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मध्यप्रदेश राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 144]

भोपाल, गुरुवार, दिनांक 31 मार्च 2022—चैत्र 10, शक 1944

वाणिज्यिक कर विभाग
मंत्रालय, वल्लभ भवन, भोपाल

Bhopal, the 31st March 2022

No. F-B-1-16-2021-2-V(11).—In exercise of the powers conferred by sub-section (1) and clause (d), (e), (f), (g) and (h) of sub-section (2) of Section 62 of the Madhya Pradesh Excise Act, 1915 (No. II of 1915), the State Government, hereby, makes the following further amendments in the Madhya Pradesh Foreign Liquor Rules, 1996, namely:—

AMENDMENTS

In the said Rules,—

1. After sub-rule (11) of rule 2, the following sub-rule shall be substituted, namely:—

“(12) e-Abkari system means the online software application approved by the State Government accessible through the official web portal of the Commercial Tax Department for performing various activities under the provisions of the Madhya Pradesh Excise Act, 1915 (No. II of 1915) and various rules, notification, conditions and orders made or issued thereunder.”.
2. In Madhya Pradesh Foreign Liquor Rules, 1996, except sub-rule (1) of rule 8 wherever the word “F.L. 1” occurs, it shall be followed by the word “or F. C. L. 1/F. C. L. 1-A”, wherever the word “F. L. 1-AAAA” occurs, it shall be followed by the word “or F. C. L. 2/F. C. L. 2-A” and wherever the word “F. L. 1-B” occurs, it shall be followed by the word “or F. C. L. 3”.
3. In the title of Rule 8 in the word “Sale of Foreign Liquor” and in first para of sub-rule (1) of rule 8 in the word “Foreign Liquor”, the word “foreign” shall be omitted.
4. After clause (aa-2) of sub-rule (1) of rule 8 the following clauses shall be inserted:—
 - (i) “(aa-3) F. C. L. 1 (Licence for Retail Sale of country and foreign liquor from Composite Liquor Shop, not to be consumed in the premises):—

The licence in Form F.C.L.1 shall be granted individually for each shop in such manner, as the State Government may direct by general or specific order from time to time. The F.C.L.1 licensee shall sell country and foreign liquor to consumers and foreign liquor to F.L.2, **F.L.2-AA**, F.L.3, F.L.3-A, F.L.4 and F.L.5 licensees.

Provided that the licensee shall also be bound by the relevant provisions of the Madhya Pradesh Country Spirit Rules, 1995.”

- (ii) (aa-4) F.C.L.1-A (License for Retail Sale of country and foreign Liquor from Composite Liquor Shop, not to be consumed in the premises) :-

The licence in Form F.C.L.1-A shall be granted individually for each shop in such manner, as the State Government may direct by general or specific order from time to time. The F.C.L.1A licensee shall sell country and foreign liquor to consumers and foreign liquor to F.L.2, **F.L.2-AA**, F.L.3, F.L.3-A, F.L.4 and F.L.5 licensees.

Provided that the licensee shall not be authorised to sell BIO liquor imported from outside the country.

Provided further that the licensee shall also be bound by the relevant provisions of the Madhya Pradesh Country Spirit Rules, 1995.”

- (iii) (aa-5) F.C.L.2 (License for Retail Sale of country and foreign liquor from Composite Liquor Shop, can be consumed in the premises)-

The licence in Form F.C.L. 2 shall be granted individually for each shop in such manner, as the State Government may direct by general or specific order from time to time. The F.C.L. 2 licensee shall sell country and foreign liquor to consumers and foreign liquor to F.L.2, **F.L.2-AA**, F.L.3, F.L.3-A, F.L.4 and F.L.5 licensees.

Provided that the licensee shall also be bound by the relevant provisions of the Madhya Pradesh Country Spirit Rules, 1995.”

- (iv) (aa-6) F.C.L.2-A (License for Retail Sale of country and foreign liquor from Composite Liquor Shop, can be consumed in the premises) :-

The licence in Form F.C.L.2-A shall be granted individually for each shop in such manner, as the State Government may direct by general or specific order from time to time. The F.C.L.2-A licensee shall sell country/foreign liquor to consumers and foreign liquor to F.L.2, F.L.2-AA, F.L.3, F.L.3-A, F.L.4 and F.L.5 licensees.

Provided that the licensee shall not be authorised to sell BIO liquor imported from outside the country.

Provided further that the licensee shall also be bound by the relevant provisions of the Madhya Pradesh Country Spirit Rules, 1995.”

- (v) (aa-7) F.C.L.3 (Shop Bar License): -

The license in Form F.C.L.3 shall be issued to only F.C.L.1/F.C.L.1-A licensees on advance payment of 2% of the annual value of the related liquor shop. Where the license is granted for remaining period of the year, the proportionate license fee shall be payable for the remaining period of the year and this calculation of proportionate license fee shall be done in the ratio of 1/12 for each month. Part period of the month, in which the license has been granted shall be treated as a complete month for this calculation.

Consumption of liquor shall be permitted within the licensed premises of the shop bar, as mentioned in the schedule-1 of the license.

Provided that the licensee shall also be bound by the relevant provisions of the Madhya Pradesh Country Spirit Rules, 1995.”

(vi) "(aa-8) R.W.S.1 (Licence for sale of Madhya Pradesh (MP)- made wine from retail wine shop) :-

Licence in form R.W.S.1 shall be granted for sale of Madhya Pradesh (MP)- made wine in sealed bottles from retail wine shop which is manufactured in M.P. from grapes and other fruits produced in M.P on advance payment of annual licence fee of Rs 10,000/- .

(vii) "(aa-9) R.W.S.2 (Licence for retail sale of wine in sealed bottles from wine shop)

Licence in form R.W.S.2 shall be granted for sale of wine in sealed bottles to consumers from wine shop in Indore, Bhopal, Jabalpur and Gwalior cities inside super markets on advance payment of annual license fee of Rs.1,00,000/-. This licence shall not be granted to a licensee who is holding licence in Form R.W.S1.

(viii) "(aa-10) F.L.A.P.C. (Licence for retail sale of foreign liquor in sealed bottles from Airport Counter.)

Licence in form F.L.A.P.C. shall be granted for sale of foreign liquor in sealed bottles from foreign liquor counters situated in Airport premises in Bhopal, Indore, Jabalpur, Gwalior and Khajurao on advance payment of annual licence fee Rs. 2,00,000/- .

5. In rule 8 in sub-rule (1), after clause(b b b), the following clause shall be inserted, namely:-

"(b b b) F.L.2-AA (Tourism Bar Licence)

Licence in from F.L.2-AA shall be granted to the restaurant operated by eco-tourism board and units of M.P.T.D.C. of temporary nature having facilities of such scale and standard, as may be determined by the State Government for sale of foreign liquor to customers for consumption in the licensed premises. This License shall be granted to the units on advance payment of annual licence fee of Rs. 50,000/-. Where the license is granted for part period of the year, the proportionate license fee shall be payable for the part period and this calculation of proportionate license fee shall be done

- in the ratio of 1/12 for each month. Part period of the month, in which the license has been granted shall be treated as a complete month for this calculation.
6. In rule 8 in sub-rule (2), after the words "F.L.2", the following words shall be added:-
"F.C.L.3, F.L.2-AA, R.W.S.1.,R.W.S.2. F.L.A.P.C., F.L.H.B., M.B.3"
 7. In rule 8 in sub-rule (3), after the words "F.L.10B", the words "M.B.3" shall be added and after the words "F.L.2" , the words "F.C.L.3, F.L.2-AA, R.W.S.1.,R.W.S.2. F.L.A.P.C., F.L.H.B." shall be added.
 8. After rule 8, the following rule shall be added, namely
"8-A, F.L.H.B. (Home bar licence)
Home bar licence shall be granted in form F.L.H.B for consumption and possession of foreign liquor in personal residence of such person whose minimum individual gross income is Rs. 1 crore as per his income tax return for the previous year. This licence shall be granted by Collector on payment of annual licence fee of Rs.50,000/-
 9. In rule 16 for sub-rule (4), the following sub-rule shall be substituted, namely:-
"(4) The maximum exemption for wastage in all transportation of foreign liquor packed in bottles shall be 0.25 per cent in glass bottles and 0.10 per cent in pet bottles."
 10. In rule 18 sub-rule (21) shall be omitted.
 11. After Rule 20, the following Rule shall be substituted, namely:-
"20-A Processes of e-Aabkari System: Upon implementation of the e-Abkari system, the processes therein shall prevail over any corresponding processes defined under these Rules and the former shall have the status of Rules framed hereunder."
 12. The following forms shall be inserted after Form F.L.27, namely :-

