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## **ANDHRA PRADESH EXCISE (GRANT OF LICENSE OF SELLING BY IN-HOUSE AND CONDITIONS OF LICENCE) RULES, 2005**

### CONTENTS

1. Short title extent and commencement
2. Application
3. Definitions
4. Licences and Permits
5. .
6. Persons not eligible for grant of licence
7. Restrictions on the grant of License
9. Failure to comply with directions entails rejection of application
10. Period of the Licence, commencement of business
11. License Fee
12. Privilege Fee
13. Transport permit
14. Import permit
15. Sale or consumption permitted in the licensed premises only
16. License and plan of the licensed premises to be exhibited
17. Hours of Business
18. Dry days
19. Licensee not to stock unauthorized Indian Liquor and Foreign Liquor
20. The licensee not to stock Indian Liquor or Foreign Liquor at unauthorized place
21. Licensee to sell Indian Liquor and Foreign Liquor of specified Strength
22. Indian Liquor or Foreign Liquor not to be adulterated
24. Indian Liquor and Foreign Liquor shall not be given or sold to certain persons
25. Bottles for sale to carry labels
26. Sale of Indian Liquor or Foreign Liquor duty paid
27. Standard measures to be kept
28. Certain acts prohibited in the licensed premises
29. Harbouring of certain persons prohibited
30. Provision for a night watchman
31. Employment of servants
32. Intimation to Proh. and Excise Officer
33. Consignments to be opened only in the presence of the Proh. and Excise Officer
34. No breakages or losses in transit allowed
35. Licensee to maintain accounts
36. Licensee to maintain brand-wise accounts
37. Entries in the daily accounts register

38. Statements of accounts to be furnished
39. Monetary transactions with officers prohibited
40. Officers authorised to inspect premise
41. Inspection book to be maintained
42. License to be surrendered to the licensing authority on expiry
43. License to be cancelled under certain circumstances
44. Licensee and permit holders to abide by the provisions of the Act etc
45. Suspension, withdrawal or cancellation of a licence or permit
46. Stocks on cancellation or withdrawal of licence
47. Permit for sacramental Wine for bishops Houses
48. Removal of difficulties

## **SCHEDULE 1 :- SCHEDULE**

### **ANDHRA PRADESH EXCISE (GRANT OF LICENSE OF SELLING BY IN-HOUSE AND CONDITIONS OF LICENCE) RULES, 2005**

In exercise of the powers conferred by Section 72 read with Sections 17, 28 and 29 of the Andhra Pradesh Excise Act, 1968 (Act 17 of 1968) and Ordinance 5 of 2005 the Governor of Andhra Pradesh hereby makes the following Rules:

#### **1. Short title extent and commencement :-**

- (1) These rules may be called the Andhra Pradesh Excise (Grant of licence of selling by in-house and conditions of licence) Rules, 2005.
- (2) They shall extend to all the areas where the Andhra Pradesh Excise Act, 1968 is in force.
- (3) They shall come into force at once.

#### **2. Application :-**

These rules shall apply for the grant of Licence for sale of Indian Liquor and Foreign liquor of selling by in-house as defined in sub-section (18) (A) of Section 2 Of the Andhra Pradesh Excise Act, 1968 and transport and sale of Indian Liquor and Foreign Liquor by such licensees.

#### **3. Definitions :-**

- (1) In these rules unless the context, otherwise requires:-
  - (a) "Act" means the Andhra Pradesh Excise Act, 1968 ,
  - (b) "Dry day" means a day on which no liquor shall be sold or served in the licensed premises;
  - (c) "Excise Adhesive Label" means the label designed and approved

by, printed and supplied by under the supervision and control of the Commissioner of Prohibition and Excise, from time to time for the purpose of its affixture to sealed bottles of different sizes containing Indian liquor (i) manufactured within the state and (ii) manufactured outside the state and imported into the state:

(d) "Foreign liquor" includes every liquor imported into Indian other than Indian Liquor,

(e) "Form" means a form appended to these rules,

(f) "Indian Liquor" means liquor produced, manufactured or compounded in India after the manner of Gin, Brandy, Whisky or Rum imported from Foreign Countries and includes, Wine, Beer, Milk punch and other liquors consisting of or containing any such spirits but does not include Foreign liquor".

(g) "In-house" means the privilege granted under this Act for sale of Indian Liquor and Foreign Liquor by Club, Guest House of A.P. Tourism Development Corporation, Military canteen, Airport transit lounge for International Air passengers;

(h) Licence' means licence granted under these rules;

(i) Licencee' means holder of such licence;

(j) "License Fee" means annual license fee as shown in the schedule appended to these rules and includes proportionate license fee.

(k) "Licence period" means a period of 12 months beginning from the 1st day of July, of the year and ending with 30th June of the following year or part thereof.

(l) Highway' means a national Highway or a State Highway but shall not include the part of the National Highway or State Highway which passes within the limits of a Municipal Corporation, Municipal council or the Gouthan in any village or panchayat area;

(m) "Population" means the figure of population as officially published in the latest census,

(n) "Proportionate Licensee Fee" means licensee fee calculated proportionately to the whole months of the licence period. Provided that a part of a month shall be reckoned as a whole month,

(o) "Transport Permit" means a permit issued by the competent officer for transport of 1LandFL from the A.P.B.C.L. or CSD depot to

the licensed premises as the case may be.

(2) The words and expressions used but not defined in these rules shall have the meanings assigned to them in the Andhra Pradesh Excise Act, 1968 and Andhra Pradesh Excise (Import, Export and Transport of Indian Liquor and Foreign Liquor - Permits) Rules, 2005.

#### **4. Licences and Permits :-**

See S.2(18)(A) of A.P.Excise Act, 1968.

(i) In-house Licence (in Form TD-1) The Andhra Pradesh Tourism Development Corporation Limited shall be granted licence in Form TD-1 to sell Indian Liquor and Foreign Liquor in glasses or pegs for consumption within the licensed premises of the Guest Houses run by it.

(ii) In-house Beer Pub (in Form TD-2) The Andhra Pradesh Tourism Development Corporation Limited shall be granted licence in Form TD-2 to sell only Beer for consumption within the licensed premises of the facilities run by the Andhra Pradesh Tourism Development Corporation Limited.

(iii) In-house Club licence (in Form C-1) The holder of the licence in Form C-1 shall be permitted to sell Indian Liquor and Foreign Liquor in glasses or pegs for consumption within the licensed premises of the club by the bona fide members but he shall not sell Indian Liquor and Foreign Liquor for removing it out of the licensed premises of the club. Provided that the licence holder shall not purchase or stock Indian Liquor and Foreign Liquor in bottles of sizes less than 750 ml. except beer.

(iv) In-house consumption in Military canteens (Licence in Form CS-1) The holder of licence in Form CS-1 shall be permitted to sell Foreign liquor and Indian liquor, in glasses or pegs for consumption within the licensed premises by the defence personnel within the military canteens' or clubs, but he shall not sell the liquor for removing it out of the licensed premises.

(v) In-house sale in Military Canteen (Licence in Form CS-2) The holder of the licence in Form CS-2 may be permitted to sell Foreign liquor and Indian Liquor to the defence personnel including Ex.-service men in sealed or capsuled bottles in quantities as per the scale prescribed for defence personnel by Government of India from time to time, but he shall not allow consumption at the licensed

premises.

(vi) Canteen Stores (in-house Storage and supply) Licence (in Form CS-3) The holder of the licence in Form CS-3 may be permitted to draw liquor from the Distilleries/Breweries situated in Andhra Pradesh and import Indian Liquor from the Distilleries and Breweries situated anywhere in the Country and Foreign Liquor from the Bonded houses of the Customs Department of Government of India and sell Foreign Liquor and Indian Liquor in quantities of not less than 9 litres in sealed or capsuled bottles at any one time and in any single transaction to the other Military canteens holding licenses in Form CS-1 and CS-2 but he shall not carry on sale or allow consumption of the liquor in the licensed premises as permitted in the Licenses of CS-1 and CS-2.

(vii) Airport transit lounge Licence (in Form AL-1) The holder of the licence in Form AL-1 may be permitted to sell Foreign Liquor in sealed or capsuled bottles to the international Air passengers transiting the Air port to the extent of their eligibility under the Baggage Rules, 1978 made under the Customs Act, 1962 for their own consumption,

(viii) Event permit (in Form EP-1) The holder of the permit in Form EP-1 may be permitted to sell or serve Foreign liquor and Indian liquor in glasses or pegs for consumption within the licensed premises in the fairs, festivals or on other specified occasions, but he shall not sell the liquor for removing it out of the licensed premises at such places. Application for licence and procedure for grant of Licence:-

(1) The application for the grant of a licence shall be in Form IHA-1 for Licenses in Forms TD-1, TD-2, CS-1, CS-2, CS-3, AL-1 and EP-1 and in Form IHA-2 for licence in Form C-1 respectively and may be submitted to the Prohibition and Excise Superintendent of the district where the applicant's premises is to be licensed or other authority competent to grant licence.

(2) The Prohibition and Excise Superintendent, after making such enquiry as he may think necessary, to ascertain the bona fides of the applicant and verifying the particulars furnished in the application grant the licence if he is competent to grant. In case he is not competent to grant the licence applied for, examine the suitability of the premises for granting License and forward the same to the Commissioner of Prohibition and Excise along with his

report through the Dy. Commissioner of Prohibition and Excise.

(3) The Commissioner of Prohibition and Excise may grant the licence after causing such enquiry as he may deem fit.

(4) The applicant before issue of the licence shall execute a counter part agreement in Form CG-1 on the Stamp paper of requisite value as per provisions of the Indian Stamp Act, 1899 .

**5. . :-**

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**6. Persons not eligible for grant of licence :-**

The following persons are not eligible for grant of licences:-

(i) persons below the age of twenty one years.

(ii) persons who are undischarged insolvents or who have been convicted of offences under the provisions of the Act or the Customs Act, 1962 or Narcotics Drugs and Psychotropic Substances Act, 1985 (Central Act 61 of 1985) or convicted under Andhra Pradesh intoxicating liquors (Prohibition of Advertisements) Act, 1978 or convicted non-bailable offences or are habitual offenders.

(iii) Persons suffering from leprosy or other contagious disease only in cases where such persons have to handle the stocks of liquor or beer in premises elsewhere personally.

(iv) Defaulters in the payment of excise revenue to the Government.

**7. Restrictions on the grant of License :-**

(1) A license in forms TD-1, TD-2, C-I, CS-1 and EP-1 involving consumption of liquor at the premises shall not be granted.

(2) Unless the premises has :-

(a) a minimum plinth area of 100 Sq. meters.

(b) Sanitary equipment like wash basin, water closet:

(c) Facility for cooking and serving complete meals of good quality to the consumers,

(d) Air conditioning or Air cooling facility where liquor is consumed.

(e) Adequate vehicle parking arrangement.

(3) Within 100 meters from educational institution recognized by

the Government, places of public worship such as Temples registered by the Endowments Department, Mosques registered with the Wakf Board, Churches and Hospitals. Provided that in the limits of Municipal Corporations and within the belt area of 5 Kms. of the periphery of Municipal Corporations, the distance restriction mentioned above shall be 50 meters.

(4) Within 500 meters of predominantly residential area but licenses may however be sanctioned if the proposed premises is located on a main road used for shopping purposes.

(5) Within 50 meters of a Highway (V) Unless the applicant produces the permission or the no objection certificate from the local authority concerned for the sale of liquor at the premises by the applicant.

(6) Unless the applicant produces the lease deed on a Stamp paper for the proposed licensed premises from the owner of the premises wherever necessary

Explanation:- For the purpose of this rule

(a) "Place of public worship" means a temple registered with the Endowment Department, Mosque registered with Wakf Board and Church and includes such other religious institutions, as the State Government may by order specify in this behalf;

(b) "Educational Institutions" means any Primary school, Middle School and High School recognized by the State Government or Central Government, Junior College or any College affiliated to any University established by law;

(c) "High Way" means National High way or State Highway and shall not include the part of the National Highway or State Highway which passes within the limits of Municipal Corporation, Municipal Council or the Gouthan in any village or Panchayat area.

(d) "Hospital" means any hospital which is managed or owned by a local authority, State Government or Central Government or any private hospital having a provision of at least thirty (30) beds. The distances referred above shall be measured from the mid-point of the entrance of the proposed premises along with the nearest path by which pedestrian ordinarily reaches to the midpoint of the nearest gate of the institution or a place of public worship, if there is a compound wall and if there is no compound wall to the mid-

point of the nearest entrance of the Institution/place of public worship and in the case of residential areas to the entrance of the first house of such area as the case may be.

(2) No licence shall be granted:-

(a) In Form C-1 ("Club Licence) unless

(i) the applicant is a registered club under the Societies Registration Act, 1860 with a bona fide membership of not less than 500 members and functioned as a club for not less than three years. Provided that the club which are not registered under the Societies Registration Act, 1860 and which are not proprietary and are managed by a duly elected body of persons shall also be considered for grant of license subject to the condition that all the funds received by them are duly accounted for running the club and the profits are not distributed and appropriated by any individual or firm as per their bye-laws. Provided further that the clubs which are not registered under Societies Registration Act, 1860 and which are proprietary in nature i.e., owned by individuals, Partnership firm or Companies shall also be considered for grant of license on payment of license fee on par with a Licence in form IL-2B.

(ii) the club is located in its own premises or premises allotted by the Government exclusively for setting up such club or located in a private premises taken on long lease for a period of at least 10 years from the date of first application for grant of new license and having a minimum area of 1,500 Sq.Mts. including built up area of at least 500 Sq.Mts. of this a minimum area of 50 Sq.Mts. has to be set apart for consumption.

(iii) the club has facility for not less than three items out of the following items; namely:-

(a) Billiards,

(b) Lawn tennis or Table tennis.

(c) Shuttle Badminton or Ball Badminton,

(d) Gymnasium or Health Club,

(e) Swimming pool.

(b) In Form CS-1 (In-house consumption in Military canteens), unless the Officer in Command of the Station with the prior



approval of Military Canteen Department makes the application; Provided that the Commissioner may refuse grant of licence for reasons to be recorded.

(c) In Form CS-2 (In-house sale in Military Canteen) unless the officer in command of the Station with the prior approval of the Military Canteen Department makes the application.

(d) [Not given].

(e) In Form CS-3 (Canteen Stores (In- house Storage and supply) unless the Military Officer in-charge of the Military Canteen Stores Department makes the application. 8 Licensing authorities:- The Commissioner of Prohibition and Excise shall be competent to grant the Licenses specified under Rule 4 except in the case of In-house sale in Military Canteen (Licence in Form CS-2) which shall be granted by the Prohibition and Excise Superintendent concerned.

**9. Failure to comply with directions entails rejection of application :-**

Normally 15 days time shall be allowed to the applicant to rectify defects if any, or to comply with other directions of the Commissioner of Prohibition and Excise. Failure to remit fees or to rectify the defects or to comply with other directions relating to the premises, within the time allowed shall entail rejection of an application.

**10. Period of the Licence, commencement of business :-**

(1) Every Licence granted under these rules, other than the Event permit, shall be valid for one year commencing from 1st July, ending with 30th June, of the succeeding year, subject to payment of licence fee as prescribed. Provided that the licence issued on or after the 1 st July shall be valid upto the end of the 30th June, of the succeeding year.

Provided further that a licence granted for a part of licence period shall be valid for such period as may be specified by the Licensing authority.

Provided that the Event permit shall be valid for a period as specified therein and the permit holder shall pay the fee as prescribed. Before issue of a licence the licensee shall execute a counter part agreement in form CG-1 on the stamp paper of requisite value as per the provisions of the Indian Stamp Act, 1899

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### **11. License Fee :-**

(1) The annual licence fee for each of the licences except "Event permit" mentioned in Rule 4, shall be as amended, from time to time, at the rates as shown in the schedule appended to these rules. The annual licence fee shall be paid before the commencement of the lease year to which it relates in one lump sum". Provided that in the case of an "Event permit" the fee shall be paid in one lumpsum at the rates as specified.

(2) In case a licence is refused, the fee paid shall be refunded.

(3) The licence fee shall be paid into the concerned Government Treasury in the District in which the licensed premises is located.

(4) If a licence is surrendered in the middle of the licence period the Licence fee paid shall be forfeited to the Government.

(5) Where a licence stands cancelled or suspended for any violation of the rules and conditions of licence, the Commissioner of Prohibition and Excise may order forfeiture of the License fee in full.

### **12. Privilege Fee :-**

Whenever Indian Liquor or Foreign Liquor is supplied to the holder of the Licence in the Form TD-1, TD-2, C1 and EP-1 a Privilege Fee at the rate of 10% in excess of the Sale Price that the Andhra Pradesh Beverages Corporation Limited charges to the lease holders of by shop (A-4 Licence) shall be levied.

Provided that such privilege fee shall not be applicable to the clubs licensed under Second proviso to the Rule 7(2)(a)(i).

### **13. Transport permit :-**

The transport permit may be issued authorizing movement of Indian Liquor and Foreign Liquor within the State from the units of the Andhra Pradesh Beverages Corporation Ltd., to the licensed premises. Such transport shall be governed by Andhra Pradesh Excise (Import, Export and Transport of Indian Liquor and Foreign Liquor-Permits) Rules, 2005.

### **14. Import permit :-**

The Import permit may be issued to a licence holder in Form CS-3 authorizing import of Indian Liquor and Foreign Liquor in to the State from the Distilleries and Breweries situated outside the State

of Andhra Pradesh within the country and from the Bonded ware houses of the Customs Department of Government of India and such Import shall be governed by Andhra Pradesh Excise (Import, Export and Transport of Indian Liquor and Foreign Liquor-Permits) Rules, 2005.

**15. Sale or consumption permitted in the licensed premises only :-**

(1) The licensee shall sell the liquor or allow consumption of liquor only in the premises specified in the licence.

(2) No change or alteration of the licensed premises shall be made nor the licensed premises shifted elsewhere without the prior approval of the Commissioner of Prohibition and Excise.

Provided that such shifting will be permitted solely at the discretion of the Commissioner of Prohibition and Excise.

**16. License and plan of the licensed premises to be exhibited :-**

The proforma licence shall be exhibited in a conspicuous place in the licensed premises. The Licensee shall also exhibit the approved drawings/plan of the licensed premises for verification by the inspecting authorities.

**17. Hours of Business :-**

The Licensee in Form C-1, TD-1, TD-2 and EP-1 shall transact business in liquor from 10.00 a.m. to 11.00 p.m.

**18. Dry days :-**

The licensed premises shall be closed and no business transacted on the following days declared as dry days:-

(i) 26th January - Republic Day

(ii) 15th August - Independence Day

(iii) 2nd October - Gandhi Jayanthi Provided that the licensee shall not be entitled to any compensation whatsoever for the closure of the licensed premises.

**19. Licensee not to stock unauthorized Indian Liquor and Foreign Liquor :-**

The Licensee shall not stock or sell in the licensed premises Indian Liquor and Foreign Liquor of any kind which he is not authorized to buy, stock or sell under the provisions of Act or Rules, Regulations

or Orders made thereunder.

**20. The licensee not to stock Indian Liquor or Foreign Liquor at unauthorized place :-**

The licensee shall not stock Indian Liquor and Foreign Liquor in any place other than the licensed premises. The licensee shall be held responsible for any Indian Liquor and Foreign Liquor unauthorizedly kept outside or nearby the licensed premises.

**21. Licensee to sell Indian Liquor and Foreign Liquor of specified Strength :-**

No Foreign liquor or Indian liquor other than Wine, Gin, Beer, Weaker in strength than prescribed shall be sold under any license granted under these rules.

**22. Indian Liquor or Foreign Liquor not to be adulterated :-**

The Indian Liquor and Foreign Liquor offered for sale or stored in the licensed premises shall not be substandard, deteriorated, spurious or in respect of which it is believed that some substance has been admixed so as to make it unfit for consumption by any process or manner, to stop it from being sold and to seize the same forthwith and take necessary further action as per rules.

**24. Indian Liquor and Foreign Liquor shall not be given or sold to certain persons :-**

No Indian liquor or Foreign Liquor shall be sold or given to the following persons namely :-

- (i) Lunatics;
- (ii) Persons known or believed to be in a state of drunkenness;
- (iii) Persons about whom it is known or suspected that they are likely to participate in the commission of sedition, insurrection, breach of peace or any other similar offence threatening public peace and tranquility;
- (iv) Employees of the Police, Excise and Railway Departments or Chauffeurs of motor vehicles while engaged in discharging their duties;
- (v) Soldiers in uniform and the camp servants of military officers in their uniform;
- (vi) Persons below (21) years of age.

**25. Bottles for sale to carry labels :-**

Every bottle of Indian liquor or Foreign Liquor kept for consumption in licenses in Forms TD-1, TD-2, C-1 and EP-1 shall carry Excise Adhesive label on the cap of the bottle in addition to the manufacturer's label as approved by the Commissioner of Prohibition and Excise.

**26. Sale of Indian Liquor or Foreign Liquor duty paid :-**

(1) The licensee shall sell only paid Indian Liquor and Foreign liquor.

(2) The Licensees in Forms TD-1, TD-2, C-1 and EP-1 shall purchase Indian Liquor and Foreign liquor from the allotted depot of the APBCL only on such terms as may be prescribed. However, the Commissioner of Prohibition and Excise may permit the licensee to purchase the requirement of Indian Liquor and Foreign Liquor from any other Depot of the APBCL.

**27. Standard measures to be kept :-**

The licensee shall use only standard measures, as may be prescribed by the Commissioner of Prohibition and Excise from time to time. The measures should be got duly stamped by the Weights and Measures Department.

**28. Certain acts prohibited in the licensed premises :-**

Notwithstanding any permit/licence granted by any authority, Gambling, dancing, any other acts of disorderliness or obscenity involving women within the licensed premises shall be strictly prohibited.

**29. Harboursing of certain persons prohibited :-**

Persons, who are known or believed to have been convicted of any non-bailable offences, who are reputed prostitutes and habitual offenders, shall not be employed nor shall they be allowed to assemble or remain in the licensed premises, and if such persons visit licensed premises the matter shall be forthwith reported to the nearest Police Station by the licensee.

**30. Provision for a night watchman :-**

No person other than a watchman shall be allowed to stay in the licensed premises during night time beyond the hours specified for closure of business.

**31. Employment of servants :-**

(1) No women shall be employed for sale of Indian Liquor and

Foreign liquor without the special permission of the Commissioner of Prohibition and Excise. No male person shall be appointed for such a purpose without the prior permission of the Prohibition and Excise Superintendent and every such person whether male or female before being employed shall obtain from the Prohibition and Excise Superintendent, a Nowkarnama inform N-1 on payment of a fee of Rs. 100/-.

(2} No nowkarnama shall be granted to the following persons;

(i) Persons below twenty one years of age;

(ii) Women,

(iii) Persons suffering from any infectious or contagious diseases,

(iv) Persons of unsound mins,

(v) Persons who in the opinion of the Excise Superintendent is of a bad character.

(vi) Persons whose Nowkarnama or licenses has previously been cancelled within the preceding three years,

(vii) Persons convicted of any offence under the Andhra Pradesh Excise Act, 1968 (Act of 17 of 1968) or the Narcotics Drugs and Psychotropic Substances Act, 1985 (Central Act 61 of 1985) within the preceding three years;

(viii) Persons convicted under Section 482 of the Indian Penal Code, 1860 Section 483 of the Indian Penal Code, 1860 Section 484 of the Indian Penal Code, 1860 Section 485 of the Indian Penal Code, 1860 Section 486 of the Indian Penal Code, 1860 Section 487 Of the Indian Penal Code, 1860 Section 488 Of the Indian Penal Code, 1860 Section 489 Of the Indian Penal Code, 1860 (Central Act 45 of 1860);

(ix) Defaulters in payment of an amount due to the State Government under the Andhra Pradesh Excise Act or the Rules made thereunder.

(3) All illegal things done in connection with the transport, possession or sale of Indian Liquor and Foreign Liquor or known to have been done in contravention of the provisions of the Act or the rules made thereunder by the servants of the licensee shall forthwith be reported to the Prohibition and Excise Superintendent, b y the licensee, and such orders regarding continuance or

otherwise of such servants in service as may be issued by the Excise Superintendent shall be carried out by the licensee.

(4) Every act of the authorized agent or servant shall be deemed to be an act of the licensee".

**32. Intimation to Proh. and Excise Officer :-**

The licensee shall give notice of three clear days about the arrival of any consignment to the Proh and Excise officer concerned so that he may have reasonable time and opportunity to inspect the consignment before the seals or packages are opened. If the consignment is not verified within the stipulated time mentioned in the rule the licensee can take the stocks into account and sell them.

**33. Consignments to be opened only in the presence of the Proh. and Excise Officer :-**

The licensee shall open the boxes or packages of all Indian liquor and foreign liquors received in the licensed premises only in the presence of and after inspection by the local Proh. and Excise Officer or in his absence by any other Excise officer duly authorized in this behalf. If any box, packet, package or bottle is found doubtfully, carelessly or insufficiently scaled, the licensee shall produce it forthwith before the Proh. and Excise Officer for noting down such damages. The articles insecurely sealed or fastened may be returned by the licensee to the consigner with the prior approval of the Commissioner of Prohibition and Excise. The Commissioner of Prohibition and Excise may allow in such an event, replenishment of stock without fresh payment of duty. The Commissioner of Prohibition and Excise shall be competent to relax the application of this rule in special circumstances.

**34. No breakages or losses in transit allowed :-**

The Licensee is not entitled as against the Government, of any compensation or refund or reduction of duty for any loss in breakage while stocks are in transit.

**35. Licensee to maintain accounts :-**

The licensee shall maintain full and day to day accounts of liquors or beer received and disposed of in Form-DA-1, the pages of which are machine numbered serially. He shall also maintain such other returns as may be required by the Commissioner of Prohibition and Excise, and he shall, for each month, send monthly statements and returns before the 5th of the following months in the forms as may

be fixed by the Commissioner to the Prohibition and Excise Superintendent and local Excise Inspector. All registers should be got authenticated before use by the Excise Superintendent.

**36. Licensee to maintain brand-wise accounts :-**

The licensee shall also maintain in the Daily Brand-wise account in Form DA-2, and furnish a statement before the 5th of each month to the Excise Superintendent and local Proh. and Excise Inspector. The register shall be got authenticated by the Excise Superintendent before use and the pages machine numbered serially.

**37. Entries in the daily accounts register :-**

(1) The licensee shall enter in the register in Form DA-1 the full particulars of transport permit or passes and documents or trip sheets, pertaining to the stocks received by him.

(2) The moment a bottle is opened, the licensee shall make an entry in the Daily sales register and record the loose balance in each bottle at the end of the day excepting the licence holder In form CS-2, CS-3 and AL-1.

**38. Statements of accounts to be furnished :-**

The licensee shall furnish on requisition any statement of accounts, statistics or any other particulars to the licensing authority or to any other officer of the Proh. and Excise Department not below the rank of a Proh. and Excise Sub-Inspector.

**39. Monetary transactions with officers prohibited :-**

Any kind of monetary transactions unconnected with the official purpose between the licensee and the personnel of the Proh. and Excise, Police, Revenue Department and the personnel of the APBCL is strictly prohibited.

**40. Officers authorised to inspect premise :-**

Any officer not below the rank of an Proh. and Excise Sub-Inspector may enter and inspect the licensed premises during the working hours and inspect and verify all the accounts, registers and stocks. It shall be competent for such inspecting officer to take such samples as might be necessary, or to take charge of such records and registers as might be necessary, and it shall be incumbent on the licensee to offer reasonable assistance for such inspecting officers to inspect, verify and to take samples. For any records removed from the premises, the Proh. and Excise Officer should



give a receipt or in the alternative make an entry in the inspection book in this regard.

**41. Inspection book to be maintained :-**

An inspection book inform IB-1, with machine numbered pages shall be kept in the shop for the use of the Inspecting officers, and the licensee shall be responsible for the safe custody of it. The Inspection book shall be the property of the Government and shall be handed over to the Excise Officer concerned on expiry of the period of license.

**42. License to be surrendered to the licensing authority on expiry :-**

Every license granted under these rules shall be deemed to have been granted either jointly or severally to the licensee (s) named therein and shall on its expiry be surrendered by the licensee to the licensing authority".

**43. License to be cancelled under certain circumstances :-**

If any licence or permit has been obtained by misrepresentation or by any other fraudulent means, the licence or permit so obtained is liable to be cancelled and the licensee or the permit holder is also liable for prosecution.

**44. Licensee and permit holders to abide by the provisions of the Act etc :-**

Every holder of the license or permit under these rules shall comply promptly with all orders or directions issued from time to time under the Act, and the rules and orders made thereunder and shall abide by all the conditions of the licence.

**45. Suspension, withdrawal or cancellation of a licence or permit :-**

A licence or permit may be suspended, canceled or withdrawn in accordance with the provisions of Section 31 OF THE Andhra Pradesh Excise Act, 1968 or Section 32 of the Andhra Pradesh Excise Act, 1968 .

**46. Stocks on cancellation or withdrawal of licence :-**

If a licence is cancelled or withdrawn during the currency of the Licence period the whole stock of IL and FL found in the shop shall be seized. The stock so seized shall be sold by the Excise Superintendent to any other licensee(s) and the proceeds of the sale shall after deduction of the expenses and any other sum due to the government shall be refunded to the licensee provided that

the licensee is not cancelled on account of a Criminal case.

**47. Permit for sacramental Wine for bishops Houses :-**

(1) All Imports for Sacramental Wine shall be made through Andhra Pradesh Beverages Corporation Limited only. The Andhra Pradesh Beverages Corporation Limited shall apply inform SW A-1 to the Commissioner of Proh. and Excise.

(2) On receipt of an application, the Commissioner of Proh. and Excise may, after making such enquiry as he may think necessary to ascertain the bonafides of the applicant and after verifying the other particulars furnished in the application grant the permit applied for in Form SW-1.

**48. Removal of difficulties :-**

If there is any doubt or dispute regarding the application or interpretation of any of these rules, the decision of the Commissioner thereon shall be final.

**SCHEDULE 1**

**SCHEDULE**