

GOVERNMENT OF ORISSA  
EXCISE DEPARTMENT

No. 1EX-90/2002- 1823 //Ex., Bhubaneswar, dt. 27.03.2003

From

Shri J.P. Dash, I.A.S.  
Commissioner-cum-Secretary to Government.

To

The Excise Commissioner, Orissa, Cuttack.

Sub:- Duty and Fee Structure for the year 2003-2004.

Sir,

I am directed to invite a reference to your letter No. 9932 dated 27.12.2002 on the above subject and say that Government after careful consideration have been pleased to decide that the excise shops and establishments may be settled during the year 2003-2004 in the manner indicated below:

I. LICENCE FEE FOR DISTILLERIES, BREWERIES, COMPOUNDING AND BLENDING (ONE OR MORE OPERATIONS):- (FORM NO. F.L.-13)

Licences may be renewed for the year 2003-2004 on payment of licence fee as follows:

Sl. No.	Production Capacity in Proof Litres	Annual Licence Fee (Rs. in lakhs)
1	2	3
1.	Up to 5 lakhs	Rs. 3.00
2.	5,00,001 to 15.00 lakhs	Rs. 3.75
3.	15,00,001 to 30.00 lakhs	Rs. 6.00
4.	30,00,001 and above	Rs. 9.00

II LICENCE FEE FOR BOTTLING:- (FORM NO. F.L. 14)

- (i) © Rs. 2.00 per BL of IMPL manufactured.  
(ii) © Re. 1.00 per EL of Beer manufactured.

III. ANNUAL LICENCE FEE  
FOR HAVING ENA COLUMNS. Rs. 5.00 lakhs

IV. ANNUAL LICENCE FEE FOR WINE,  
PRODUCING UNITS. Rs. 1.00 lakh

The Distilleries, Breweries and Bottling units will pay the licence fee for Item-I above. The Breweries, Bottling units and Distilleries having Bottling units will pay the licence fee for bottling according to Item-II above. The Distilleries and Bottling units having ENA Columns will pay the licence fee for having ENA Columns according to Item-III above.

Contd...

V. EXCISE DUTY ON IMFL AND BEER

I. Beer made in India

- |   |  |                    |
|---|--|--------------------|
| (a) Beer                                  |  | <u>Excise Duty</u> |
| (b) Beer mixed with any imported element. |  | Rs. 14/- per BL    |
|   |  | Rs. 25/- per BL    |

Proof Strength

- |        |  |           |                  |
|--------|--|-----------|------------------|
| 2. (i) | Premium India Made Whisky, Rum, Gin, Brandy, Vodka (Landing cost of OSBC-Rs. 850/- or more per case)   | 75        | Rs. 120/-per LPL |
| (ii)   | Other India made Whisky, Rum, Gin, Brandy, Vodka (Landing cost at OSBC less than Rs. 850/-per case)  | 75        | Rs. 100/-per LPL |
| 3.     | Whisky, Rum, Brandy, Vodka Blended with imported element containing more than 20% blend (the blending material includes scotch even if bottled in India) | 70.1-78.9 | Rs. 200/-per LPL |
| 4.     | Gin made with imported element   | 70.1-78.9 | Rs. 150/-per LPL |
| 5.     | Liquor containing more than 20% imported element.  | 60        | Rs. 150/-per LPL |
| 6.     | Wine made in India with any imported element   | 12.2-36.8 | Rs. 150/-per LPL |
| 7.     | India made Wine  | 40        | Rs. 40/-per LPL  |

VI. FEEES FOR LABEL REGISTRATION, IMPORT AND EXPORT OF IMFL/BEER, RECTIFIED SPIRIT AND DENATURED SPIRIT, FRANCHISE FEE FOR IMFL, PRIVILEGE FEE AND VEND FEE ETC.

1. LABEL REGISTRATION FEE:

- |       |  |                                  |
|-------|--|----------------------------------|
| (i)   | Foreign Liquor (Imported from beyond Custom barrier.                 | Rs. 50,000/-per label per annum  |
| (ii)  | Foreign Liquor imported in bulk and bottled in India.                | Rs. 50,000/-per label per annum. |
| (iii) | IMFL/BEER supplied to OSBC per annum (January to December each year) |                                  |
| (a)   | Up to 10,000 cases per annum or 65000 LPL per annum                  | Rs. 15,000/-                     |
| (b)   | From 10001 to 25000 cases per annum or 65001 to 130000 LPL per annum | Rs. 20,000/-                     |