FORM F.C.L.1**Off License for Retail Sale of Country and Foreign Liquor
from****Composite Liquor Shop (with BIO liquor)**

[See rule 8 (1) (aa-3)]

Under clause (aa-3) of sub-rule (1) of rule 8 of the Madhya Pradesh Foreign Liquor Rules, 1996, this license is hereby granted to Shri/Smt/Firm/Company/Consortium..... son of shriaddress..... in consideration of an annual value of Rs..... for retail sale of country and foreign liquor at the licence premises liquor shop (name) address..... district.....from date.....to..... subject to the following conditions, namely-

CONDITIONS

1. The shop shall be established at the premises approved by the licensing authority as indicated in the Schedule I below and the site shall not be changed without previous permission of the licensing authority.
2. The licensee may store his stock of liquor in addition to the licensed premises, in the godown sanctioned by the Licensing Authority, which shall be specified in schedule-1.
3. Liquor shall be stocked and sold in sealed bottles/ Tetra pak only.
4. The licensee shall not sell or have in his stock Liquor ..which is unfit for human consumption.
5. Consumption of liquor in the premises shall be prohibited.
6. The licensee shall maintain correct day to day label-wise account of all country and foreign liquor indicating clearly the stock received and sold, at the shop premises. In case the licensee has been permitted to store foreign liquor in a godown in addition to the approved shop premises under condition number (2), the licensee shall also maintain day to day label wise correct account of stock of Country spirit and foreign liquor stored in such godown. Transportation of liquor from the godown to the premises of the shop of the licensee shall be covered by a permit in the prescribed form to be issued by an

- authorized officer not below the rank of sub-inspector, excise. The stock books maintained at the shop and the godown shall clearly show the transactions. The licensee shall not sell liquor from the godown.
7. The licensee shall purchase foreign liquor from government foreign liquor warehouse..... and country liquor from Country liquor warehouse.....
 8. The licensee shall stock and sell only that liquor on which duty/vat/income tax/government approved issue rate (cost of liquor)/transportation fees/management fees etc. has been duly paid.
 9. Under the cover of this licence the licensee shall not possess at any place other than the licensed premises, country and foreign liquor beyond the limit of individual possession, without a permit or pass, prescribed under the rules or sell any spirit at any such place.
 10. Annual value i.e. annual license fee and minimum guaranteed duty amount will have to be paid in a manner as notified by the government. In case of default in payment of installment of the amount of minimum guaranteed duty, the collector may cancel the license for such default. Any loss of revenue resulting from such cancellation may be recovered as arrears of land revenue.
 11. It shall be mandatory for the retail licensee to lift liquor of upto 85 percent of the duty amount in every quarter. In case lifting of liquor is less than 85 percent of the duty amount, a penalty shall be imposed on the duty amount of liquor less lifted at the end of the quarter. On failing to deposit the penalty in the prescribed time, this licence may be suspended or cancelled by the Collector. Any loss of revenue resulting from such cancellation may be recovered as arrears of land revenue.
 12. The licensee shall be bound by the relevant conditions of the general license conditions.
 13. The licensee shall not alter or tamper with the seals, labels, caps on the bottles.
 14. The licensee shall not sell liquor below minimum selling price and above maximum retail price as determined by the Excise Commissioner.
 15. It shall be mandatory to give the bill/sale invoice of the liquor sold by the licensee to the buyer.

16. The licensee shall display the selling rate list of liquor in clear text outside the shop.
17. The licensee shall not be supplied approved labels of liquor in quantity less than one case from the warehouse.
18. The licensee will be required to keep adequate stock of liquor of labels commonly prevalent and registered in the state of Madhya Pradesh as per demand of consumers and other attached liquor licensees as mandated under general license condition 8,
19. The licensee shall keep the shop closed on such dry days as are specified in Schedule-II.
20. The licensee shall keep in his shop, the licence, naukarnama, invoice, transport permit, inspection book, challan showing payment of auction amount, record of issue of bills/receipts etc., and produce them before the inspecting authority.
21. The licensee shall install POS machine in the shop.
22. After the implementation of the e-Aabkari system, all the terms and conditions related to eAabkari shall be mandatory. Integration of POS machine with eAabkari system shall be mandatory to be followed.
23. On breach of any condition of this licence or the provisions of the Madhya Pradesh Excise Act, 1915 or the rules made thereunder or any order/instruction issued by the Excise Commissioner, this licence may be suspended or cancelled by the licensing authority.

Date.....

Collector

Dist:.....

SCHEDULE-I

Description of site	Boundaries of Licensed Premises			
	North	East	West	South
	(1)	(2)	(3)	(4)

Schedule-II**[List of dry days]**

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FORM F.C.L.1-A
Off License for Retail Sale of Country and Foreign Liquor
from
Composite Liquor Shop (Without BIO liquor)
[See rule 8 (1) (aa-4)]

Under clause (aa-4) of sub-rule (1) of rule 8 of the Madhya Pradesh Foreign Liquor Rules, 1996 the license is hereby granted to Shri/Smt/Firm/Company/ Consortium..... son of shriaddress..... in consideration of an annual value of Rs..... for retail sale of country and foreign liquor at the license premises liquor shop (name) situated at (address)..... district.....from date.....to..... subject to the following conditions, namely-

CONDITIONS

- (1) The shop shall be established at the premises approved by the licensing authority as indicated in the Schedule I below and the site shall not be changed without previous permission of the licensing authority.
- (2) The licensee may store his stock of liquor in addition to the licensed premises, in the godown sanctioned by the Licensing Authority, which shall be specified in schedule-1.
- (3) Liquor shall be stocked and sold in sealed bottles/asceptic packaging (Tetra pak etc.) only.
- (4) The licensee shall not sell BIO liquor imported from outside the country.
- (5) The licensee shall not sell or have in his stock Liquor which is unfit for human consumption.
- (6) Consumption of liquor in the premises shall be prohibited.
- (7) The licensee shall maintain correct day to day label-wise account of all country and foreign liquor indicating clearly the stock received and sold, at the shop premises. In case the licensee has been permitted to store foreign liquor in a godown in addition to the approved shop premises under condition number (2), the licensee shall also maintain day to day label wise correct account of stock of Country spirit and foreign liquor stored in such

godown. Transportation of liquor from the godown to the premises of the shop of the licensee shall be covered by a permit in the prescribed form to be issued by an authorized officer not below the rank of sub-inspector, excise. The stock books maintained at the shop and the godown shall clearly show the transactions. The licensee shall not sell the liquor from the godown.

- (8) The licensee shall purchase foreign liquor from government foreign liquor warehouse..... and country liquor from Country liquor warehouse.....
- (9) The licensee shall stock and sell only that liquor on which duty/vat/income tax/government approved issue rate (cost of liquor)/transportation fees/management fees etc. has been duly paid.
- (10) Under the cover of this licence the licensee shall not possess at any place other than the licensed premises, country and foreign liquor beyond the limit of individual possession, without a permit or pass, prescribed under the rules or sell any spirit at any such place.
- (11) Annual value i.e. annual license fee and minimum guaranteed duty amount will have to be paid in a manner as notified by the government. In case of default in payment of installment of the amount of minimum guaranteed duty, the collector may cancel the license for such default. Any loss of revenue resulting from such cancellation may be recovered as arrears of land revenue.
- (12) It shall be mandatory for the retail licensee to lift liquor of up to 85 percent of the duty amount in every quarter. In case lifting of liquor is less than 85 percent of the duty amount, a penalty shall be imposed on the duty amount of liquor less lifted at the end of the quarter. On failing to deposit the penalty in the prescribed time, this licence may be suspended or cancelled by the Collector. Any loss of revenue resulting from such cancellation may be recovered as arrears of land revenue.
- (13) The licensee shall be bound by the relevant conditions of the general license conditions.
- (14) The licensee shall not alter or tamper with the seals, labels, caps on the bottles.
- (15) The licensee shall not sell liquor below minimum selling price and above maximum retail price as determined by the Excise Commissioner.
- (16) It shall be mandatory to give the bill/sale invoice of the liquor sold by the licensee to the buyer.

