

TAMIL NADU WINE (MANUFACTURE) RULES, 2006 .

(1) CATEGORY OF LICENCE:

Wine Manufacturing Licence

(2) NAME OF THE RULE COVERED:

TAMIL NADU WINE (MANUFACTURE) RULES, 2006

(3) NO. OF LICENCES FUNCTIONING NOW: One

(i) Cumbum Valley Winery Pvt.Ltd

Chinnaoralepuram village, Uthamapalayam taluk, Theni District

(4) PURPOSE OF LICENCE:

For Manufacture of Wine

(5) HOW TO APPLY:

Any person desirous of getting the privilege of manufacturing Wine shall apply to the Commissioner in Form 3 affixing Court Fee Label to the value of Rs.2/- (Rule 4)

(6) TO WHOM APPLY:-

Commissioner of Prohibition and Excise.(Rule 4)

(7) FEES DETAILS:

Application Fee	--	Rs. 2,000/-
Licence Fee	--	Rs. 10,000/-
Privilege Fee	--	Rs.4,00,000/-
Security Deposit	--	Rs.2,00,000/-

(8) REQUIREMENTS FOR THE ESTABLISHMENT OF LICENSED PREMISES:

(a) The building used for the manufactory shall be constructed with brick or stone and the roof of the building shall be of reinforced cement concrete or Madras Terrace or shall be of nonflammable material.

(b) All windows, ventilators and sky lights in the building other than those in the ware-house and store room shall be fitted with rods spaced not more than 10 Centimeters apart, centre, to centre. All the windows, ventilators and sky lights in the ware-house and store room shall be covered with galvanized wire net or square mesh, not more than ½ centimeters apart.

(c) All the doors which are to be fitted with excise ticket locks shall be free from tampering of the hinges from outside.

(d) All doors fitted to the building shall open outwards.

(e) There shall be no thatched shed with in the manufactory or ware house compound.

(f) All the openings in the external walls intended for the efflux of waste water shall be covered with grills affixed to the wall.

(g) There shall be separate rooms or compartments isolated by grills embedded in cement concrete provided for the following purposes and no such room or compartment shall be used for more than one of the said purpose:-

(i) manufacturing;

(ii) Storage of wine in build and bottling operation.

(iii) Storage of wine in sealed bottles, casks, barrels and other receptacles.

(h) There shall be separate tanks for fermentation, storage and fortification.

(i) Each tanks used for fermentation, storage or fortification shall be marked with a permanent serial number and the capacity of such tanks accurately gauged by the Department of Weights and Measures under the Standard of Weights and Measures (Enforcement) Act, 1985 (General Act 54 of 1985).

(j) Every room or compartment in the manufactory shall be wellventilated and shall bear on the outside a sign board denoting the purpose for which the compartment or room is used for.

(k) All gas and electric connections with the manufactory shall be fixed in such a manner as to ensure that the supply of gas or electricity can be cut off and all the regulator or switch shall be securely locked at the end of each day's work.

(l) Unless, otherwise directed by the Commissioner in writing, there shall be only one entrance and one exit to the manufactory and one emergency exit and one door to each of its rooms or compartments. All the doors which are provided shall be secured with excise ticket locks. The emergency exit doors shall be kept closed with the excise ticket locks and shall be opened only on emergency occasion.

(m) Necessary air condition arrangements shall be made within the manufacturing unit as may be specified by the Commissioner from time to time.

(n) Necessary Fire Extinguishing equipment shall be kept in the manufacturing unit.

(9) SUITABILITY OF THE APPLICANT:

(a) Solvency of the applicant

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

(c) Whether the applicant has been convicted of any offence punishable under the TNPA, 1937 or of any cognizable and non-bailable offence or of any offence under the Dangerous Drug Act, 1930 (Central Act II of 1930) or under the Trade and

Merchandise Marks Act, 1958 (Central Act 43 of 1958) or under sections 482 to 489 of the Indian Penal Code (Central Act XL V of 1860).

(d) 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.

(e) Whether the applicant was a defaulter in payment of any amount due to the State Government under the TNP Act, 1937, or the rules made thereunder or of any taxes or other amounts due to the State Government.

