

## **The Tamil Nadu Liquor Retail Vending (in Shops and Bars) Rules 2003**

### **Liquor Retail Vending in Shops and Bars Licence (Form 1)**

These rules come into force on the 29th November 2003. On application, accompanied by a treasury receipt in proof of the payment of Licence fee of Rs.1 crore (Rupees One Crore only), Commissioner of Prohibition and Excise shall grant licence in Form -1, to the Tamil Nadu State Marketing Corporation for the retail vending of liquor in shops and bars in the whole state of Tamil Nadu. The Licence shall be issued in the name of the Corporation. The Licence granted under this rule shall be subject to the provisions of the Act and the rules made there under.

The Licence granted to the Corporation under rule 4 to shall be valid for one year from the date of issue.

The licence will be renewed every year.

1. Category of Licence: **Liquor Retail Vending in Shops and Bars Licence (Form 1)**

2. Name of the Rule Covered:

**Tamil Nadu Liquor Retail Vending (In shops and Bars) Rules, 2003.**

3. No. of licences functioning now:

One licence issued to Tamil Nadu State Marketing Corporation .

4. Purpose of Licence:

As per Rule 3(1) of Tamil Nadu Liquor Retail Vending (Shops and Bars) Rules, 2003. Retail sale of bottled Indian Made Foreign Spirit, in shops and bars by the Tamil Nadu State Marketing Corporation Ltd. for the Whole State of the Tamil Nadu.

5. How to apply

As per Rule 3(2) of Tamil Nadu Liquor Retail Vending (Shops and Bars) Rules, 2003. The Application by the Tamil Nadu State Marketing Corporation shall be accompanied by a treasury receipt in proof of the payment of privilege fee of Rs. 250 crores (Rupees Two Hundred and Fifty crores only), Licence fee Rs.1,00,000/-(Rupees One Lakh only) and application fee Rs.1000/-(Rupees One thousand only) for the grant of licence.

6. To whom apply

As per Rule 3(1) of Tamil Nadu Liquor Retail Vending (Shops and Bars) Rules, 2003, Tasmac shall make an application to the Special Commissioner and Commissioner of Prohibition and Excise, Chepauk, Chennai 5.

## 7. Fees Details

As per Rule 3 (2) of Tamil Nadu Liquor Retail Vending (Shops and Bars) Rules, 2003, the privilege fee is Rs.250 Crore per annum for the grant of licence.

As per Rule 7 of Tamil Nadu Liquor Retail Vending (Shops and Bars) Rules, 2003, renewal fee is Rupees 250 Crores to renew the licence for a period not exceeding one year at a time.

## 8. Requirements for the establishment of Licensed Premises

As per Rule 8 of Tamil Nadu Liquor Retail Vending (Shops and Bars) Rules, 2003,

1) No shop shall be established in Municipal Corporations and Municipalities within a distance of 50 (fifty) metres and in other areas 100 (hundred) metres from any place of worship or educational institutions:

Provided that the distance restriction shall not apply in areas designated as "Commercial" or "Industrial" by the Development of Town Planning Authorities.

Provided further that no shop shall be established within the premises of any hotel:

Provided also that if any place of worship, educational institution comes into existence subsequent to the establishment of the shop, the provisions of this rule shall not apply;

Provided also that no liquor shops shall be established in any tribal areas covered under Integrated Tribal Development Project and Hill Area Development Project, in the Hill area of Vellore, Salem, Namakkal, Dindigul, Tirunelveli and Kanniyakumari Districts.

(2) Every shop shall be housed in a pukka building and no part of the shops shall be thatched either on the sides or on the roof.

(3) The shop shall be in the location approved by the Collector before commencing the business in the shops.

**SHIFTING OF SHOPS** - As per Rule 9 of Tamil Nadu Liquor Retail Vending (Shops and Bars) Rules, 2003. There shall be no change in the location of shops except with the previous permission of the Collector.

**LOCATION OF BAR** - As per Rule 10 of Tamil Nadu Liquor Retail Vending (Shops and Bars) Rules, 2003. 1) The bar shall lie within the shop or adjoining the shop.

2) The bar shall have a minimum plinth area of ten square metres.

3) Every bar shall be housed in pukka building and no part of the bar shall be thatched either on the sides or on the roof. The bar room shall be sufficiently screened so that consumption of liquor is not visible from outside and shall also be provided with fans. Sufficient number of tables and chairs for the consumers to conveniently sit and consume liquor shall be provided. Such room shall not be used as a club or recreation room or for any other purpose whatsoever. No gambling or any kind of disorderly conduct in the shop shall be permitted.

4)Facilities such as drinking water and wash basin within the surroundings of each shop premises shall be provided and the shop,its premises and surroundings shall be always kept clean, hygienic and well lit.