- (17) The licensee shall display the selling rate list of liquor in clear text outside the shop.
- (18) The licensee shall not be supplied approved labels of liquor in quantity less than one case from the warehouse.
- (19) The licensee will be required to keep adequate stock of liquor of labels commonly prevalent and registered in the state of Madhya Pradesh as per demand of consumers and other attached liquor licensees as mandated under general license condition 8.
- (20) The licensee shall keep the shop closed on such dry days as are specified in Schedule-II.
- (21) The licensee shall keep in his shop, the licence, naukarnama, invoice, transport permit, inspection book, challan showing payment of auction amount, record of issue of bills/receipts etc., and produce them before the inspecting authority.
- (22) The licensee shall install POS machine in the shop.
- (23) After the implementation of the e-Aabkari system, following all the terms and conditions related to e-Aabkari shall be mandatory. Integration of POS machine with e-Aabkari system shall be mandatory.
- (24) On breach of any condition of this licence or the provisions of the Madhya Pradesh Excise Act, 1915 or the rules made thereunder or any order/instruction issued by the Excise Commissioner, this licence may be suspended or cancelled by the licensing authority.

Date.....

Collector

Dist.....

SCHEDULE-I

Description of site	Boundaries of Licensed Premises			
	North	East	West	South
	(1)	(2)	(3)	(4)

Schedule-II

[List of dry days]

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FORM F.C.L.2**ON License for Retail Sale and consumption of Country and Foreign Liquor from Composite Liquor Shop(With BIO liquor)**

[See rule 8 (1) (aa-5)]

Under clause (aa-5) of sub-rule (1) of rule 8 of the Madhya Pradesh Foreign Liquor Rules, 1996, this license is hereby granted to Shri/Smt/Firm/Company/Consortium..... son of shriaddress..... in consideration of an annual value of Rs... for retail sale of country and foreign liquor at the licence premises liquor shop (name) situated at (address)..... district.....from date.....to..... subject to the following conditions, namely-

CONDITIONS

1. The shop shall be established at the premises approved by the licensing authority as indicated in the Schedule I below and the site shall not be changed without previous permission of the licensing authority.
2. The licensee may store his stock of liquor in addition to the licensed premises, in the godown sanctioned by the Licensing Authority, which shall be specified in schedule-1.
3. Liquor shall be stocked and sold in sealed bottles/ aseptic packaging (Tetra pak etc.) only.
4. The licensee shall not sell or have in his stock Liquor which is unfit for human consumption.
5. Consumption of liquor in the premises shall be permitted.
6. The licensee shall maintain correct day to day label-wise account of all country and foreign liquor indicating clearly the stock received and sold, at the shop premises. In case the licensee has been permitted to store foreign liquor in a godown in addition to the approved shop premises under condition number (2), the licensee shall also maintain day to

- day label wise correct account of stock of Country spirit and foreign liquor stored in such godown. Transportation of liquor from the godown to the premises of the shop of the licensee shall be covered by a permit in the prescribed form to be issued by an authorized officer not below the rank of sub-inspector, excise. The stock books maintained at the shop and the godown shall clearly show the transactions. The licensee shall not sell liquor from the godown.
7. The licensee shall purchase foreign liquor from government foreign liquor warehouse..... and country liquor from Country liquor warehouse.....
 8. The licensee shall stock and sell only that liquor on which duty/vat/income tax/government approved issue rate (cost of liquor)/transportation fees/management fees etc. has been duly paid.
 9. Under the cover of this licence the licensee shall not possess at any place other than the licensed premises, country and foreign liquor beyond the limit of individual possession, without a permit or pass, prescribed under the rules or sell any spirit at any such place.
 10. Annual value i.e. annual license fee and minimum guaranteed duty amount will have to be paid in a manner as notified by the government. In case of default in payment of installment of the amount of minimum guaranteed duty, the collector may cancel the license for such default. Any loss of revenue resulting from such cancellation may be recovered as arrears of land revenue.
 11. It shall be mandatory for the retail licensee to lift liquor of upto 85 percent of the duty amount in every quarter. In case lifting of liquor is less than 85 percent of the duty amount, a penalty shall be imposed on the duty amount of liquor less lifted at the end of the quarter. On failing to deposit the penalty in the prescribed time, this licence may be suspended or cancelled by the Collector. Any loss of revenue resulting from such cancellation may be recovered as arrears of land revenue.
 12. The licensee shall be bound by the relevant conditions of the general license conditions.
 13. The licensee shall not alter or tamper with the seals, labels, caps on the bottles.
 14. The licensee shall not sell liquor below minimum selling price and above maximum retail price as determined by the Excise Commissioner.

15. It shall be mandatory to give the bill/sale invoice of the liquor sold by the licensee to the buyer.
16. The licensee shall display the selling rate list of liquor in clear text outside the shop.
17. The licensee shall not be supplied approved labels of liquor in quantity less than one case from the warehouse.
18. The licensee will be required to keep adequate stock of liquor of labels commonly prevalent and registered in the state of Madhya Pradesh as per demand of consumers and other attached liquor licensees as mandated under general license condition 8,
19. The licensee shall keep the shop closed on such dry days as are specified in Schedule-II.
20. The licensee shall keep in his shop, the licence, naukarnama, invoice, transport permit, inspection book, challan showing payment of auction amount, record of issue of bills/receipts etc., and produce them before the inspecting authority.
21. The licensee shall install POS machine in the shop.
22. After the implementation of the e-Aabkari system, following all the terms and conditions related to eAabkari shall be mandatory. Integration of POS machine with eAabkari system shall be mandatory.
23. On breach of any condition of this licence or the provisions of the Madhya Pradesh Excise Act, 1915 or the rules made thereunder or any order/instruction issued by the Excise Commissioner, this licence may be suspended or cancelled by the licensing authority.

Date.....

Collector

Dist.....

SCHEDULE-I

Description of site	Boundaries of Licensed Premises			
	North	East	West	South
	(1)	(2)	(3)	(4)

Schedule-II**[List of dry days]**

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FORM F.C.L.2-A**ON License for Retail Sale and consumption of Country and Foreign Liquor from Composite Liquor Shop (Without BIO liquor)**

[See rule 8 (1) (aa-6)]

Under clause (aa-6) of sub-rule (1) of rule 8 of the Madhya Pradesh Foreign Liquor Rules, 1996, this license is hereby granted to Shri/Smt/Firm/Company/Consortium..... son of shriaddress..... in consideration of an annual value of Rs..... for retail sale of country and foreign liquor at the licence premises liquor shop (name) situated at (address)..... district.....from date.....to..... subject to the following conditions, namely-

CONDITIONS

1. The shop shall be established at the premises approved by the licensing authority as indicated in the Schedule I below and the site shall not be changed without previous permission of the licensing authority.
2. The licensee may store his stock of liquor in addition to the licensed premises, in the godown sanctioned by the Licensing Authority, which shall be specified in schedule 1.
3. Liquor shall be stocked and sold in sealed bottles/ aseptic packaging (Tetra pak etc.) only.
4. The licensee shall not sell BIO liquor imported from outside the country.
5. The licensee shall not sell or have in his stock Liquor which is unfit for human consumption.
6. Consumption of liquor in the premises shall be permitted.
7. The licensee shall maintain correct day to day label-wise account of all country and foreign liquor indicating clearly the stock received and sold, at the shop premises. In case the licensee has been permitted to store foreign liquor in a godown in addition to the approved shop premises under condition number (2), the licensee shall also maintain day to

