats, for bottling and sealing of bottles and for storage of bottled beer. The compartments shall have their grills embedded in cement.

The brewery premises shall be enclosed by a compound wall. There shall not be more than one entrance and one exit.

Necessary water supply and power. (Rule 9)

**(9) SUITABILITY OF THE APPLICANT:**

(1) Solvency of the applicant

(2) Whether the applicant has contravened any of the provisions of the Tamil Nadu Prohibition Act, 1937.

1) Whether the applicant has been convicted of any offence punishable under the TNPA, 1937.

2) Whether the applicant carries on any other business which is likely to prevent him from giving his due attention to the purpose for which the license is sought for.

3) Whether the applicant was defaulter in payment of any amount due to the State Government under the TNP Act, 1937

**(10) GRANT OF PRIVILEGE / ISSUE OF LICENCE**

The Commissioner grants the privilege for the manufacture of beer. Upon the grant of privilege the Commissioner of Prohibition and Excise issues a licence in Form No.B4 for 1 year from 1<sup>st</sup> April to 31<sup>st</sup> March of the succeeding year. This licence is not transferable. (Rule 5)

The licence shall not be transferable.

**(11) OTHER LICENCES TO BE TAKEN:**

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**(12) RENEWAL OF LICENCE:**

An application for renewal of licence shall be made in Form B-9 atleast 30 days before the date of expiry of the validity along with renewal fees. (Rule 6)

**(13) CANCELLATION OF LICENCE:**

The licensee or any other person in his employment contravenes any of the provisions of the act or the rules or the conditions of the licence, the Commissioner may take action against the licensee suspend or cancel the licence or forfeit the whole or a part of the deposit made after giving a notice to the licensee in writing stating the grounds on which it is proposed to be taken against him to show cause within 14 days from the date of notice. The licensee shall not be entitled to claim any compensation on account of suspension or cancellation or non renewal of the licence. The Commissioner may cancel the licence without any notice if the licensee is adjudged as an insolvent by a competent court. (Rule 33)

**14. LEVIES COLLECTED**

Excise Duty, Import Permit Licence Fee, Special Privilege Fee, Special Fee, Brand Label Registration Fee, Brand Label Approval Fee, Brand Label Renewal Fee.

**15. ESTABLISHMENT**

Such establishment necessary to cope with excise supervision should be employed at the Beer Unit. The licensee shall pay the cost of establishment including the allowances, leave salary and pension contribution for every month in advance. (Rule 22)

**16. RESIDENTIAL QUARTERS**

Licensee to provide suitable accommodation to the Excise Supervisory Officer and his staff (Rule 22)

**FORM B-1.**

**[SEE RULE 3(1)(a)].**

**From**

**To**

**The Commissioner and Secretary to Government,  
Prohibition and Excise Department,  
Fort St. George, Chennai – 600 009.**

Sir,

I am desirous of establishing a brewery at ..... District for the manufacture of beer. I submit herewith a scheme for the working of the brewery as required in rule 3(1)(a) of the Tamil Nadu Brewery Rules, 1983. I request the Government may be pleased to accord their approval for the scheme. I shall complete the formalities within 6 months from the date of approval of the scheme by the Government.

Thanking you,

Yours faithfully,

Dated:

Enclosure: Scheme in Form appended.

**APPENDIX TO FORM B-1.**

**Scheme notifying the proposal to construct and work a Brewery.**

- I. (a) Name and address of the applicant :
- (b) Name and address of the undertaking :
- (c) Whether public/private Limited or :  
proprietary concern

**2. Capital Structure:-**

**(a) In case of Limited Company:-**

- i) Authorised :
- (ii) Issued :
- (iii) Paid up :
- (iv) Borrowing, if any :

**(b) In case of other :**

- (i) Capital :
- (ii) Borrowing, if any :

**(c) Details of Investment :**

**I. Fixed Assets :**

- (i) Land Rs.
- (ii) Building Rs.
- (iii) Plant or machinery Rs.
- (iv) Others, if any Rs.

-----  
Total Rs.

**II. Working capital Rs.**  
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**3. Location :**

**4. Plant and machinery:-**

- (i) Value of plant and machinery to be imported origin.
- (ii) Value of plant and machinery of indigenous origin.

**5. Raw materials required for production:-**

- (i) Quality and value of raw material to be imported or of imported origin per year.
- (ii) Quality and value of raw material of indigenous origin per year.
- (iii) Quantity and value of the molasses and alcohol, if any, required per year in the manufacture of fortification of the liquor proposed for manufacture.
- (iv) Whether it is proposed to manufacture or procure the alcohol/molasses from private sources without the aid of the Government.

**6. Water and power requirement:-**

- (i) Particulars of requirements
- (ii) Whether necessary permission has been secured.

**7. Process:-**

- (i) Brief process of manufacture
- (ii) Standard and quality of products proposed to be manufactured.

**8. Technical assistance:-**

Whether any foreign collaboration or know how is envisaged and if so, the foreign exchange involved.

