

DEPARTMENT OF EXCISE, ENTERTAINMENT & LUXURY TAX
GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
L-BLOCK, VIKAS BHAWAN, I.P. ESTATE, NEW DELHI-110002

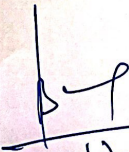
F.No L2(10)/IMFL/EX/2008-09/2021

Dated: 17/11/2021

CIRCULAR

Subject- Intimation regarding process flow along with documents required for application/grant of L-7V licenses in non-conforming areas.

1. The Council of Ministers vide decision no. 2994 dated 15.04.2021, 3003 dated 21.05.2021 and 3009 dated 23.06.2021 approved the Excise Policy for the year 2021-22 along with the detailed terms and conditions for the grant of various categories of license including retail licenses. The retail licenses have been granted for 31 zones through an e tendering process.
2. The Government vide para 2.3 of the terms and conditions for the grant of retail license in form L-7V, has approved that ***"The carpet area of the retail vend holding license in form L-7V should not be less than 500 sq. feet (An exception with the approval of the Government could be made only for vends in non-conforming areas) and not more than 2000 Sq Feet."***
3. Further, vide para 8.2 of the terms and conditions for the grant of retail license in form L-7V it has been approved that ***"The license premise shall not lie in a non-permissible area. In case, the license premise lies in a non-permissible area, the same may be considered with the prior approval of the Government."***
4. Also vide para 3.4.10 of the tender document floated for grant of zonal retail licenses, it was stated that ***"the licensed premises shall not lie in a non-conforming area. In case, the proposed premises lies in non-conforming area, the same may be considered with the prior approval of the Government."***
5. The Government vide Cabinet Decision No 3047 dated 05.11.2021 has approved the following regarding opening of retail liquor vend in non-conforming area:-
 - a. The applications for grant of L-7V license may be considered subject to the condition that no conforming area category exists in that particular ward in which the zonal retail licensee plans to open the retail vend. Further, two mandatory vends may be permitted to be opened in those wards which have no conforming area, i.e. have 100% non conforming areas only.
 - b. The opening of two mandatory vends in non conforming wards may be permitted based on an affidavit (**Annexure I**) to be furnished by the L-7Z licensee that there is no conforming area in the ward.


12-11-2021

c. In case, any municipal ward is found to be having conforming area, the L-7Z licensee shall be bound to shift his retail vend to a conforming area in accordance with the terms and conditions of the license within thirty days of issue of notice by the department.

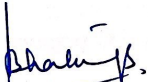
d. The minimum carpet area of the Mandatory Vend should be 500 sq. feet in wards having no conforming areas.

e. The opening of a retail vend in non-conforming area is subject to obtaining the requisite approval from DDA and concerned MCD by the licensee as applicable in accordance with rules in place on the subject.

6. The department has already communicated a detailed process flow required to be followed by the licensees for grant of L-7V license vide communication no F.No.2/Excise/IMFL/L-7Z/L-7V/2021-22 dated 10/09/21. The same process flow will be followed for the grant of L-7V license for vends in the non conforming areas. The list of documents to be submitted along with the L-7V application for non conforming area for ownership proof and land use status is enclosed as **Annexure- II**.

7. The zonal retail licensees are hereby requested to promptly apply for the grant of the retail license in form L-7V for their vends lying in the municipal wards that have no conforming area after complying with the conditions listed at para 5 & 6 and submit a physical copy of the application form alongwith all the requisite documents as per **Annexure III**.

This issues with the prior approval of Commissioner (Excise)


Pankaj Bhatnager


Assistant Commissioner (Excise)

Copy to:-

1. All L-7Z licensees.
2. Assistant Commissioner (IMFL)
3. System Analyst to upload the circular on the official website of the Department.
4. Assistant Commissioner (ESCIMS) to upload the circular on ESCIMS portal.

Copy for information to:-

1. Secretary (Finance), GNCTD, Delhi Secretariat, IP Estate, New Delhi 110002.
2. Addl. Secretary to Hon'ble Chief Minister, Delhi Secretariat, IP Estate, New Delhi 110002.
3. Secretary to Hon'ble Deputy Chief Minister, Delhi Secretariat, IP Estate, New Delhi 110002.