- day label wise correct account of stock of Country spirit and foreign liquor stored in such godown. Transportation of liquor from the godown to the premises of the shop of the licensee shall be covered by a permit in the prescribed form to be issued by an authorized officer not below the rank of sub-inspector, excise. The stock books maintained at the shop and the godown shall clearly show the transactions. The licensee shall not sell liquor from the godown.
8. The licensee shall purchase foreign liquor from government foreign liquor warehouse..... and country liquor from Country liquor warehouse.....
 9. The licensee shall stock and sell only that liquor on which duty/vat/income tax/government approved issue rate (cost of liquor)/transportation fees/management fees etc. has been duly paid.
 10. Under the cover of this licence the licensee shall not possess at any place other than the licensed premises, country and foreign liquor beyond the limit of individual possession, without a permit or pass, prescribed under the rules or sell any spirit at any such place.
 11. Annual value i.e. annual license fee and minimum guaranteed duty amount will have to be paid in a manner as notified by the government. In case of default in payment of installment of the amount of minimum guaranteed duty, the collector may cancel the license for such default. Any loss of revenue resulting from such cancellation may be recovered as arrears of land revenue.
 12. It shall be mandatory for the retail licensee to lift liquor of upto 85 percent of the duty amount in every quarter. In case lifting of liquor is less than 85 percent of the duty amount, a penalty shall be imposed on the duty amount of liquor less lifted at the end of the quarter. On failing to deposit the penalty in the prescribed time, this licence may be suspended or cancelled by the Collector. Any loss of revenue resulting from such cancellation may be recovered as arrears of land revenue.
 13. The licensee shall be bound by the relevant conditions of the general license conditions.
 14. The licensee shall not alter or tamper with the seals, labels, caps on the bottles.

15. The licensee shall not sell liquor below minimum selling price and above maximum retail price as determined by the Excise Commissioner.
16. It shall be mandatory to give the bill/sale invoice of the liquor sold by the licensee to the buyer.
17. The licensee shall display the selling rate list of liquor in clear text outside the shop.
18. The licensee shall not be supplied approved labels of liquor in quantity less than one case from the warehouse.
19. The licensee will be required to keep adequate stock of liquor of labels commonly prevalent and registered in the state of Madhya Pradesh as per demand of consumers and other attached liquor licensees as mandated under general license condition 8,
20. The licensee shall keep the shop closed on such dry days as are specified in Schedule-II.
21. The licensee shall keep in his shop, the licence, naukarnama, invoice, transport permit, inspection book, challan showing payment of auction amount, record of issue of bills/receipts etc., and produce them before the inspecting authority.
22. The licensee shall install POS machine in the shop.
23. After the implementation of the e-Aabkari system, following all the terms and conditions related to eAabkari shall be mandatory. Integration of POS machine with e-Aabkari system shall be mandatory.
24. On breach of any condition of this licence or the provisions of the Madhya Pradesh Excise Act, 1915 or the rules made thereunder or any order/instruction issued by the Excise Commissioner, this licence may be suspended or cancelled by the licensing authority.

Date.....

Collector

Dist.....

SCHEDULE-I

Description of site	Boundaries of Licensed Premises			
	North	East	West	South
	(1)	(2)	(3)	(4)

Schedule-II

[List of dry days]

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FORM F.C.L.3**Shop Bar License**

[See rule 8 (1) (aa-7)]

Under clause (aa-7) of sub-rule (1) of rule 8 of foreign liquor rules, 1996, this licence is hereby granted to Shri/Smt/Firm/Company/

Consortium.....Son of
Shri..... addresswho is
the licensee of liquor shop F.C.L.1/ F.C.L.1A
(name).....(address).....

district.....in consideration of license fees Rs.
..... permitting the consumption of country and foreign
liquor in the shop bar described in schedule I given below from
date to..... subject to the following conditions -

CONDITIONS

1. The consumption of country and foreign liquor in the shop bar described in Schedule-I shall be permitted.
2. The licensee shall in no circumstances change the site specified in the schedule-I without previous permission of the licensing authority.
3. The licensee shall allow consumption in the shop bar of only that country and foreign liquor which has been sold from his licensed shop to which the shop bar is attached to.
4. The licensee shall not permit consumption of any other intoxicating drug other than country and foreign liquor in the licensed premises.
5. The licensee shall neither stock nor sell country and foreign liquor in the licensed premises under this licence.
6. The licensee may provide reasonable facilities to the consumers but shall not permit singing, dancing, rowdy or unruly behavior.

7. In case the F.C.L.1/ F.C.L.1-A licence, to which the shop bar under this licence is attached, is suspended, cancelled or withdrawn by the Collector, this shop bar licence shall also be deemed to have been suspended, cancelled or withdrawn, as the case may be accordingly.
8. The licensee shall keep the shop bar closed on the days mentioned in Schedule-II annexed to this licence.
9. The Licensee shall be bound by the relevant conditions of the General License Conditions.
10. On breach of any condition of this licence or the provisions of the Madhya Pradesh Excise Act, 1915 or the rules made thereunder or any order/instruction issued by the Excise Commissioner, this licence may be suspended or cancelled by the licensing authority.

Date.....

Collector

Dist.....

SCHEDULE-I

(Showing Details of Shop bar boundaries)

Description of site	Boundaries of Licensed Shop Bar			
	North	East	West	South
	(1)	(2)	(3)	(4)

Schedule-II

[List of dry days]

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FORM R.W.S.1**License for sale of Madhya Pradesh (MP)- made wine
from Retail Wine shop**

[See rule 8 (1) (aa-8)]

Under clause (aa-8) of sub-rule (1) of rule 8 of Madhya Pradesh Foreign Liquor Rules, 1996, this licence is hereby granted to ShriSón of Shri..... addressin consideration of annual license fee Rs. is permitted to sell only MP- made wine from retail wine shop situated in (Name of place)..... Address..... Districtfrom date to..... as described in schedule I given below subject to the following conditions -

CONDITIONS

1. This license authorises the holder to sell only such wine that is made within Madhya Pradesh from grapes/ other fruits grown in Madhya Pradesh.
2. The licensee shall comply with the provisions of the Madhya Pradesh Excise Act, 1915 and the rules made thereunder, the conditions of this licence and all the instructions issued by the Excise Commissioner, Madhya Pradesh.
3. The Wine shop shall be established at the premises approved by the licensing authority as indicated in the Schedule I below and the site shall not be changed without previous permission of the licensing authority.
4. The licensee shall purchase wine from winery situated in M.P. made from grapes and other fruits cultivated in M.P.
5. Wine shall be stocked and sold in sealed bottles only.
6. The licensee shall be liable to pay VAT at the rate fixed by the state govt.
7. The licensee shall not sell or have in his stock wine which is unfit for human consumption.
8. The licensee shall keep all the permits and invoices in proper sequence and present them to the inspecting authorities.

9. The licensee shall maintain correct day to day label-wise account of wine indicating clearly the stock received and sold, at the shop.
10. The timings for sale of wine will be same as the operating period of retail liquor shops
11. The Licensee shall be bound by the relevant conditions of the General License Conditions.
12. The licensee shall keep the retail wine shop closed on the days mentioned in Schedule-II annexed to this licence.
13. After the implementation of the e-Aabkari system, all the processes followed in e-Aabkari shall be mandatorily followed.
14. On breach of any condition of this licence or the provisions of the Madhya Pradesh Excise Act, 1915 or the rules made thereunder or any order/instruction issued by the Excise Commissioner, this licence may be suspended or cancelled by the licensing authority.

Date.....

Collector

Dist.....

