

TAMIL NADU LIQUOR (SUPPLY BY WHOLESALE) RULES, 1983.

In exercise of the powers conferred by Sections 17-C, 17-D and sub-section (d) of Section 22-B read with Section 54 of the Tamil Nadu Prohibition Act, 1937 (Tamil Nadu Act X of 1937), the Governor of Tamil Nadu hereby makes the following Rules for regulating the grant of licence for supply by wholesale of Indian-made Foreign Spirits in the State of Tamil Nadu. These Rules may be called the Tamil Nadu Liquor (Supply by Wholesale) Rules, 1983. G.O.Ms.No.39, dt. 01.07.2008.

1. Category of Licence:

TAMIL NADU LIQUOR (SUPPLY BY WHOLESALE) licence granted by the Commissioner in Form FWL for the wholesale depot as well as the branch depots.

2. Name of the Rule Covered:

TAMIL NADU LIQUOR (SUPPLY BY WHOLESALE) RULES, 1983.

3. No. of licences functioning now:

41

3. Purpose of Licence:

As per **Tamil Nadu Liquor (Supply By Wholesale) Rules, 1983** for supply by wholesale of bottled liquor through wholesale depot as well as the branch depots of the Tamil Nadu State Marketing Corporation Ltd for the Whole State of the Tamil Nadu.

4. How to apply

The application for licence shall be in Form FW AL. The application shall be affixed with a Court fee label to the value of Rupees two and accompanied by a Treasury receipt in proof of the payment of application fee of Rs.200 (Rupees two hundred only) and the payment of licence fee of Rs.4,00,000/- (Rupees four lakhs only) for the grant of licence for supplying, by wholesale in the whole state of bottled liquor together with true copies of the location plans and the plans of the buildings in triplicate where the wholesale depot and branch depots are to be located. The Corporation should also deposit a sum of Rupees twenty-five thousand only by way of security deposit for the due observance of the conditions of licence. The Corporation shall also pay licenced fee of Rs.100/- (Rupees One hundred only) for each licence for each branch depot.

5. To whom apply

As per **Tamil Nadu Liquor (Supply By Wholesale) Rules, 1983**, Tasmac shall make an application to the Commissioner of Prohibition and Excise, Chepauk, Chennai 5.

6. Fees Details

Application fee of Rs.200 and the payment of licence fee of Rs.4,00,000 for the grant of licence for supplying, by wholesale in the whole state of bottled liquor. The Corporation shall also pay licenced fee of Rs.100/- for each licence for each branch depot.

7. Requirements for the establishment of Licensed Premises

The Tamil Nadu State Marketing Corporation may, with the approval of the Commissioner establish a wholesale depot and such number of branch depots as may be found necessary by it for the sale by wholesale of bottled liquor to retailers. There shall be atleast one branch depot in each district.

8. Suitability of the Applicant

The building where the wholesale depot or branch depot is to be located shall be of pucca construction with sufficient space and separate rooms for storing the bottled liquor safely. No portion of such building shall be made of or constructed by any thatched material. While granting licence for supplying wholesale, of bottled liquor to the Corporation and also for each branch depot, the Commissioner shall consider and satisfy himself about the suitability of the site and the building selected or to be constructed where the wholesale depot and branch depot as the case may be are to be located..

9. Grant of Privilege / Issue of Licence

The licence granted by the Commissioner shall be in Form FWL for the wholesale depot as well as the branch depots. The licence shall be issued in the name of the Corporation. The licence shall be applicable to the whole State and the details of the wholesale depot and branch depots approved and to the established in various places shall be incorporated in the form of licence. When branch depots are licensed subsequent to the grant of the licence for the wholesale depot, the licence for the wholesale depot shall be amended to incorporate the place where such branch depot is located

10. Other Licences to be taken:

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11. Renewal of licence:

An application for renewal of licence granted under Rule 6 shall be made in Form FW A1 atleast thirty days before the date of expiry of the validity thereof. Provided that the Commissioner may admit an application preferred after the expiry of the said date, but before the expiry of the licence, if he is satisfied that the licensee has sufficient cause for not filing the application in time. The licence granted to the Corporation under Rule 6 shall be valid from the date of issue to the 31st March of the year and thereafter, it may be renewed from year to year.

12. Cancellation of licence:

The Commissioner may without prejudice to any other proceedings which may be taken against the licensee by an order in writing, forfeit the deposit made under these rules, if the licensee or any person in his employment contravenes any of the provisions of the Act or the Rules made thereunder or the conditions of the licence. Before proceeding under the rules, the Commissioner shall give the licensee a notice in writing stating the ground on which it is proposed to take action and requiring the licensee to show cause against it within such time not exceeding fourteen days as may be prescribed in the notice.

LEVIES COLLECTED

The licensee shall pay the excise duty or countervailing duty, as the case may be.

FORM FW. AL
(See Rules 4 and 11.)

ORIGINAL

RENEWAL

(Here affix Two Rupees
Court fee label).

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

Application for a licence in Form FW. AL. for the grant of privilege for establishment of Depot and Branch Depots for sale by wholesale of Bottled Liquor.

1. Name of the applicant
(IN BLOCK LETTERS) THE TAMIL NADU STATE
MARKETING CORPORATION LIMITED.
2. Permanent address
3. (a) Places and premises in which the
applicant proposed to carry on business (boundaries of the premises
of the depot and branch depots to be specified). (To be furnished in an annexure).
(b) The area which the depot and each
Branch depot is intended to serve.
4. Whether the application is for a new
Licence or renewal.
5. The amount of licence fee paid (Chalan to be enclosed)Rs. Rs.
6. Any special reasons which the applicant
Desires to be considered.
7. Whether the application is accompanied by
True copies of the location places and plans
Of the buildings in triplicate, of the
Wholesale depot and branch depots.

We hereby declare-

- (1) That the particulars given above are correct;
- (2) We hereby undertake to abide by the conditions of the licence and the provisions of the Tamil Nadu Prohibition Act, 1937 and the rules made thereunder.

Signature of the applicant.

FORM FW. L.

(See Rule 6)

Number of Licence :

District:

Licence for establishment of a wholesale depot for possession and sale of Indian-made Foreign Spirits.

Licence is hereby granted and issued to Tamil Nadu State Marketing Corporation Limited, Chennai (hereinafter referred to as the licensee) who has been granted the privilege of supplying by wholesale liquor for whole of the State of Tamil Nadu to establish wholesale depot and branch depots as specified in the Annexure during the Year, subject to the following conditions to be observed by the licensee:-

CONDITIONS

- (1) The licensee shall be bound by the provisions of the Tamil Nadu Indian-made Foreign Spirits (Supply by Wholesale) Rules, 1983 and also by the following conditions which are special to this licence
- (2) The privilege conferred herein extends to the possession and sale of bottled liquor and draught beer to holders of licences and authorities issued under Tamil Nadu Liquor (Licence and Permit) Rules, 1981 and the Tamil Nadu Liquor (Retail Vending) Rules, 1983. Subject to the terms and conditions of the respective licences or authorities. It does not cover possession and sale of sacramental wines and does not authorise consumption of liquor in the licensed premises.
- (3) The licensee shall not print or publish or otherwise display or distribute any advertisement or other matter soliciting the use of or offering of any liquor in the licensed premises.
- (4) The licensee shall obtain his supplies of liquor from any manufactory in this State or by import from any other State in India under import permit in 'Form FW.I.P. or from such other source as the Commissioner may in special cases appoint or approve subject to such terms and conditions as he may deem fit to impose. The import or transport from the source of supply to licensed premises shall be in accordance with the provisions of the Rules.
- (5) The licensee shall abide by the provisions and comply with the requirements of the Rules relating to the sale or issue of liquor under the licence, the maintenance of accounts and submission of returns. He shall maintain an inspection book in Form G.I.B. prescribed in the Rules.

(6) No sale of liquor shall be made under the licence on the 'Gandhi Jayanthi Day namely', the 2nd October of every year and on such other days, as the Commissioner may specify.

Dated this _____ Day of _____

Signature:

Designation:

Seal of the Licensing Authority.

Licensing Authority:

Annexure.

Serial No.	Name of the District	Name of the Taluk.	Name of the Town/Village	Location of the Depot	Boundaries			
					North	East	South	West
(1)	(2)	(3)	(4)	(5)	(6.a)	(6.b)	(6.c)	(6.d)

FORM FW I.P.
(See Rule 13)

The Tamil Nadu State Marketing Corporation Limited, Madras/branch in district are hereby permitted to import by rail/road Indian made Foreign Spirits specified below from Tvl.

Kind of Commodity	Quantity allowed to be imported	Amount of Excise Duty paid. Excise duty or countervailing duty and other fee paid Rs. Chalan No.. and date. IPLF Rs. Chalan No. and date. B.L. P.L.	Route by which the consignment is to be transported.
(1)	(2)	(3)	(4)

CONDITIONS

- (1) The permit shall be valid up to..... and shall be carried along with the consignment. It shall be used only once during its currency. The consignment shall not be broken in bulk while in transit and shall be imported in one lot, and brought to the destination before the expiry of the period of validity.
- (2) The consignment shall be opened only at the time of verification by an officer of the Prohibition and Excise Department and shall be taken into account only after verification.
- (3) The importer shall in the case of Indian-Made Foreign Spirits furnish proof of true strength of liquor imported and provide samples to the Commissioner of Prohibition and Excise for test in the laboratory for ascertaining the strength for purpose of final assessment of Duty.
- (4) The importer shall give prompt intimation to the concerned officer of the arrival of the consignment so that verification may be done within seven days of arrival of the consignment.
- (5) The consignment shall be made available for verification at the border check post and the Police Station at and such verification got recorded in the Goods Vehicles Record and in the Import Permit.
- (6) The Tamil Nadu Marketing Corporation Limited, Chennai, are informed that the permit shall be surrendered to the permit issuing authority if it is not made use of within the currency of permit.
- (7) The importer shall inform the Commissioner of Prohibition and Excise and the Inspector-General of Police(Enforcement) as soon as movement of the consignment is started so as to enable verification enroute.

Place:

Seal :

Commissioner of Prohibition and Excise.

FORM FW.T.P.
(See Rule 14).

PERMIT FOR TRANSPORT OF LIQUOR WITHIN THE STATE.

The Tamil Nadu State Corporation Limited, Madras are hereby permitted to transport by rail/road liquors specified below from

(place of despatch)

To (place of destination) in this State.

Kind of Commodity (With name and brand).	Quantity allowed to be transported.	Period of currency of the permit.	Route by which the consignment is to be transported.
(1)	(2)	(3)	(4)

CONDITIONS

- (1) The permit shall be used only once during its currency and shall be carried along with the consignment.
- (2) The consignment shall not be broken in bulk while in transit and shall be transported in one lot.
- (3) The consignment shall be opened only at the time of verification by an officer of the Prohibition and Excise Department authorised to verify the consignments and shall be taken into account only after such verification.
- (4) The transporter shall give prompt intimation to the officer of the arrival of the consignment so that verification may be done expeditiously and the verification report sent to the permit issuing authority within ten days of arrival of the consignment.

Seal:

Date:

Signature:

Designation:

(Authority issuing the Permit)