5) Every shop shall have a signboard in Tamil in front of the shop showing the number of the shop and details regarding authorization issued by the Corporation for the shop, the price of liquor in differentsizes of bottles sold in the shop shall also be displayed. There shall also be displayed on the signboard the following slogans in bold letters about the evils of drinking and such other slogans as may be approved by the Commissioner.

"Liquor ruins country, family and life"

9. Suitability of the Applicant

The Tamil Nadu State Marketing Corporation Ltd., is the only Indian Made Foreign Spirit retail vending licensee for the Whole State of Tamil Nadu

10. Grant of Privilege / Issue of Licence

As per Rule 4 of Tamil Nadu Liquor Retail Vending (Shops and Bars) Rules, 2003.

1) On application, Commissioner of Prohibition and Excise shall grant licence in Form - I for the retail vending of liquor in shops and bars in the whole State. The licence shall be issued in the name of the Corporation.

2)The licence granted under this rule shall be subject to the provisions of the Act and the rules made thereunder.

3)The Corporation shall issue an authorization in Form - II in respect of each shop where the business of retail vending of Indian Made Foreign Spirit is to be carried on either directly the by Corporation or through the Co-operative Societies as agents of the Corporation.

4)The Corporation shall furnish the list of authorized retail vending shops located within each district to the Collector, indicating the details of such shops run by the Corporation. List of such shops shall be furnished by the Corporation to the Collector concerned within 10 days of the commencement of business.

As per Rule 6 of Tamil Nadu Liquor Retail Vending (Shops and Bars) Rules, 2003, The licence granted to the Tamil Nadu State Marketing Corporation Ltd., under rule 4 will be valid for one year.

11. Other Licences to be taken:

Does not arise

12. Renewal of licence:

As per Rule 7 of Tamil Nadu Liquor Retail Vending (Shops and Bars) Rules, 2003. The Commissioner of Prohibition and Excise may on application by the Corporation along with renewal fee of rupees 250 crores, renew the licence for a period not exceeding one year at a time.

13. Cancellation of licence:

Does not arise.

## **FORM-I**

(See Rule 4 )

### **LICENCE FOR THE EXCLUSIVE PRIVILEGE OF RETAIL VENDING OF INDIAN MADE FOREIGN SPIRIT IN SHOPS AND BARS.**

Licence is hereby granted and issued to Tamil Nadu State Marketing Corporation, Chennai ( hereinafter referred to as the Corporation ) for retail vending of Indian Made Foreign Spirit to shops and bars for the whole of the State of Tamil Nadu for the period from----- to -----

- subject to the following conditions:-

#### **CONDITIONS**

1. The Corporation shall be bound by the provisions of the Tamil Nadu Liquor Retail Vending ( in Shops and Bars) Rules,2003 and also by the following conditions which are special to this licence.
2. The privilege conferred herein extends to the possession and sale of liquor in shops and also consumption of liquor in the bars attached to the retail shops.
3. The Corporation shall in pursuance of this licence, fix, locate and open as many shops as may be necessary to effectively carry on the business of sale, by retail, of Indian Made Foreign Spirit in this State and the said Corporation in so fixing the shop, shall take into account the population of the locality, the need of the locality and other relevant factors including location of shop in conformity with Rule 8 of these rules.
4. The individual retail vending units so fixed and located in the districts shall be authorized by an order made by the Corporation in Form II of these Rules in respect of all shops so fixed and located by the Corporation both for direct vending by the Corporation and shops run through the Agency of the Co-operative societies.
5. The Corporation shall furnish the list of all such authorized retail vending shops located within each district to the Collector indicating the details of shops run directly by the Corporation and the list of shops run by the Co-operative Societies as its agent . Such list shall be furnished by the Corporation to the Collector concerned within ten days of commencement of business.
6. No printing or publication or other display or distribution of any advertisement or other matter soliciting the use of or offering of any liquor in the licensed premises shall be permitted.
7. The provisions and the requirements of the Rules relating to the sale or issue of liquor under the licence, the maintenance of accounts and submission of returns shall be complied with. An Inspection Book in Form IX of these Rules shall be maintained.
8. No sale of liquor shall be made under the licence on Gandhi Jayanthi Day, viz, the 2<sup>nd</sup> October, Thiruvalluvar Day falling in January, Mahaveer Jayanthi Day and Birthday eve of Nabigal Nayagam and Vadalur Ramalingar Ninaivu Naal.
9. The liquor supplied by the wholesale depot and branch depot of the Corporation shall alone be sold in sealed bottles in the same condition as is received from the depot in the shop.
10. No business shall be transacted before 8.00 a.m. and ‘ (After 12.00 mid-night at the shop or bar).