SCHEDULE-I**(Details of retail wine shop boundaries)**

Description of site	Boundaries of licensed retail wine shop			
	North	East	West	South
	(1)	(2)	(3)	(4)

Schedule-II**[List of dry days]**

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FORM R.W.S.2**License for retail sale of wine from Wine shop**

[See rule 8 (1) (aa-9)]

Under clause (aa-9) of sub-rule (1) of rule 8 of Madhya Pradesh Foreign Liquor Rules, 1996, this licence is hereby granted to ShriSon. of Shri..... addressin consideration of annual license fee Rs. is permitted to sell wine from retail wine shop situated in (Name of place)..... Address..... Districtfrom date to..... as described in schedule I given below subject to the following conditions -

CONDITIONS

1. This license authorises the holder to sell wine, whether Indian or imported, in any size sealed bottles, from retail shops inside Super markets.
2. The shop may be owned by the owner of the super market or may be leased out to the licensee by the agreement signed with the super market owner.
3. The licensee shall comply with the provisions of the Madhya Pradesh Excise Act, 1915 and the rules made thereunder, the conditions of this licence and all the instructions issued by the Excise Commissioner, Madhya Pradesh.
4. The Wine shop shall be established at the premises approved by the licensing authority as indicated in the Schedule I below and the site shall not be changed without previous permission of the licensing authority.
5. Before lifting wine, licensee shall pay duty (if applicable), VAT, fees etc. at the prescribed rate.
6. The licensee shall purchase wine from government foreign liquor warehouse, F.L. 10-B licensee and wineries in Madhya Pradesh holding licence in Form B-3
7. Wine shall be stocked and sold in sealed bottles only. Licensee shall be permitted to sell only such wine, the M.R.P. of which for 750 ml size bottle is more than Rs. 1000/-.

8. The licensee shall not sell or have in his stock wine which is unfit for human consumption.
9. Consumption of wine in the premises shall be prohibited.
10. The licensee shall keep all the permits and invoices in proper sequence and present them to the inspecting authorities.
11. The licensee shall maintain correct day to day label-wise account of wine indicating clearly the stock received and sold, at the shop.
12. The licensee shall stock and sell only that wine on which prescribed duty/fee has been duly paid and the label is registered in M.P.
13. The timings for this shop will be same as of super market.
14. The Licensee shall be bound by the relevant conditions of the General License Conditions.
15. The licensee shall keep the wine shop closed on the days mentioned in Schedule-II annexed to this licence.
16. On the implementation of the e-Aabkari system, all the terms and conditions related to e-Aabkari shall be mandatory.
17. On breach of any condition of this licence or the provisions of the Madhya Pradesh Excise Act, 1915 or the rules made thereunder or any order/instruction issued by the Excise Commissioner, this licence may be suspended or cancelled by the licensing authority.

Date.....

Collector

Dist.....

SCHEDULE-I**(Details of Wine shop boundaries)**

Description of site	Boundaries of Licensed Wine shop			
	North	East	West	South
	(1)	(2)	(3)	(4)

Schedule-II**[List of dry days]**

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FORM F.L.A.P.C.**License for retail sale of foreign liquor in sealed bottles
at Airport**

[See rule 8 (1) (aa-10)]

Under clause (aa-10) of sub-rule (1) of rule 8 of Madhya Pradesh Foreign Liquor Rules, 1996, this licence is hereby granted to Shri Son of Shri..... addressin consideration of annual license fee Rs. is permitted to sell foreign liquor in retail from Foreign liquor counter (Name)..... Address..... Districtfrom date to..... as described in schedule I given below subject to the following conditions -

CONDITIONS

1. The licensee shall comply with the provisions of the Madhya Pradesh Excise Act, 1915 and the rules made thereunder, the conditions of this license and all the instructions issued by the Excise Commissioner, Madhya Pradesh.
2. The foreign liquor counter in airport premises shall be established at the premises approved by the airport authority and licencing authority as indicated in the Schedule-I below and the site shall not be changed without previous permission of the licensing authority.
3. Only foreign liquor spirit, beer and wine shall be stocked and sold in the counter.
4. The licensee shall purchase foreign liquor from foreign liquor warehouse after depositing the duty amount, transport charges and VAT etc. at prescribed rate.
5. The licensee shall not sell or have in his stock foreign liquor which is unfit for human consumption.
6. Consumption of foreign liquor in the premises shall be prohibited.
7. The licensee shall keep all the permits and invoices in proper sequence and present them to the inspecting authorities.

8. The licensee shall stock and sell only that foreign liquor on which prescribed duty/feehas been duly paid.
9. The Licensee shall be bound by the relevant conditions of the General License Conditions.
10. The licensee shall keep the counter closed on the days mentioned in Schedule-II annexed to this licence.
11. The foreign liquor counter located in the airport premises will be allowed to operate as per the operational period approved by the airport authority, but this period can be rescheduled by the state government as per the requirement.
12. It shall be mandatory to keep the labels of liquor in stock at the foreign liquor counter located in the airport premises as per the condition mentioned in the lease agreement of the airport authority.
13. After the implementation of the e-Aabkari system, all the terms and conditions related to eAabkari shall be mandatory to be followed.
14. On breach of any condition of this licence or the provisions of the Madhya Pradesh Excise Act, 1915 or the rules made thereunder or any order/instruction issued by the Excise Commissioner, this licence may be suspended or cancelled by the licensing authority.

Date.....

Collector

Dist.....

SCHEDULE-I

(Details of the boundaries of the Foreign Liquor Counter located at airport)

Description of site	Boundaries of Licensed Foreign Liquor Counter			
	North	East	West	South
	(1)	(2)	(3)	(4)

Schedule-II

[List of dry days]

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**FORM F.L.2-AA
TOURISM BAR LICENCE**

(See clause (b bb b) of sub-rule (1) of rule 8)

Under the clause (b bb b) of sub-rule (1) of rule 8 of the Madhya Pradesh foreign liquor rules, 1996. This licence is hereby granted to Shri/Smt..... son of Shri..... address In consideration of annual licence fee..... rupees to sell foreign liquor to customers for consumption in the licenced premises as mentioned in the Scheduled-I below to the following conditions, namely :-

CONDITIONS

- (1) The licensee shall purchase foreign liquor from foreign liquor warehouse or from licensee of F.C.L1/F.C.L1-A or F.C.L.2/F.C.L.2-A of the district as may be specified by the Collector.
- (2) The licensee shall stock beer, wine and foreign liquor spirit in sealed bottles. Capacity of each stored bottle of spirit shall be at least 700m.l. and beer and wine bottle shall be atleast 325 m.l.
- (3) The foreign liquor sold under this license must be consumed within the premises.
- (4) The licensee shall sell only loose foreign liquor from open bottles.
- (5) The licensee shall not stock and sell foreign liquor which is unfit for human consumption.
- (6) The licensee shall preserve all the permits and invoices of stocks received in proper order and produce them before the authorized officers for inspection.
- (7) The licensee shall maintain day to day label wise true account of all the foreign liquor received, stocked and sold.

- (8) The licensee shall not stock more than 240 quart bottles of spirit and 600 quart bottles of beer excluding draught beer and 240 quart bottles of wine.
- (9) The licensee is bound by the relevant conditions of the General Licence Conditions.
- (10) On breach of any condition of this licence or provisions of Madhya Pradesh Excise Act, 1915 or rules made thereunder or orders issued Excise Commissioner, this license shall be suspended or cancelled by the Licensing authority.

Date.....

Collector

Dist.....

SCHEDULE-I**(Details of boundaries of tourism bar premise)**

Description of site	Boundaries of Licensed Premise			
	North	East	West	South
	(1)	(2)	(3)	(4)

Schedule-II**[List of dry days]**

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FORM F.L.H.B.

Home bar licence to private person for possession and consumption of foreign liquor in excess of the prescribed retail limit

[See rule 8-A]

Under the rule 8-A of Madhya Pradesh Foreign Liquor Rules, 1996, this licence is hereby granted to ShriSon of Shri..... addressin consideration of annual license fee Rs. is permitted to keep and consume foreign liquor in excess of the prescribed limit in the premises (Name)..... Address..... Districtfrom date to..... as described in schedule I given below subject to the following conditions -

CONDITIONS

1. The licensee shall comply with the provisions of the Madhya Pradesh Excise Act, 1915 and the rules made thereunder, the conditions of this license and all the instructions issued by the Excise Commissioner, Madhya Pradesh.
2. Under this licence, foreign liquor can be consumed by the licensee himself and his family/guests in the premises of his residence only.
3. The licensee shall not stock foreign liquor which is unfit for human consumption.
4. The licensee can stock maximum 48 quart bottles of spirit, 48 quart bottles of beer (excluding draught beer) and 48 quart bottles of wine at a time. This limit can be enhanced by the licencing authority in special cases. The licensee shall not keep more than 04 quart bottles of spirit, 12 quart bottles of beer and 12 quart bottles of wine of same label at a time in the stock.
5. The Licensee shall be bound by the relevant conditions of the General License Conditions.

6. The sale of liquor from the licensed premises is strictly prohibited.
7. The licensee can stock/consume liquor only within the limits of premises shown in the affidavit.
8. On breach of any condition of this licence or the provisions of the Madhya Pradesh Excise Act, 1915 or the rules made thereunder or any order/instruction issued by the Excise Commissioner, this licence may be suspended or cancelled by the licensing authority.

Date.....

Collector

Dist.....

SCHEDULE-I**(Details of Home bar boundaries)**

Description of site	Boundaries of Licensed Home Bar			
	North	East	West	South
	(1)	(2)	(3)	(4)

Schedule-II**[List of dry days]**

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13. This notification shall come into force from 1st April, 2022.

By order and in the name of the Governor of Madhya Pradesh,

R. P. SHRIVASTAV, Dy. Secy.

No.F-B-1- 16/2021/2/V (12)

Bhopal, dated 31 March, 2022

In exercise of the powers conferred by clause (d), (e), (f), (g) and (h) of sub-section (2) of section 62 of the Madhya Pradesh Excise Act, 1915 (No. ii of 1915, the State Government, hereby, makes the following further amendment in the Madhya Pradesh Beer and Wine Rules, 2002, namely :-

AMENDMENTS

In the said rules,

1. In rule 2,

(1) After clause (f), the following clause shall be inserted, namely:-

"(ff) Micro Brewer means a person holding license in Form M.B.3 for running micro brewery."

(2) In rule 2, After clause (g), the following clause shall be inserted, namely:-

"(gg) Microbrewery means a small brewery having installed capacity not exceeding six hundred bulk liters per day where draught beer is manufactured and served to it's customers for consumption within a restaurent/pub in its premises."

(3) In rule 2, after clause (w) the following clause shall be substituted, namely:-

"(x) e-Aabkari system means the online software application approved by the State government accessible through the official web portal of the commercial tax department for performing various activities under the provisions of the Madhya Pradesh Excise Act, 1915 (No. II of 1915) and various rules, notification, conditions and orders made or issued thereunder."

After Rule 3, the following rule shall be inserted, namely:-

"3-A Licence for Microbrewery: -

- (1) Licences shall be granted in Form **M.B.3** in Bhopal and Indore cities. The annual licence fee shall be Rs. 2,50,000/-.
- (2) **Eligibility For licence :-**
Following shall be eligible for microbrewery licence –
 - (a) **Hotels of Special Category:-**
 - (i) Hotel/Restaurant situated in units owned by M.P.T.D.C.
 - (ii) I.T.D.C. Hotels
 - (iii) Three Star and above hotels certified by Government of India, Tourism Mantralaya / HARCC.
 - (iv) Hotels of equivalent status certified by Joint committee consisting of nominated officer, one each from M.P.T.D.C., Excise Department and Commercial Tax Department, under the chairmanship of Excise Commissioner.
 - (v) Heritage Hotels approved by Tourism Department.
 - (b) Restaurants whose turnover of last three years is as notified by the State govt.
- (3) **Procedure for issue of Microbrewery Licence :-** The applicant who wishes to apply for a microbrewery licence shall enclose the following documents with application in Form M.B.1 :-
 - (i) Ownership/lease of hotel/restaurant along with certificate of special category.

- (ii) In case of restaurant, turnover of last 3 years certified by Chartered Accountant.
 - (iii) An online challan of Rs. 5,000/- as processing fee, deposited in government treasury.
 - (iv) Detailed site plan of proposed unit.
 - (v) Detailed project report of proposed unit.
 - (vi) Description of equipments to be installed in the microbrewery.
 - (vii) Process of manufacturing of draught beer in the microbrewery.
 - (viii) No dues certificate from excise department.
- (4) The application shall be scrutinized by a committee consisting of the Collector of the concerned district as chairman and the Assistant Commissioner Excise/ District Excise Officer, Commissioner of Municipal Corporation & Executive Engineer Of Public Works Department as members. The committee shall forward its recommendation to the Excise Commissioner for issuing of letter of intent in Form M.B.2 to the applicant. The letter of intent shall authorize the applicant to commence installation of the microbrewery.

3. After Rule 4, the following rule shall be inserted, namely:-

"4-A Approval of Microbrewery licence :-

- (1) After completion of the construction/installation work and before the start of operations of microbrewery, the applicant shall submit the following documents to the Assistant Excise Commissioner / District Excise Officer:

- (i) An online challan of Rs. 2,50,000/- as annual licence fee, deposited in government treasury.
- (ii) Completion report of microbrewery construction.
- (iii) Consent / approval letters of Madhya Pradesh Pollution Control Board, Electricity Department and Local body as per their rules.
- (iv) Security amount of Rs. 50,000/- in the name of Assistant Excise Commissioner/District Excise Officer.
- (v) Counter Part Agreement in Form M.B.4

The application shall be forwarded with recommendation of the committee members [as given in rule 3-A(4)] to the Excise Commissioner for issue of licence. The Excise Commissioner will then issue licence to the applicant in Form M.B.3.

(2) **Renewal of M.B.3. Licence :-** For the renewal of M.B.3 licence, the licensee shall submit the following documents with his application to the Assistant Excise Commissioner/District Excise Officer :-

- (i) An online challan of annual licence fee, deposited in government treasury as prescribed by State Government.
- (ii) Any deviation from the original project.
- (iii) New Counter Part Agreement.

(iv) Consent letter of Madhya Pradesh Pollution Control Board as per their rules.

The Assistant Excise Commissioner/District Excise Officer shall scrutinize the documents and if found in order, shall recommend renewal of the licence to the collector who shall renew the licence in form M.B.3.

4. After Rule 5, the following rule shall be inserted, namely:-

"5-A Production of draught beer in Microbrewery:-

- (1) The licensee shall provide separate tanks for the manufacturing of draught beer in the microbrewery for each of the following processes: -
 - (i) Fermentation
 - (ii) Manufacturing
 - (iii) Storage of manufactured draught beer
- (2) The licensee shall manufacture draught beer according to the manufacturing process and from the raw material, both, as approved by the Excise Commissioner.
- (3) Draught beer shall be made from such materials which are of good quality.
- (4) In the licence premises, the licensee shall be prohibited from manufacturing any liquor other than draught beer.
- (5) The fermentation tank and storage tank installed for manufacturing draught beer shall be used after gauging.

- (6) The pH, temperature and specific gravity of brews upto maturation stage should be recorded and the same shall be subject to inspection as and when called for by the competent authority."
5. Sub-Rule (5) of Rule 6 shall be omitted.
6. **"6-A Conditions of Microbrewery licence:-** It shall be mandatory for the licensee to follow all the terms and conditions mentioned in Form M.B.3."
7. After Rule 10, the following rule shall be inserted, namely:-
- "10-A Quality control-**
- (1) The licensee shall deploy a chemist holding a graduate degree in Science with Chemistry or Bio Chemistry or Alcohol Technology.
- (2) The chemist should have at least three years of industry experience and a certificate from a reputed brewer educational institute. Foreign work experience or foreign educational institutions shall also be accepted.
- (3) The chemist shall be responsible for checking the quality of raw materials used and beer produced in the microbrewery.
- (4) The beer so produced in the microbrewery shall be released for consumption only after the said Chemist certifies that such beer is fit for human consumption. Besides the licensee, the Chemist shall independently be responsible for specifications, quality and safety of the beer.

(5) Sample from each batch shall be examined by the said chemist. Also, samples of beer shall be drawn once in every month and forwarded for chemical examination to the laboratory as approved by the Excise Commissioner."

8. After Rule 11, the following rule shall be inserted, namely:-

"11-A (1) Standard measurements to be used in microbrewery:- Only standard measurements as prescribed by the Excise Commissioner from time to time shall be used in the microbrewery. Instruments used for standard measurements shall be stamped by the Weights and Measures Department.

(2) Entries in daily account register in Microbrewery: - It shall be mandatory to produce any detail of accounts such as M.B.5, M:B.6 and M.B.7 etc. and any other specified information to the licensing authority or any officer of Excise Department who is not below the rank of Excise Sub-inspector, on his demand."