**9. Forecast of time factors:-**

- (a) Time required to secure land, building and other accommodation after the letter of intent is issued.  
Time required to erect machinery and start production after licence is granted.

10. Item of manufacture	Annual capacity, quantity, value (in metric measures).	Estimated annual production.	I.F. Unit value Product.
(1)	(2)	(3)	(4)

**11. Employment potential:-**

- (i) Supervisor
- (ii) Skilled
- (iii) Unskilled

**12. (a)** Any special facilities required from the Government.

(b) Special features, if any, of the scheme.

**13. (i)** Chalan number and date in support of payment of the fee of Rs. 500; and

(ii) Whether the chalan in original is enclosed.

Signature of the applicant with date.

**FORM B-2.**  
[See rules 3(1)(a) and 23]

**PROHIBITION AND EXCISE DEPARTMENT.**  
**LETTER OF INTENT**

**Government Letter Number:**

**Dated:**

From  
The Commissioner and Secretary to Government of Tamil Nadu,  
Prohibition and Excise Department,  
Chennai – 600 009.

To  
Thiru/ Thiruvallargal

Sir(s),

Subject – Excise – Tamil Nadu Brewery Rules, 1983 – Proposal to construct and  
work breweries in private sector–Approval for the Scheme – Notified.

Reference – Your letter .....

The Government have perused the scheme submitted with your letter cited for the manufacture of beer at .....(Place).....(District) under a licence to be granted and they have tentatively decided to accord sanction to the proposal for a capacity of ..... million litres per year but without any commitment on the part of the Government to allot or supply any raw materials or recommend any foreign exchange or foreign collaboration, should you fulfill the formalities prescribed under the rules now in force or as may be prescribed from time to time hereafter.

2. This letter of intent is valid for a period of six months from its date but it shall not however, confer any right or privilege for the grant of a licence in your favour and it is liable to be withdrawn in public interest at any time on the expiration of not less than thirty days, notice in writing of the Government's intention to withdraw and in such an event no compensation or damage whatever shall be payable for the same.

Yours faithfully,

Commissioner and Secretary to Government.

Copy to:

The Commissioner of Prohibition and Excise, Chennai –600 005.

The Collector of .....District.

The Director of Industries and Commerce, Madras – 600 005.

The Industries Department, Chennai– 600 009.

**FORM B-3.**  
**[See Rule 4(1)].**

To  
The Commissioner of Prohibition and Excise,  
Ezhilagam, Madras – 600 005.

**Application for licence under rule 4(1) of the Tamil nadu Brewery Rules, 1983.**

Dated.....

Application of.....\* / resident of ..... carrying on business  
at .....

(1) The undersigned Thiru ...../ for himself / acting on behalf  
.....Applies for a licence to construct and work, and possess a brewery under the  
Tamil Nadu Brewery Rules, 1983, at ..... in the District of ..... in the  
State of Tamil Nadu,

(2) The applicant desires to work brewery and apparatus of the following sizes and descriptions,  
namely:-

.....  
.....  
.....

(3) In the event of a licence being granted, the applicant proposes to construct a brewery within  
..... and commence working at the brewery on the .....

(4) Plans and estimates of the premises and buildings to be used as a brewery and for store house  
and other purposes connected with the business of brewing are annexed for approval. The Applicant  
undertakes to erect buildings and to make all necessary structural or other alterations and additions to  
the premises and buildings which the Commissioner may, from time to time, direct and in all respects  
to conform to the Commissioner's directions as to the maintenance of the premises and buildings in a  
proper state in regard both to the repair and conditions of the buildings and premises and their  
sanitation and suitability to the purposes of a brewery under the rules in that behalf for the time being  
in force.

(5) The applicant undertakes to comply in all respects with (a) the provisions of the Tamil Nadu  
Prohibition Act, 1937; (b) the provisions of the Tamil Nadu Brewery Rules, 1983 applicable to the  
brewery or its working; and (c) the conditions which may be entered in the licence applied for.

(6) A certificate from the municipality or other local authority to the effect that there are no  
objections on sanitary ground to the carrying on of the business of brewing in the locality, to the  
premises and buildings proposed is attached.

(7) Any further plans, estimates or information required will promptly be supplied.



(8) The applicants is / are ready and willing to deposit the sum of Rs.....  
as Security for the due performance by him / them of each and all of the provisions of the Tamil Nadu  
Brewery Rules of the licence.

(Signed)\*.....

\* Here enter the full name and address of the applicant. If more than one person is concerned in  
obtaining a licence, the full name and address of each such person must be given. If the application is  
from a firm, the full name and principal place of business of the firm and the names of each partner  
thereof must be stated. If the application is from company, the registered name and office of the  
company and the name of the officer thereof making the application must be stated.

\* To be signed by each applicant (if more than one) or some person legally authorised to sign for  
him, or for the Firm or Company when the application is from a Firm or Company.

**FORM B-9**

[See Rule 6(1)].

**Application for the renewal of the licence granted for the privilege to establish  
brewery and manufacture of beer.**

To

The Commissioner of Prohibition and Excise,  
Chepauk, Chennai-600 005.