- (c) From 20001 to 40000 cases per annum  
or 130001 to 250000 LFL per annum      Rs. 25,000/- per label  
per annum
- (d) From 40001 to 70000 cases per annum  
or 260001 to 455000 LFL per annum      Rs. 30,000/- "
- (e) From 70001 to 1 lakh cases per annum  
or 455001 to 650000 LFL per annum      Rs. 40,000/- "
- (f) Above 1 lakh cases per annum or  
above 650000 LFL per annum      Rs. 50,000/- "
2. Import or Export or Transport fee on  
Rectified Spirit      Rs. 2.50 per BL
3. Import and Export fee on Denatured  
Spirit      Rs. 3.00 per BL
4. ANNUAL LICENCE FEE ON DENATURED SPIRIT
- (a) D.S.-I      Rs. 5,000/- per annum
- (b) D.S.-II and D.S.-III      Rs. 2,000/- per annum
- (c) Excise Duty on D.S. supplied to  
agencies other than Government  
organisation within the State.      Rs. 2/- per BL
5. Export fee on Beer      Rs. 2/- per BL
6. Import Fee on Beer      Rs. 5/- per BL
7. Export fee on IMFL      Rs. 2/- per LFL
8. Import Fee on IMFL      Rs. 14/- per LFL
- 9(a) Vend fee on foreign liquor imported  
into India from outside the Country  
(Not bottled in India)      Rs. 250/- per LPL
- (b) Vend fee on Beer imported into India  
from outside the country      Rs. 20/- per BL
10. FRANCHISE FEE
- (a) I.M.F.L.      Rs. 20/- per LFL
- (b) Beer      Rs. 2/- per BL

11. PRIVILEGE FEE

The Orissa State Beverages Corporation will pay privilege fee for the year 2003-2004 as would be levied by the Government.

VII. I.M.F.L. 'ON' SHOPS AND BEER PARLOURS.

(i) All the existing IMFL 'ON' and Beer Parlours ('ON') Licences may be renewed provided they have fulfilled all the conditions for the year 2003-2004 on payment of the annual licence fee indicated below:

Category of the Hotel

Licence Fee

- |  |                |
|--|----------------|
| 1. Three Star Hotels and above.  | Rs. 3.00 lakhs |
| 2. Hotels in six major cities namely Cuttack, Bhubaneswar, Puri, Sambalpur, Rourkela and Berrhampur. | Rs. 2.00 lakhs |
| 3. For other areas.  | Rs. 1.50 lakhs |

(ii) New IMFL 'ON' shops/Beer Parlours(ON) may be opened according to the need as per the proposals of the Collector.

(iii) ON licence may be granted to O.T.D.C./I.T.D.C. hotels at half the above licence fee where the said hotels are located. A certificate from the concerned Department has to be obtained for this.

(iv) Licence fee for Beer Parlour(ON) has to be collected at the rate of 75% of the rate of IMFL ON shop.

(v) While recommending the proposals for grant of licence for ON shops, the locality, the habit of the people, living, sensitivity to law and order situation etc. should be taken care of.

(vi) New Beer Parlours may be opened wherever the condition so demands.

(vii) The licence fee of ON shops may be realised in four instalments by 31.3.2003, 30.6.2003, 30.09.2003 and 31.12.2003.

VIII. I.L.F.L. ON CLUBS AND MILITARY CANTEEN

(a) The existing licences of ON Clubs shall be renewed with a licence fee of Rs. 50,000/- per annum till 31.3.2004.

(b) New licences to 'ON' Clubs' may be granted on fulfillment of the following conditions.

- (i) The Club must be a registered club under the Societies Registration Act.
- (ii) The Club must be registered at least for a period of 10 years and there must be at least 100 permanent members.
- (iii) It must have its own land and building.
- (iv) There must be at least three affiliated Clubs.
- (v) The Club must be having facility of outdoor games like Tennis, Badminton, Volley ball etc. and at least one indoor game.
- (vi) There must be adequate facilities for food and drinks.

(c) Licence fee for Military Canteens may be renewed on payment of annual licence fee of Rs. 5000/- The Superintendents of Excise will issue the permits only after obtaining the strength of Unit/Cantonment and the norm of SUPPLY.

IX. LICENCE FEE FOR M. & T. F. UNITS.

The existing licence fee and policy will continue for 2003-2004 by way of renewal of licences.

X. LICENCE FEE FOR BONDED WAREHOUSE OF MANUFACTURING COMPANIES

The existing licence fee of Rs.4.00 lakhs per annum may continue for 2003-2004 and the licences may be renewed.

XI. LICENCE FEE ON WHOLESALE DISTRIBUTIONS

The wholesale licence of Orissa State Beverages Corporation may be renewed for 2003-2004 on payment of a licence fee of Rs.5.00 crores in quarterly instalments.