9. After Rule 12, the following rules shall be inserted, namely:-

"12-A Registration of Labels:- The licensee shall register the label of draught beer manufactured by him from time to time. The consolidated annual label registration fee of draught beer shall be Rs. 10,000/- irrespective of the different type of beers he may manufacture.

"12-B Storage of draught beer and installation of Flow meter in the Microbrewery: - Every single finished batch of the draught beer shall be transferred from fermentation tank

to the storage tank. The quantity of draught beer shall be measured by flow meters installed between the fermentation tank and storage tank which shall be under the lock and key of the Excise Department. The quantity of draught beer transferred shall be written in Form M.B.6. The excise duty shall be imposed on this quantity which shall be written in Form M.B.6. No draught beer shall be issued to consumers without depositing the prescribed duty."

10. After Rule 18, the following rule shall be inserted, namely:-

"18-A (1) Issue of draught beer from microbrewery:- The licensee shall maintain the account of draught beer produced and issued in the microbrewery in Form M.B.7.

(2) Excise duty and other levies: - The excise duty for draught beer shall be Rs. 80 per bulk litre. It shall be mandatory for the licensee to pay all taxes, fee etc. as are prescribed by the State Government from time to time."

11. After Rule 19, the following rule shall be inserted, namely:-

"19-A Disposal of balances:- Whenever a licence in Form M.B.3 ceases to be in existence, as a result of its expiration, cancellation or any other reason what so ever, the stored beer shall be destroyed or disposed off in any other manner as directed by the Excise Commissioner."

12. In rule 21, for sub rule (1-a), the following sub rule shall be substituted, namely :-

"The maximum wastage allowance for all transport of bottled beer and wine shall be 0.25 percent for glass bottles and 0.1 percent for pet bottles."

13. After Rule 23, the following Rule shall be substituted, namely:-
"23-A Processes of e-Aabkari System: Upon implementation of the e-Abkari system, the processes therein shall prevail over any corresponding processes defined under these Rules and the former shall have the status of Rules framed hereunder."
14. After Form B-14, the following Form shall be inserted, namely:-

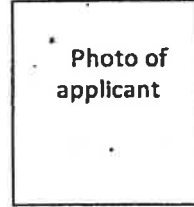
FORM M.B.1

[See rule 3-A(3)]

**Application for establishing a Microbrewery for
 production,
 sale and serving of draught beer**

To,

**Excise Commissioner
 Madhya Pradesh, Gwalior**



Through- Collector District.....

I address request you to grant Microbrewery Licence for the construction of Microbrewery and allow production, sale and serving of draught beer. I am submitting the following details :-

1. Name of the applicant
2. Name of Father of applicant
3. Address of applicant
4. Mobile No. and E-mail address of applicant
5. Aadhar No. of applicant
6. The name and description of the place in which the Microbrewery is situated.

7. Production capacity of the microbrewery per day/per annum.
8. Anticipated time required to start production after the licence is granted.
9. I am uploading the following documents on E-Abkari Portal of the Excise department as per microbrewery rules :-
 - (i) Ownership/lease of hotel/restaurant along with certificate of special category.

OR

In case of restaurant, turn over of 3 years certified by Chartered Accountant.

- (ii) An online challan of Rs. 5,000/- as processing fee, deposited in government treasury.
- (iii) Detailed site plan of proposed unit.
- (iv) Detailed project report of proposed unit.
- (v) Description of equipments to be installed in the microbrewery.
- (vi) Process of manufacturing of draught beer in the microbrewery.
- (vii) No dues certificate from excise department.

Place --
Date -

Name of Applicant
Signature of Applicant

FORM -M.B.2**(See Rule 3-A(4))****Letter of Intent**

To,

Name of Applicant

Address

Subject:- Letter of Intent for setting up a Microbrewery.

Ref.:- Your application No..... dated.....

The Excise Commissioner has perused the scheme submitted with your letter cited above for constructing a Microbrewery at.....for manufacturing of draught beer.

The Excise Commissioner has tentatively decided to approve your proposals for constructing Microbrewery for manufacture of draught beer as per following description/capacity for permitting import of machinery, supply of raw material or foreign technical collaboration, subject to fulfillment by you of the formalities laid down in the rules.....

S.No.	Varieties of draught beer to be manufacture	Quantity to be manufactured per day /per annum
(1)	(2)	(3)

It shall be your sole responsibility to obtain any other licence or permission required for your project under any Act or rule or order of Government of India or Government of Madhya Pradesh.

This letter of intent shall be valid for a period of three months only from the date of licence. It shall not, however, create any right in your favour for grant of a licence in Form M.B.3, and may be cancelled at any time and in that event no compensation or damages shall be payable.

Date:

Excise Commissioner
Madhya Pradesh

FORM M.B. 3**[See rule 4-A(1)]****Licence for manufacturing, sale and serving of draught
beer in the premises of Microbrewery**

Under the rule 4-A(1) of the Madhya Pradesh Beer and Wine Rules, 2002, this licence is hereby granted to Shri..... son of Shri..... address in consideration of annual licence fee Rs. 2,50,000/- to manufacture, sell and serve draught beer to customers for consumption in the licenced premises of Microbrewery as mentioned in the Scheduled-I below from date..... to date..... under the following conditions, namely :-

**CONDITIONS**

1. The licensee shall comply with the provisions of the Madhya Pradesh Excise Act, 1915 and the rules made thereunder, the conditions of this licence and all the instructions issued by the Excise Commissioner, Madhya Pradesh.
2. The licensee shall not manufacture draught beer more than 600 bulk litre per day.
3. The licensee shall use those materials and manufacturing process which are approved during issue of letter of intent.
4. The payments of the license fees and excise duty as specified shall be done in advance.
5. The licensee shall use only those labels registered with Excise Commissioner upon payment of consolidated fee.
6. The licensee shall observe such rules as may be prescribed by the State Government or such instructions and orders as may be issued by the Excise Commissioner from time to time in regard to the control of the manufacture, possession and serving.
7. The licensee shall be bound by such orders as may be passed by the State Government or the Excise Commissioner

- concerning the process of manufacture to be adopted and the standards and quality of beer to be produced and served.
8. The licensee shall provide a saccharometer and a thermometer of a kind to be approved by the Excise Commissioner for testing of the specific gravity and temperature of wort in the Brewery. A hydrometer shall also be provided for testing the strength of the draught beer.
 9. The alcohol content of the beers produced supplied to the customers shall not exceed 8% v/v.
 10. The pH, temperature and specific gravity of the brews up to maturation stage should be recorded and the same is subject to inspection as and when called for by a competent authority.
 11. The premises shall be maintained neat and clean with proper ventilation, lighting and it should meet all fire safety and emergency standards as well as the beer dispensing system including glasses, serving tables etc. be maintained hygienically at all time.
 12. Periodic fumigation of the storage facility as well as the premises shall be done by authorized persons on a routine basis and records be maintained.
 13. Under no circumstances, beer or any alcoholic drinks shall be served to under 21 years aged persons.
 14. The licensee shall maintain separate area, adjacent to the microbrewery manufactory, for serving its customers.
 15. The licensee is prohibited from manufacturing any of the beers, save the ones specially registered
 16. The account of the transactions in the Microbrewery relating to issue shall be maintained in such manner as may be required by the Excise Commissioner.
 17. The licensee shall furnish any statistics relating to manufacture and the sale of beer, online or manually, that may be required by any competent authority.
 18. For any breach of the rules or the conditions of the license, the Excise Commissioner may after giving a fortnight's notice to the licensee suspend or cancel the license The licensee

- shall not be entitled to any compensation on account of such suspension or cancellation.
19. The draught beer so produced shall not be bottled/sold outside the premises. The draughtbeer shall be served in glasses or pitchers.
 20. The finished product in the storage tanks shall be removed for "on site" consumption as and when required.
 21. The shelf life of the beer manufactured in microbrewery shall be 72 hrs only.
 22. The licensee shall install CCTV camera in the rooms for microbrewery plant and keep the recording of atleast 30 days at any time.
 23. The licensee shall not do anything in any circumstances which is against the interest of Government revenue.
 24. The licensee shall keep the microbrewery closed on the days mentioned in Schedule-II annexed to this licence.
 25. After the implementation of the e-Aabkari system, all the terms and conditions related to e-Aabkari system shall mandatorily be followed.
 26. The Licensee shall be bound by the relevant conditions of the General License Conditions.
 27. On breach of any condition of this licence or the provisions of the Madhya Pradesh Excise Act, 1915 or the rules made thereunder or any order/instruction issued by the Excise Commissioner, this licence may be suspended or cancelled by the licensing authority.