1. Name of the Brewery ....

2. Address: Office-

Phone Number:

Telex Number:

Factory-

Phone Number:

Telex Number:

3. Licence number and date in which licence was granted for the year (Licences to be enclosed in original).
4. Whether the renewal application under the Tamil Nadu Brewery Rules, 1983 has been made in time, namely, thirty days before the date of expiry of the validity of the licence?
5. (a) Whether the application has been affixed with Court-fee label to the value of two rupees?
- (b) Whether Treasury receipts are enclosed in proof of payment of application fee, fee for the grant of privilege, licence fee and additional fee for belated application, if need be?
- (c) Whether the plans with full description of the buildings of the brewery and the statement relating to plant, machinery, equipments and apparatus referred to in Rule 4 have been enclosed? If there are any alterations or additions to the building Plant, machinery or apparatus used therein

Subsequent to the grant or renewal of Licence a certificate from the Excise Supervisory Officer as to the correctness of the alterations or additions shall also be furnished.

6. Whether the licensee has been convicted of any offence under the Tamil Nadu Prohibition Act, 1937 (Tamil Nadu Act X of 1937) or the rules made thereunder or of any other cognizable or non-bailable offence?
7. Whether the licensee is carrying out the orders issued by the Commissioner?
8. Whether the brewery is in arrears of any Excise Duty or vend fee due to Government? If so, the full details and the reasons for having not remitted the dues, have to be furnished?
9. Whether the licensee is making entries in the Brewing Book in accordance with the instructions of the Commissioner or Excise Supervisory Officer?

I / We hereby declare

- (i) that the particulars given above are correct;
- (ii) that I/We have not been convicted of any offence under the Tamil Nadu Prohibition Act, 1937 (Tamil Nadu Act X of 1937), or the Rules made thereunder or of any other cognizable or non-bailable offence; and
- (iii) that I/We have gone through the Tamil Nadu Brewery Rules, 1983, relating to the licence for which renewal has been applied for by me/us herein and am/are conversant with the provisions therein.

I/We hereby undertake to abide by the conditions of the licence and provisions of the Tamil Nadu Prohibition Act, 1937 (Tamil Nadu Act X of 1937) and the Rules made thereunder.

**FORM B-10**

**( See Rule 32-A).**

**Export licence No.                      and dated:**

**Licence to export beer from the State of Tamil Nadu to any other State in India.**

Licence is hereby issued to Thiru / Thiruvallargal..... under Section 17-B (b) of the Tamil Nadu Prohibition Act, 1937 (Tamil Nadu Act X of 1937) subject to the provisions of the Tamil Nadu Brewery Rules, 1983 and the conditions set out hereunder and such other rules and conditions that may be notified from time to time.

**CONDITIONS**

- (1) The breach of any of these rules and conditions will result in the suspension or cancellation of the licence and consequently there will be no refund of any fee paid.
- (2) The licence is valid on and from ..... to 31<sup>st</sup> March 20 .
- (3) The licence is not transferable.

Commissioner of Prohibition and Excise.

**FORM B-11**  
{ See Rule 32-B }  
**Application for grant of permit for export of beer.**



To  
The Commissioner of Prohibition and Excise,  
Chepauk, Madras-600 005.

1. Name and address of the licensee:
2. Export licence No. and date and its period of validity:
3. Quantity, Strength and description of beer proposed to be exported:
4. Place to which it is proposed to be exported:
5. Route of transport (state whether road, rail, road-cum-rail, air, Sea etc and indicate the important place on the route:
6. Period of validity of permit:
7. Details of payment of excise duty And vend fee made.

Place:

Date :

Signature of the applicant.

**FORM B-12**  
(See rule 32-B)  
**Permit for Export of Beer**

Export Permit No.

Dated:

1. Name and address of the licensee:
2. Name and address of the person to whom beer is to be exported:
3. Place to which beer is to be exported:
4. Route (State whether road, rail, air, road-cum-rail on sea etc.)
5. Period of validity of export permit:
6. Description of beer to be exported:

Kind	Strength	Quantity allowed to be exported	Details of Excise Duty and vend fee paid.
(1)	(2)	(3)	(4)
			Amount Date of payment Paid at

7. Number and nature of receptacles containing the beer:
8. Details of import licence / import permit or 'No Objection Certificate' including period of validity.

**CONDITIONS**

- (1) The consignment shall be got verified by an Officer of Prohibition and Excise Department before export.
- (2) The permit shall accompany the consignment and shall be used only once during its currency. The consignment shall not be broken in bulk, while in transit and shall be exported in one lot. It shall not be diverted or brought back to the State of Tamil Nadu after export.
- (3) The permit shall be surrendered to the Commissioner of Prohibition and Excise. If it is not made use of within the period of validity of the permit.
- (4) The licensee shall pay such cost of the escort, if any, as the Commissioner of Prohibition and Excise may decide.

Commissioner of Prohibition and Excise.

To.

Thiruvallur .....”