(f) any other matter relevant to the purpose for which the licence is sought for

(10) GRANT OF PRIVILEGE / ISSUE OF LICENCE

On receipt of application, under Rule 4, the Commissioner grants the privilege for the manufacture of Wine with the prior approval of the Government. Upon the grant of privilege the Commissioner of Prohibition and Excise shall issue a licence in Form No.4

(11) OTHER LICENCES TO BE TAKEN:

RL3

(12) RENEWAL OF LICENCE:

An application for renewal of the licence granted under rule 5 shall be made in Form 5 at least 30 days before the date of expiry of the validity along with renewal fees

(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 deposit amount after giving a notice in writing stating to 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.

14. LEVIES COLLECTED

Excise Duty, Privilege Fee, Annual Export Licence fee, Brand name 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 Winery Unit. The licensee shall pay the cost of establishment including the allowances, leave salary and pension contribution for every month in advance.

16. RESIDENTIAL QUARTERS

Every licensee shall provide suitable residential accommodation or pay the house rent allowance payable to the Excise Supervisory Officer and his staff.

FORM – 1

From

To
The Secretary to Government,
Prohibition and Excise Department,
Chennai 600 009.

Sir ,

I am desirous of establishing a wine (Manufacture) Unit for the manufacture of wine. I submit herewith a scheme for the working of the wine (Manufacture) Unit as required under rule 3(1) of the Tamil Nadu Wine (Manufacture) Rules, 2006. I request the Government may be pleased to accord their approval for the scheme. I shall complete the formalities within one year from the date of approval of the scheme by the Government.

Thanking you,

Date:

Yours faithfully,

APPENDIX TO FORM I

(Scheme notifying the proposal to construct and work a wine manufactory unit)

1. (a) Name and address of the applicant
(b) Name and address of the institution
(c) Whether public / private limited for 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 Company
 1. Fixed Assets:-

(i) Land	Rs.
(ii) Buildings	Rs.
(iii) Plant and Machinery	Rs.
(iv) Others, if any	Rs.
Total	Rs.
 - II. Working Capital
3. Location
4. Plant and Machinery
 - (i) Value of plant and machinery to be imported

or of imported origin

(ii) Value of plant and machinery of indigenous origin

5. Raw materials required for production.

(i) A full description of the Vineyard proposed to be established for the purpose of procuring grape by the applicant (with copies of supporting documents)

(ii) Quantity and value of raw material of indigenous origin per year.

(iii) Quantity and value of raw material to be imported or imported origin per year.

(iv) Quantity of alcohol, if any required per year in the manufacture of fortification of the wine proposed for manufacture.

6. Water and power requirement

(i) Particulars of requirements

(ii) Whether necessary permission has been secured

7. Process:-

(a) Brief process details of manufacture

(b) 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 if time factors:-

(a) Time required to secure land, building and other accommodation after the letter of intent is issued.

(b) Time required to erect machinery and start production after licence is granted.

10	Item of Manu- Facture (1)	Annual capacity quantity value (In metric measures) (2)	Estimated annual production (3)	I.F. Unit value produce (4)
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9. Forecast

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) Challan number and date in support of payment of the fee of Rs.500, and

(ii) Whether the challan in original is enclosed.

Signature of the Applicant

Station:

Date:

FORM 3
(See rule 4)

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

Application for grant of privilege and licence under Rule 4 of the Tamil Nadu
Wine(Manufacture) Rules 2006.

Dated.....

Application of..... resident of.....
carrying on business at

Manufacture of Wine:

(1) The undersigned Thiru/for himself / acting on behalf
..... applies for grant of privilege and a licence to manufacture wine under the
Tamil Nadu Wine (Manufacture) Rules 2006, at in
the districtofin the State of Tamil Nadu.

(2) The applicant desires to administer the Wine Manufactory Unit with the apparatus of the
following sizes and descriptions, namely :-

.....
.....

(3) In the event of a licence being granted, the applicant proposes to commence the
manufacture of wine withinon the

(4) Plans and estimates of the premises and buildings to be used as a wine manufactory and for
store house and other purposes connected with the business 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 manufactory 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 Wine (Manufacture) Rules 2006, applicable to the wine manufactory 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 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 requirements of the Tamil Nadu Wine (Manufacture) Rules, 2006 of the licence.

(9) Certified that the following documents are enclosed.

1. Annexure to the application duly filled in.
2. A full description of site and plan of the building in which the wine manufactory is located.
3. A statement in triplicate specifying the number size and description of all the vessels and apparatus which are proposed to be used in the manufacture of wine.
4. A statement showing the quantity of wine proposed to be manufactured during the currency of license and
5. particulars of the kinds of wine proposed to be manufactured

I / we declare that the particulars furnished are correct and in case if they are found illegal or false I/we am are liable for all legal and other actions.

(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 of such person must be given. If the application is from a institution the full name and principal place of business of the institution and the names of each partner thereof must to be stated.

To be signed by each applicant (if more than one) or some person legally authorized to sign for him, or for the institution when the application is from an institution.

ANNEXURE TO FORM 3 (APPLICATION FOR LICENCE)

1.	<p>(a) Name and address of the applicant. (furnish the name of the person in whose name the license to be issued).</p>	
	<p>(b) Name and address of the Institution</p>	
	<p>(c) Whether public / private Limited or proprietary concern Registration details under the relevant Acts/Authority to be furnished.</p>	
2.	<p>Capital Structure-</p>	
	<p>(a) In case of Limited Company- (i) Authorised (ii) Issued (iii) Paid up (iv) Borrowing, if any</p>	
	<p>(b) in case of other- (i) Capital (ii) Borrowing, if any</p>	
	<p>(c) Details of investment I. Fixed Assets- (i) Land Rs. (ii) Buildings Rs. (iii) Plant and machinery Rs. (iv) Others, if any Rs. <div style="text-align: right;">-----</div> Total Rs. <div style="text-align: right;">-----</div> II. Working capital Rs.</p>	
3.	<p>Location</p>	
4.	<p>Plant and machinery-</p>	
	<p>(i) Value of plant and machinery of description to be imported or of imported origin.</p>	
	<p>(ii) Value of plant and machinery of description of indigenous origin.</p>	
5.	<p>Raw materials required for production-</p>	
(i)	<p>(i) Type of raw materials required and source of requirement.</p>	
(ii)	<p>A full description of the Vineyard established by the applicant(copies of supporting documents)</p>	
(iii)	<p>Quantity of alcohol, if any required per year in the manufacture of fortification of wine proposed for manufacture</p>	
(iv)	<p>Source of procurement of alcohol</p>	

6.	Water and power requirement :-			
	(i) Particulars of requirements			
	(ii) Whether necessary permission has been secured from the concerned authority with details of such permission			
7.	Process of manufacture of wine :-			
	(a) Brief process of manufacture of wine			
	(b) Standard and quantity of products proposed to be manufactured.			
8.	Technical Assistance:-			
	(i) Whether any foreign collaboration or know-how is envisaged and if so: the foreign exchange involved			
	(ii) Details of collaboration within the country			
9.	Forecast of time factors-			
	(a) Time required to erect machinery after the grant of licence.			
	(b) Time required to start production after the licence is granted.			
10.	Item of Manufacture	Annual capacity Quantity value (In manufacture)	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 fee of Rs.500/- and		
	(ii) Whether the chalan in original is enclosed.		

Signature of the Applicant

Date:

FORM 5

(See rule (8))

**Application for the renewal of the licence granted for the
privilege to establish a Wine Manufactory .**

To

The Commissioner of Prohibition and
Excise, Chepauk, Chennai 5

1.	Name of the Manufactory Unit	
2.	Address: Office:- Phone Number FAX/ Telex Number Factory- Phone Number FAX/ Telex Number	
3.	Licence number and date in which licence was granted for the year (Licence to be enclosed in original)	
4.	Whether the renewal application under the Tamil Nadu Wine(Manufactory) Rules,2004 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 rupees two.	
	(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 Wine Manufactory and the statement relating to plant, machinery, equipments and apparatus referred to in the rules 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 Wine Manufactory is in arrears of any Excise Duty or 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 relating to various transaction in the manufactory and handling of wine in the accounts as per rules and also in accordance with the instructions of the Commissioner or the Excise Supervisory Officer?	

I / We hereby declare

(i) that the particulars given above the 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 Wine(Manufactory) Rules, 2006, 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.

Signature of the Applicant.

Station:

Date :