11. There shall be displayed on the sign board the following slogans in bold letters about the evils of drinking and such other slogans as may be approved by the Commissioner.

“ மது -நாட்டுக்கு, வீட்டுக்கு, உயிருக்கு கேடு “

“Liquor-ruins country, family and life”

12. Possession of liquor stocks outside the authorized premises is prohibition.
13. True and correct accounts of the transaction in the shop for every day shall be maintained. Such accounts are open for inspection and check by the inspecting officials of the Prohibition and excise Department and other officers authorized by the Commissioner or Collector in this behalf.
14. The 2(Mamimum retail prices) for various brands of liquor shall be displayed in a prominent place in front of the shop.
15. No person suspected to be suffering from any infectious disease or any one below the age of 21 shall be employed in the shop and bar.
- 3(15-A(a) No liquor shall be sold or served by the licensee to any person who has not completed 21 Years age.

(b) Where any doubt arises in regard to the age of such person, the licensee may require the person concern to produce any documentary evidence issued by the Central or State Government of Educational Institution or the local authority in proof of the age of such person.)

16. Liquor obtained from the wholesale depot or branch depot of the Corporation shall be transported only under a transport permit in Form XI and subject to the terms and conditions of such transport permit.
17. Indian Made Foreign Spirit and Beer shall be sold in open bottles, glasses or pegs for consumption only within the premises of the bar.
18. No liquor other than the stock transferred from the retail vending shop to which the bar is attached shall be used in such bars.
19. No bottling of liquors and also mixing of any intoxicants to boost the intoxication of liquor shall be done.
20. Liquor shall be served only within the area of the bar. Serving liquor outside the area of the bar is strictly prohibition.
21. Drinking water and wash basin shall be provided within the bar premises. The premises and surroundings shall always be kept clean and tidy.
22. Sufficient number of tables and chairs shall be provided for the consumer to conveniently sit and consume liquor in the bars.
23. The authorized premises shall not be used as club or for recreational purposes or any other purpose whatsoever.
24. No gambling or other kinds of disorderly conduct shall be permitted in the bar.
25. The bar used for consumption of liquor shall be sufficiently screened so that consumption of liquor is not visible from the place of sale of liquor or from outside.
26. In the event of any infraction of any of the conditions of the licence or rules or orders in the shop, without prejudice to any other penal action contemplated by the Tamil Nadu Prohibition Act, 1937, disciplinary action shall be taken against the persons responsible.

Signature of the Authorised Signatory.

(Common to all shops run either by TASMAL directly or by the agent)

**Form-II**  
(See Rule 4)

**AUTHORISATION ISSUED FOR THE SALE BY RETAIL OF IMFS IN IMFS SHOP NO.---**

I, \_\_\_\_\_ Managing Director, TASMAL holder of the Retail Vending Licence No. \_\_\_\_\_ issued by the Commissioner of Prohibition and Excise in \_\_\_\_\_ dated \_\_\_\_\_ under the provisions of the Tamil Nadu Prohibition Act, 1937 (Tamil Manager, TASMAL \_\_\_\_\_ District \_\_\_\_\_ Society as an agent\*\* of TASMAL, to vend IMFS at the address specified below from the \_\_\_\_\_ day of \_\_\_\_\_ (month) \_\_\_\_\_ (Year) to the \_\_\_\_\_ day of \_\_\_\_\_ (month) \_\_\_\_\_ (Year) subject to the Tamil Nadu Liquor Retail Vending ( in Shops and Bars) Rules, 2003.

IMFS Retail Vending Shop NO.”  
Local Body in which the shop is located:  
Address ( in full)

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MANAGING DIRECTOR,  
TASMAL.

\*\* - Strike out which ever is not necessary.

**FORM X**  
(See Rule 19)

Application for Permit for transport of liquor from the Wholesale depot / branch depot of the Tamil Nadu State Marketing Corporation Limited to the retail vending shop with in the State.

Here affix court fee label  
value of Rupee one.

**To**

The Excise Supervisory Officer,  
Indian Made Foreign Liquor Department,  
Tamil Nadu State Marketing Corporation Limited.

1. Name and address of the Applicant  
(in Block Letters).
2. Place and Licence No. of the Indian Made Foreign  
Liquor retail vending shop.
3. Quantity of liquor required to be transported.
4. Shortest Route
5. Particulars of Vehicle with registration number
6. Name of the transporter
7. Cash Bill number and date of Tamil Nadu State  
Marketing Corporation.
8. Invoice number and date of Tamil Nadu State  
Marketing Corporation.

I hereby declare that the particulars given above are correct and that I undertake to abide by the conditions of the licence issued under the Act and the orders made thereunder.

Place:

Signature of the Applicant.

Date: