

## **DELHI DRAUGHT BEER RULES, 1977**

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## **DELHI DRAUGHT BEER RULES, 1977**

### DELHI DRAUGHT BEER RULES, 1977

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

- (i) These rules may be called the Delhi Draught Beer Rules, 1977.
- (ii) These shall come into force at once.

#### **2. Definitions :-**

In these rules, unless the context otherwise requires

- (i) "Act" means the Punjab Excise Act (1 of 1914) as in force in the Union Territory of Delhi;
- (ii) "Litre" means bulk litre of 1000 mililitres;
- (iii) "Licensee" means a person to whom a licence in Form L-3, L-5, L-7 and L-20 has been granted under the Delhi Liquor Licensing Rules, 1976 including FLE-2 licensees under the Delhi (Sale of Duty Free Indian Made Foreign Liquor to diplomats/ foreign embassies/United Nations and other allied agencies in Delhi) Bonded Warehouse Rules, 1975 but subject to special provision as contained herein.
- (iv) "Beer" Includes ale, portar, stout and all other fermented liquors made from malt;
- (v) "Keg" means a closed receptacle, made of wood of metal or such other sub- stance as may be designed for containing and carriage of beer by the brewery of the size of not less than 20 BL.;
- (vi) "Draught Beer" means fresh beer contained in a keg not

containing more than 31/2 alcoholic content.

**3. Procedure for issuing Import permits for Draught Beer :-**

Only licensees as defined in rule 2(iii) of these Rules shall be liable to import draught beer in kegs. Before any permit is granted the applicant licensee must satisfy the following conditions

(i) There should be proper refrigeration arrangements for the safe storage of the draught beer.

(ii) In the case of FLW-2 licensees, the licensee shall not be entitled to store the draught beer at his premises under any circumstances. In such cases the requisition, placed on the licensee by the foreign diplomats shall be executed by the licensee in such manner that there is no occasion for the draught beer to be stored in the licensed premises. The licensee shall do so with due regard to the provisions of Delhi (Sale of duty Free Indian Made Foreign Liquor to diplomats/Foreign Embassies/United Nations and other allied Agencies in the Union Territory of Delhi) Bonded Warehouses Rules, 1975, in particular and other rules framed under Punjab Excise Act in general. The licensee shall also obtain prior permission of the Excise Commissioner with regard to the arrangement for supply or draught beer that the said licensee may make under this rule.

(iii) The import permits shall be issued in accordance with the Delhi Liquor Import, Export, Transport and Possession Rules, 1976.

(iv) Except in the case of FLW-2 licensees, the draught beer shall not be sold in sealed kegs by other licensees. They shall sell it in glasses or such other containers as are generally used for service of beer. The FLE-2 licensees are forbidden from selling the draught beer otherwise than in full sealed kegs.

(v) It shall be the duty of the licensee to ensure that no stale or deteriorated beer is served.

(vi) The draught beer shall not be allowed to be imported in any container except in kegs as defined in rule 2(v) of these rules.

(vii) The draught beer once imported into the Union Territory of Delhi shall not be allowed to be exported for any reason whatsoever. Excise duty. The following shall be the rate of excise duty leviable in respect of the draught beer imported from the brewery in whose favour the permit has been issued (A) Draught Beer Containing 3 1/2 per Re. 1.00 per 650 ml. of beer contents or

cent or less alcohol content. part thereof. (B) Draught Beer containing above 3 1/2 Rs.5.00 per 650 ml. of beer contents or per cent but less than 5 per cent v/v part thereof, In calculating the excise duty, the fraction of a rupee shall be taken as Re. 1. The excise duty and assessment fee shall be payable by the licensee before the grant or import permit.

**5. Assessment fee; :-**

The assessed fee for draught beer shall be payable as follows In case of sale of draught beer containing 3Y2 per cent or less alcohol v/v, the assessment fee shall be calculated on the total contents, at the rate of 0.25 paise per 650 ml, or part thereof. In case of draught beer containing more than y per cent but less than 5 per cent alcohol v/v the assessment fee shall be calculated on the total contents at the rate of Rs. 2.25 paise per 650 ml. or part thereof.

**6. Destruction of deteriorated Draught Beer :-**

If after import of draught beer, the same has been found to have deteriorated either during the transport of the kegs from the brewery to the licensed premises or the licensee has subsequently found that such stocks have deteriorated during the storage prior to sale the same shall be destroyed with the permission of the Collector of Excise in the presence of an Excise Officer. Excise duty and assessment fee on the stocks destroyed shall be refunded to the licensee by the Collector of Excise after due verification.