Pankaj Bhatnager 28/11/20
Assistant Commissioner (Excise)

Format of the affidavit to be submitted regarding non-availability of conforming area in the ward

AFFIDAVIT

I _____ director/partner/proprietor- authorized signatory of M/s _____ hereby affirm and declare that –

1. I am a L-7Z licensee having license ID _____ for zone _____ comprising wards _____.
2. I hereby state that ward no. _____ ward name _____ which is part of my L-7Z license doesnot have any conforming area i.e. Commercial/LSCs/CSCs/Notified Commercial Areas and Industrial areas (in accordance with the provisions of the master plan) for opening of L-7V vend.
3. I shall open two mandatory vends in the above said ward which has no conforming area i.e have 100% non-conforming area only.
4. Further, in case, if at any point of time, the said municipal ward having ward name and ward number falling under zone is found to be having conforming area, I shall be bound to shift my retail vend to a conforming area in accordance with the terms and conditions of the license and the tender conditions within thirty days of issue of notice by the department.

DEPONENT

Verification:

Verified at New Delhi on this _____ day of _____ that the contents of the above affidavit are true and correct to the best of my knowledge and belief.

DEPONENT

List of the documents required to be submitted by the applicant/L-7Z licensee for respective land use category in non-conforming areas along with the ownership proof shall be as under:-

S.No	Land use	Documents required for land use status	Documents required for ownership
1	Residential (Unauthorized colony, Regularized Unauthorized colony, Lal Dora Land)	Conveyancedeed/ authorization slip issued by DDA/Lal Dora Certificate (In case none of the above documents is available, an affidavit regarding land use of the premise)	Sale Deed/ GPA/ Lal Dora Certificate/ Lease Deed
2	Mixed Land use	(i) Copy of notification by UD Department, GNCT of Delhi (ii) Letter/Certificate/ Clarification issued by MCD for mixed land use	Allotment letter/Sale Deed/ Lease Deed
3	Agriculture	Khatakhatauni (in case KhataKhatauni is not available, an affidavit regarding land use of the premise)	Khatakhatauni/ sale deed/ Lease Deed
4	Industrial Area That does not fall under the provision of Para (vi) of the notes given under table 7.3, "Industrial units / plots abutting roads of 24m ROW and which have been converted to commercial use within the existing development control norms" and the units/ plots that are under non-conforming/ regularized industrial cluster.	Letter/Certificate/ Clarification issued by MCD/ land owning agency for industrial land use	Allotment letter/ Sale Deed/ Lease Deed

Checklist for opening of retail liquor vend in non-conforming area

1	Copy of Application for grant of L-7V license generated online
2	Affidavit regarding non availability of premise adhering to conforming area norms in the ward, wherein the L-7V vend is proposed
3	A letter/ certificate conveying requisite approval regarding opening of retail liquor vend in that particular premise from DDA and concerned MCD by the licensee as applicable in accordance with rules in place on the subject.
4	Proof regarding legal and physical possession and ownership of the proposed premise for L-7V vend (i.e. Allotment letter from concerned agency/Sale Deed/ Khata khatauni/ GPA (complete chain))
5	Rent Agreement/Lease deed (if the premises is not owned)
6	Proof regarding land use status for premise being in non conforming area
7	NOC from Owner of Premises for opening of liquor vend in the premises (if the applicant is a lessee or a tenant) (unless already specified in the rent deed/lease deed)
8	NOC from co-owner/s if premises is jointly owned
9	Affidavit regarding non-pendency of any suit in any court of law regarding the ownership and possession of the proposed premises for L-7V Vend
10	Affidavit regarding eligibility as per Excise Rule 51(1), 51(2), 51(3), 51(4), 51(6), 51(11), 51(12), 51(13), 51(14), 51(15) of Delhi Excise Rules, 2010
11	Affidavit regarding eligibility and compliance as per T&C for grant of L-7Z/L-7V license
12	Affidavit regarding land use status.
13	Layout plan of the site of proposed L-7V.
14	Site Plan of the premises (duly certified by a registered architect) in which proposed L-7V vend is located clearly showing the proposed premises
15	Copy of Insurance against fire and other natural calamities
16	Undertaking regarding completion of all civil and electrical work before commencement of business
17	Any other document as required by Excise Department