Date

Excise Commissioner
Madhya Pradesh /Collector

SCHEDULE-I

(Details of the boundaries of the Microbrewery)

Description of site	Boundaries of Licensed Microbrewery			
	North	East	West	South
	(1)	(2)	(3)	(4)

Schedule-II

[List of dry days]

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FORM M.B.4

[See Rule 4-A(1)(v)]

COUNTER PART-AGREEMENT

This deed is made this..... Day of..... between the Governor of Madhya Pradesh acting through the Excise Commissioner, Madhya Pradesh (hereinafter called the Governor, which expression shall, unless inconsistent with the subject or context, include his successors in office) on the one hand and M/s. Mr. ... (hereinafter called the licensee which expression shall, unless inconsistent with the subject or context, include his permitted assigns) on the other.

WHEREAS, a licence has been granted on..... By the Excise Commissioner in Form M.B.3 for the manufacture and issue of draught beer to the licensee.

Now, THEREFORE, this deed witness that:

1. The licensee shall abide by and carry out all his obligations under the terms and conditions of the said licence.
2. The licensee shall always maintain a security deposit Rs..... with the Excise Commissioner for the due fulfillment of the conditions of the licence.
3. Any penalty imposed on the licensee under the Madhya Pradesh Excise Act, 1915, or the Madhya Pradesh Brewery Rules, 2002 or any other liability incurred by him under the aforementioned Act or Rules shall be recoverable by the Governor from his security deposit or any amount due to him or any movable and in movable property belonging to him as arrears of land revenue without prejudice to any other legal remedy the State Government may seek for the purpose.

In witness whereof the parties hereto have signed this deed on the date respectively mentioned against their signature.

**Excise Commissioner/collector
on behalf of the Governor of Madhya Pradesh**

Witness:

- | | |
|---------|-----------|
| 1. | Date..... |
| 2. | Licensee |

Witness:

- | | |
|---------|-----------------------|
| 1. | Full Name and Address |
| 2. | Date..... |

FORM M.B.5
[See Rule 5-A(6)]

Recording of pH, Temperature and Specific Gravity of brew

Name of the Microbrewery
Licence No.

Sr.No.	Date	Brew Batch No./Quantity (in litre)	Set up			Final			Quantity of Beer (in B.L.)	Signature of authorized person of Microbrewery
			pH	Temperature	Specific gravity	pH	Temperature	Specific gravity		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)

FORM M.B.6
[See Rule 12-B]

Transfer of beer from fermentation tank to storage tank and duty deposited

Name of the Microbrewery
Licence No.

Sr.No.	Date	Balance of Beer at beginning of day (In B.L.)	Quantity manufactured (in B.L.)	Issues		Balance of day (in B.L.)	Signature of authorized person of Microbrewery
				Quantity issued (in B.L.)	Duty deposited (In Rupees)		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

FORM M.B.7
[See Rule 18-A(1)]

Complete detail of daily production and sale

Name of the Microbrewery
Licence No.....

Sr. No.	Opening Balance of Beer (In B.L.)	Beer transferred from fermentation tank of storage tank (in B.L.)	Total beer stored in microbrewery in a day (in B.L.)	Beer sold in a day (in B.L.)	Closing Balance (in B.L.)	Signature of authorized person of Microbrewery
(1)	(2)	(3)	(4)	(5)	(6)	(7)

15. This notification shall come into force from 1st April, 2022.

By order and in the name of the Governor of Madhya Pradesh,
R. P. SHRIVASTAV, Dy. Secy.

No.F-B-1- 16/2021/2/V (13)

Bhopal, dated 31 March, 2022

In exercise of the powers conferred by clause (d), (e), (f), (g) and (h) of sub-section (2) of section 62 of the Madhya Pradesh Excise Act, 1915 (No. ii of 1915, the State Government, hereby, makes the following further amendments in the Madhya Pradesh Distillery Rules, 1995, namely :-

AMENDMENTS

In the said rules,-

1. In rule 2, after sub-rule (27), of the following sub-rule shall be added, namely:-

"(28) e-Aabkari system means the online software application approved by the State government accessible through the official web portal of the commercial tax department for performing various activities under the provisions of the Madhya Pradesh Excise Act, 1915 (No. II of 1915) and various rules, notification, conditions and orders made or issued thereunder."

2. In rule 4,-

- (1) In the end of sub-rule (1), for full stop the colon shall be substituted and thereafter, the following proviso shall be added, namely:-

"Provided that distiller shall not use Mahua flower as a base."

- (2) sub-rule (9) shall be omitted.
- (3) sub-rule (41) shall be omitted.

After rule 8, the following Rule shall be added, namely :-

"8-A Processes of e-Aabkari System: Upon implementation of the e-Abkari system, the processes therein shall prevail over any corresponding processes defined under these Rules and the former shall have the status of Rules framed hereunder."

4. This notification shall come into force from 1st April, 2022.

By order and in the name of the Governor of Madhya Pradesh,
R. P. SHRIVASTAV, Dy. Secy.

No.F-B-1- 16/2021/2/V (1.4)

Bhopal, dated 31 March, 2022

In exercise of the powers conferred by clause (h) of sub-section(2) of section 62 of the Madhya Pradesh Excise Act, 1915 (No. II of 1915), The State Government hereby makes the following further amendments in the General Licence Conditions issued vide notification no.14-V-S.R, dated 7th January, 1960 namely:-

AMENDMENTS

In the said conditions, under heading (C) "General Licence conditions":-

1. In condition No.18,-

(1) the words "except the foreign liquor" shall be omitted.

(2) In the end of condition No.18, for full stop the colon shall be substituted and thereafter, the following proviso shall be added, namely:-

"Provided that, the sign board installed by the licensee of the retail liquor shop shall have the size of (10x4) feet which shall contain the following details also,-

(1) Location of liquor shop;

(2) Licence number;

(3) Duration of licence; and

(4) "Consumption of liquor is injurious to health"

All details in this sign board shall be displayed in bold letters in Hindi and English language.

No other poster or publicity material relating to the advertisement of liquor shall be shown/affixed near by the said sign board."

2. This notification shall come into force from 1st April, 2022.

By order and in the name of the Governor of Madhya Pradesh,

R. P. SHRIVASTAV, Dy. Secy.

No.F-B-1- 16/2021/2/V (15)

Bhopal, dated 31 March, 2022

In exercise of the powers conferred by clause (d), (e), (f), (g) and (h) of sub-section (2) of section 62 of the Madhya Pradesh Excise Act, 1915 (No. ii of 1915), the State Government, hereby, makes the following further amendment in the Madhya Pradesh Country Spirit Rules, 1995, namely :-

AMENDMENTS

In the said rules,

1. In rule 2; after clause (g), the following clause shall be added, namely :-

"(h) 'e-Aabkari system' means the online software application approved by the State government accessible through the official web portal of the commercial tax department for performing various activities under the provisions of the Madhya Pradesh Excise Act, 1915 (No. II of 1915) and various rules, notification, conditions and orders made or issued thereunder."

2. In rule 4, sub-rule (15) shall be omitted.
3. In rule 10, for the existing first proviso, the following proviso shall be substituted, namely:-

"Provided that maximum wastage allowance for all transport of bottled Country Liquor from the Bottling Unit to the warehouse shall be 0.25 percent for glass bottles and 0.1 percent for pet bottles irrespective of distance."

4. After rule 13, the following rule shall be added, namely :-

"13-A Processes of e-Aabkari System: Upon implementation of the e-Abkari system, the processes therein shall prevail over any corresponding processes defined under these Rules and the former shall have the status of Rules framed hereunder."

5. This notification shall come into force from 1st April, 2022.

By order and in the name of the Governor of Madhya Pradesh,

R. P. SHRIVASTAV, Dy. Secy.