

**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI  
OFFICE OF THE EXCISE COMMISSIONER  
L-BLOCK, VIKAS BHAWAN, I.P. ESTATE, NEW DELHI-110002**


**PUBLIC NOTICE**

Government of National Capital territory of Delhi has decided for Registration of Dealers who are exporting foreign liquor and supplying the foreign liquor for Diplomatic use for the licensing year 2016-17 with immediate effect.

**Further, it is informed that no Export Permit/T.P. shall be issued to the dealers (who are not selling foreign liquor to retail vends/licensees in Delhi but to export or supply to Diplomatic mission after obtaining export pass and transport permit from Excise Department) w.e.f 14.10.2016 who failed themselves to get registered with the Department**

The Guidelines for Registration of Dealers who are exporting foreign liquor and supplying the foreign liquor for Diplomatic mission can be obtained during the office hours on any working day from the office of Commissioner of Excise, Government of National Capital Territory of Delhi, L-Block, Vikas Bhawan, I.P. Estate, new Delhi-110002. Alternatively, the same can be downloaded from the Website <http://excise.delhigovt.nic.in> under heading "News",. Applicants are required to apply online also at address delhiexcise.gov.in.

Application received without complete information and supporting documents as required in the prescribed application form along with its annexures shall be liable to be rejected.

  
(SANJAY KUMAR)  
COMMISSIONER (EXCISE)

**GUIDELINES FOR REGISTRATION OF DEALERS WHO ARE EXPORTING FOREIGN LIQUOR AND SUPPLYING THE FOREIGN LIQUOR FOR DIPLOMATIC USE.**

1. The Dealers (who is not selling foreign liquor to retail vendors/licensees in Delhi but to export or supply to Diplomatic missions after obtaining export pass and transport permit from Excise Department Delhi), other than registered L1F licensees, can register themselves by filling and submitting the requisite application form as per procedure detailed in para 7.
2. Registration would be granted on regular basis without any fee for the licensing year **2016-17**. That shall be renewable every financial year on fulfilling terms and conditions in the guidelines for the respective year.
3. The registration shall be subject to the fulfillment of all conditions of the Delhi Excise Act, 2009 and the Rules made there under.
4. There shall be no restriction on the number of brands to be allowed on one registration.

**5. ELIGIBILITY FOR REGISTRATION**

a. The registration shall be granted to following:-

- (1) A Company incorporated under the Companies Act, 1956.
- (2) A firm registered under the Partnership Act, 1932.
- (3) A Society registered under the relevant Co-operative Societies Act.
- (4) Sole proprietor.
- (5) A firm registered under Limited Liability Partnership Act, 2008.

Provided that applicant has not been black listed by the Department for any violation by any of the provision of Excise Law. Further, provided that applicant has not been convicted by any Court of competent jurisdictions for any offence under the Excise Law.

b. The dealer may appoint an attorney/authorized representative for the National Capital Territory of Delhi. The dealer shall be liable for all omission and commission of attorney/authorized representative in connection with guidelines issued for registration.

**6. DRY DAYS**


All days of religious importance and such other days as considered appropriate will be declared as "dry days" in addition to dry days normally declared. The

dealer shall not be entitled to any compensation or relief due to any increase in the number of dry days beyond the likely number mentioned hereinabove.

## **7. PROCEDURE TO APPLY**

- 7.1 Application in the prescribed form (Annexure 1) together with its enclosures for the registration shall be made to the Deputy Commissioner (Excise). In case, the applicant is a company incorporated under Companies Act, the application shall be signed by the Managing Director or duly authorized Director of the company by the board of directors of the company concerned. In case of individual, Limited Liability Partnership Act, 2008 or a society registered under the Co-operative Societies Act, the application shall be signed by the Proprietor, duly authorized working partner, President or secretary of the society, as the case may be. Proof of authorization must be filed along with the application.
- 7.2 Information as required for this purpose in the application form shall be furnished with complete detail truly and faithfully, so as to enable the smooth processing of application. The applicant shall not be entitled to any relief or compensation on account of delay in the finalization of their case for registration.
- 7.3 Application in prescribed format should be filed online through the link <https://delhiexcise.gov.in/DelhiExcise/pages/misc/login.jsp>. Detailed user manual for registration can be accessed through the link <https://delhiexcise.gov.in/DelhiExcise/pages/misc/login.jsp>.
- 7.4 No applicant shall be registered who does not fulfill all the requirements of Delhi Excise Act, 2009 and the Delhi Excise Rules, 2010.

## **8. OTHER CONDITION OF REGISTRATION**

- a. Registration for the licensing period shall be subject to the general condition inter alia as contained under Rules 50,53 and 70 of the Delhi Excise Rules, 2010. The licensee shall abide by the provision of the Delhi Excise Act, 2009 and the Rules framed and orders/instructions issued there under from time to time and any law in force in the N.C.T. of Delhi relating to liquor.
- (i) Applicant shall have IEC Code (Import Export Code) & FASSAI licence.
- (ii) Applicant shall have valid Custom licence as well as Custom Bonded warehouse (public or private) for the financial year 2016-17.
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- (iii) For every consignment of liquor to be exported out of Delhi or to be supplied to Embassies shall be transported only after payment of fee and after obtaining requisite Export pass/Embassy pass.
  - (iv) Duty on foreign liquor exported out of Delhi shall be payable by the dealer before grant of Export Pass at such rates as may be notified from time to time.
- b. For every bill of entry dealer has to obtain permit/passes from the Excise Department as per provisions of the Act/Rules, failure to comply the conditions by the dealer shall liable for action under the provisions of Delhi Excise Act, 2009 & Delhi Excise Rules, 2010 besides other provisions of applicable laws.
  - (i) Import Permits explicitly indicating the brand name of liquor, size and the quantity to be imported.
  - (ii) Proof of brand and label registration of the brands in favour of licensees where the liquor consignments is to be imported.
  - (iii) EVC of the consignment exported shall be submitted within 21 days of dispatch of export consignment along with copy of GRE.
- c. These terms and conditions, unless repugnant to the express provisions of the Delhi Excise Act, 2009 and the Rules made thereunder, shall be in addition to the provisions of the said Act and the Rules which are deemed to be incorporated in these guidelines as if they are expressly set out herein. Applicants are advised to access, read and understand the same before applying.
- d. All the licensee will be bound by the provisions of Delhi Value Added Tax (VAT) Act, 2004 as already implemented in NCT of Delhi w.e.f. 01.04.2005 and as amended from time to time.
- e. It will be mandatory to mark across the label as "For Diplomatic Supply Only" or "For Duty Free Shop Only" in the labels of Foreign Liquor in red colour (minimum 20% of the lable size) for the supplies meant for diplomatic supply and duty free shop as the case may be.
- f. The dealer has to file a return before 15<sup>th</sup> day in every month with reference to ex-bond bill of entry cleared from the Custom on his own IEC code or Embassy code or duty free consignment in the prescribed format attached at annexure.....
- g. The dealer shall adhere to all instructions/orders of the Department regarding supply of consignment to the diplomatic missions/Embassies and for export of liquor.
- h. The licensee shall not sell any liquor not conforming to the specifications prescribed by the Commissioner or if he has not prescribed any specifications, to the specifications laid down by the Indian Standard Institute now known as Bureau of Indian Standards or any international specification. The consignment of liquor should be free from sedimentation of foreign particle.



- i. The registration shall be subject to the acceptance of the guidelines as a whole and the licensee should adhere to all provisions of Delhi Excise Act, 2009, Delhi Excise Rules, 2010 and terms & conditions.
- j. The licensees are required to make the arrangement of the following in Bonded Ware House to ensure successful implementation of Excise Supply Chain Information Management System (ESCIMS):
  - (i) Latest Specs Desktop with Win 7 Operating System, Anti Virus (with latest patches).
  - (ii) UPS for adequate capacity to support equipment incase of power shutdown.
  - (iii) High speed Broadband Internet Access with Wi-fi enablement in the operating area
  - (iv) Laser/Inkjet Printer
  - (v) Adequate Number of Trained Manpower to manage simultaneous operations
  - (vi) Licensee has to print the bar code on the stationary to be supplied by the Department for which fee @ Rs. 0.25/- + Service Tax shall be borne by the licensee. This procedure shall be implemented during the current financial year where bar code shall be printed on the stationary to be supplied by the Department.