XII. BHANG/TARI/FOCHWAI SHOPS:

The policy on Bhang Tari and Fochwai shop will be the same as that of 2002-2003. All the existing licences may be renewed up to 31.3.2004. In case licence of any such shop is not renewed, the Collectors may take immediate steps for resettlement of the said shops by auction followed by tender followed by negotiation.

The Excise Duty on Bhang shall be Rs.200/-per Kg.

XIII. COUNTRY SPIRIT SHOPS:

(a) All the existing licences of Country Spirit Shops may be renewed for the year 2003-2004 without any change in the licence fee and MGO. The duty on Country Spirit will remain unchanged i.e. at the rate of Rs.15/- per LPL.

(b) Country Spirit shops will be renewed in Balasore, Bhadrak, Jajpur, Khurda, Kendrapara, Jagatsinghpur, Cuttack, Dhenkanal, Puri, Nayagarh, Ganjam, Gajapati and Kandhamal Districts. There shall be no Country Spirit shop in Angul, Keonjhar and Mayurbhanj District with effect from 01.04.2003.

(c) The Country Spirit shops which could not be settled by auction followed by tender followed by negotiation during 2002-2003 may be settled in the same process during 2003-2004. In case licence of any Country Spirit shop is not renewed, the Collectors may take steps for resettlement of the same by auction followed by tender followed by negotiation.

(d) Proposal for new shops may be submitted to Government after observing all the formalities.

(e) At present Country Spirit of 40 UP strength is being sold in poly pack containing 200 ml. It was decided earlier to convert poly packs to bottles of 200 ml. but the Aska Cooperative Sugar Industries could not switch over to supply Country Spirit in bottles. The same may be done in a phased manner as will be decided by the Government.

(f) The licence fee of Aska Cooperative Industries for manufacture and supply of Country Spirit will be Rs.5.00 lakhs per annum.

XIV. OUT STILL SHOPS.

(a) The licences of all the existing Out Still shops operating in Sambalpur, Bargarh, Jharsuguda, Deogarh, Sundargarh, Bolangir, Sonepur, Kalahandi, Nuapara, Boudh, Koraput, Rayagada, Malkanagiri and Bawarangapur Districts may be renewed without any increase in the licence fee and MGO. Besides the above Districts, Out Still Liquor System will be introduced in Angul, Keonjhar and Mayurbhanj districts with effect from 1st April, 2003.

- (b) In case licence of any O.S. shop is not renewed, the Collectors may take steps for immediate resettlement of the same by way of auction followed by tender followed by negotiation.
- (c) Proposal for opening of new Out Still shops may be submitted to Government for sanction after observing all formalities.
- (d) The Collectors may allow five branch shops to be opened by each exclusive privilege holder.

All the existing IMFL Off shops will be renewed without any change in the licence fee and MGQ.

However, IMFL Off shops and Beer Parlour (Off) remaining unrenewed should be resettled immediately. Proposals for new shops should be sent to Government after observing the formalities and the reserve price of the shops should be fixed taking various aspects such as potential of the area, reserve price of neighbouring shops etc. into consideration.

#### XVI. MOHUA FLOWER UTILISATION, STORAGE, TRANSPORTATION AND EXPORT FEE.

The licence fee for the following items are levied at the following rates:-

- |       |   |                      |
|-------|---|----------------------|
| (i)   | Utilisation fee per quintal of mohua flower | Rs. 175/-            |
| (ii)  | Mohua flower storage fee up to 200 quintals | Rs. 1000/-           |
|       | 201 to 500 quintals                         | Rs. 2000/-           |
|       | 501 to 1000 quintals                        | Rs. 5000/-           |
|       | 1001 to 2000 quintals                       | Rs. 7500/-           |
|       | 2001 to 5000 quintals                       | Rs. 10000/-          |
|       | above 5000 quintals                         | Rs. 15,000/-         |
| (iii) | Mohua Export Fee                            | Rs. 60/- per quintal |
| (iv)  | Mohua Transportation Fee                    | Rs. 10/- per quintal |

#### XVII. UTILISATION FEE ON MOLASSES

The following fees are fixed as utilisation of Molasses during the year 2003-2004.

- |       |                                  |                     |
|-------|----------------------------------|---------------------|
| (i)   | Molasses utilised by Distillery  | Rs. 100/- per tonne |
| (ii)  | Molasses used for other purposes | Rs. 100/- per tonne |
| (iii) | Import Fee                       | Rs. 60/- per tonne  |
| (iv)  | Export Fee                       | Rs. 60/- per tonne  |
| (v)   | Transport Fee                    | Rs. 60/- per tonne  |

#### XVIII. EXCISE ADHESIVE LABEL FEE.

Excise Adhesive Label Fee for each bottle of IMFL, Beer, and Country Spirit pouch/bottle will be Re. 0.20 paise. Affixing of Excise Adhesive Label will be strictly followed.

#### XIX. EXCISE POLICY FOR TRIBAL AREA.

Concessions granted in tribal areas to brew liquor for personal consumption and not for sale will continue. The provisions of Section 26-A of the Bihar and Orissa Excise Act, 1915 requiring approval of Gram Sasan in the scheduled areas may be strictly followed.

XX. ADVANCE CONSIDERATION MONEY:

Advance consideration money for two months may be collected from all the existing IMFL Off/Beer Parlours(Off)/Country Spirit/Out Still shop/Tari/Pochwai and Bhang licences for the year 2003-2004 by the end of March, 2003.

XXI. LICENCE FEE ON BRANCH SHOPS:

The licence fee of the Branch shops of Out Still shops will be Rs. 3000/-per branch shop per month.

XXII. LIFTING OF MGD OF IMFL/BEER:

The MGD of the IMFL Off shops will remain unchanged for the renewed shops. The incentive policy introduced for the month of February and March, 2003 will continue in the last quarter of the next financial year 2003-2004.

XXIII. DELEGATION TO COLLECTORS TO GRANT LICENCE:

The Collector of the District would continue to exercise the powers to grant licence for exclusive privilege for retail sale of IMFL and Country Liquor as per the delegation made vide this Department. Notification No. 3308 dated 16.05.2001 where the consideration money achieved is equal to or more than the reserve price.

There should be an attempt always to achieve the maximum consideration money in course of settlement of a shop. Where the settlement is below the reserve price, the Collectors may record the reasons for settlement of the shop below the reserve price. The proposal for acceptance of the settlement below the reserve price should indicate the reasons convincingly.

XXIV. REVISION IN EXCISE DUTY ON 'IMFL' TO BE SUPPLIED TO TROOPS AND MILITARY BODIES:

Excise Duty on IMFL supplied to troops and military bodies will be levied at the following rates with effect from 01.04.2003.

- (i) IMFL(Premium Rum) issued from the Depots of OSBC to troops and military bodies in Orissa. Rs. 80/-per LPL
- (ii) IMFL(Other than Premium Rum) issued from the Depots of OSBC to troops and military bodies in Orissa. Rs. 60/-per LPL
- iii) IMFL other than Rum and Premium Rum issued from the Depots of OSBC to troops and military bodies in Orissa. Rs. 100/-per LPL

Yours faithfully,

*K. S. ...*  
 ✓ Commissioner-cum-Secretary to Government.

Mem No. 1824(63)/Ex., dt. 27th March, 2003.

Copy forwarded to all Collectors/all Deputy Commissioners of Excise/all Superintendents of Excise for information and necessary action.

*K. S. ...*  
 ✓ Commissioner-cum-Secretary to Government.

ARTICLE 10 - COLLECTIONS

10.1. The Licensee shall be responsible for the collection of all fees and charges payable by the Licensee to the Government of the State of New Jersey and to any other authority having jurisdiction over the Licensee.

ARTICLE 11 - GENERAL PROVISIONS

11.1. The Licensee shall be bound by all laws, rules, regulations, orders, and decrees of the State of New Jersey and of any other authority having jurisdiction over the Licensee.

ARTICLE 12 - ASSIGNMENT

12.1. The Licensee shall not assign, transfer, or otherwise dispose of the Licensee's interest in the Licensee's business or any part thereof without the prior written consent of the State of New Jersey.

ARTICLE 13 - TERMINATION

13.1. The Licensee's License shall terminate if the Licensee fails to comply with the provisions of this Licensee's License or if the Licensee is found to be in violation of any law, rule, regulation, order, or decree of the State of New Jersey.

13.2. The Licensee shall be liable for all damages, costs, and expenses incurred by the State of New Jersey in connection with the enforcement of this Licensee's License.

ARTICLE 14 - SEVERABILITY

14.1. If any provision of this Licensee's License is held to be invalid, the remaining provisions shall remain in full force and effect.

- (a) The Licensee shall be responsible for the collection of all fees and charges payable by the Licensee to the Government of the State of New Jersey and to any other authority having jurisdiction over the Licensee.
- (b) The Licensee shall not assign, transfer, or otherwise dispose of the Licensee's interest in the Licensee's business or any part thereof without the prior written consent of the State of New Jersey.
- (c) The Licensee shall be bound by all laws, rules, regulations, orders, and decrees of the State of New Jersey and of any other authority having jurisdiction over the Licensee.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the State of New Jersey at Trenton, New Jersey, this 1st day of January, 2001.