Note: \*The figures given above for implementation of ESCIMS is indicative only. The Licensing Authority will judge the sufficiency of the no. of HHT & other hardwares at the time of grant of License.

## **9. GRANT OF REGISTRATION**

- a. All the applications for registration shall be subject to acceptance by the competent authority, who, may accept or reject applications. The licensing authority or the Government shall be under no obligation to registered any dealer for which application has been made.
- b. An applicant whose application is accepted, on being informed, shall immediately.

## **10. LABELS**

The licensee shall be bound to abide by the instructions of the department to affix any additional label containing such information as required and directed by the excise department.



**11. SECURITY**

The licensee shall be bound to deposit security, as decided by the competent authority, as and when asked by the Department.

**12. PREMISES**

a) The registration shall be done only to the applicants who are holding a custom Approved Bonded Warehouse Licence or having space allotted in the Customs Approved Bonded Warehouse or any other BWH/Warehouse licence subject to submission of NOC from Custom Department.

**PAYMENT**

12.1 The licensee shall make all the payments to the Government in connection with the operation of his registration by bank draft drawn in the name of the Deputy Commissioner (Excise), Government of National Capital Territory of Delhi.

12.2 The dealer shall pay interest @12% p.a. from the date on which any payment recoverable from him under section 30 of the Delhi Excise Act,2009 becomes due to the Government until the date such payment is actually made or such amount is actually recovered, whatsoever, may be the reason for the lapse of time before payment is made or recovery is affected.

12.3 The dealer shall not be entitled to any interest or any other relief or compensation on account of any delay in the payment of any amount to him by the Government.

**13. PROHIBITION**


a. In pursuance of the Directive Principles of the State Policy relating to prohibition, contained in Article 47 of the Constitution of India, the Government of the National Capital Territory of Delhi may issue orders and directions from time to time and such orders and directions shall be binding on the licensee and no compensation shall be payable on that account.

b. The dealer shall also abide by the following prohibition measures namely:

i) The dealer shall not display any neon or glow signs in and around the registered office premises to attract customers.

ii) The dealer shall display a notice board prominently in front of the registered premises declaring that "Drinking of Liquor is injurious to health".

- iii) The dealer shall not keep or distribute, sell or publish/have displayed any advertising material of its liquor product or products having similar nomenclature which are directly or indirectly likely or intended to promote the sale or consumption of liquor by way of advertising in newspapers, hoardings, banners etc. Eco-friendly carry bags with advertisements/messages can, however, be supplied to the patrons subject to such advertisement/messages not exhorting people to take to drinking.
- iv) No dealer shall advertise its liquor products or any product having similar nomenclature as liquor products unless such advertisement conforms to the program codes and advertisement code s laid down in the Cable Television Network Rules, 1994.
- 14.** The dealer shall be bound to furnish any information in connection with registration truly and faithfully within time prescribed by the Commissioner or the Deputy Commissioner or the Assistant Commissioner or the Excise Officer. Refusal to furnish the information, furnishing of false information or non-compliance of the order will be regarded as breach of the terms and condition of the licence. Breach of terms and conditions may also result in non-issue of import/transport permits and suspension /cancellation of licence.
- 15.** The Deputy Commissioner reserves the right to cancel or suspend registration as per provisions of Section 17 of the Delhi Excise Act, 2009.
- 16.** The Government reserves the right to review the manner of levying export pass fee/embassy pass fee and amount of duties /fee etc. to be paid/payable, in case there is any amendment/change in law/rules related to liquor & bonded warehouse in Delhi during the period of registration. The changes, if any, shall be binding on all the registered dealers.

  
(SANJAY KUMAR)  
COMMISSIONER (EXCISE)