

I/209286/2023



**GOVERNMENT OF JAMMU & KASHMIR**  
**OFFICE OF THE EXCISE COMMISSIONER, J&K**  
**EXCISE AND TAXATION COMPLEX, RAIL HEAD, JAMMU**  
**E-mail: excise.commr@jk.gov.in**


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**Subject:** Permission for Grant of Lease by the Licensed Premises (JKEL-6A License).

**Reference:** Para 1.7 and para 2.5.5 of the J&K Excise Policy 2023-24 (S.O No. 172 dated 28.03.2023).

**ORDER No:** 61 EC of 2023  
**DATED:** 29 /04/2023

In the interest of Government revenue and in terms of provisions under para 1.7 and para 2.5.5 of the J&K Excise Policy 2023-24 (S.O No. 172 dated 28.03.2023), and as per recommendations of the designated Committee, the procedure (Annexure-I to III forming part of this order) for grant of JKEL-6A license for bottling on leased out production line of existing liquor manufacturing units in Jammu & Kashmir (JKEL-6/D-2 licenses), is hereby issued/notified.

  
**(Pankaj Kumar Sharma) JKAS**  
Excise Commissioner, J&K Govt

Encl: A/A

No: EC/Exc/Misc/F-128/995-1008

Date: 29 -04-2023

**Copy to the:**

1. Deputy Excise Commissioner (Executive), Jammu/ Kashmir.
2. Deputy Excise Commissioner (Distilleries), Jammu.
3. Deputy Excise Commissioner (Accounts), Jammu.
4. Private secretary to the Administrative Secretary, Finance Department, Civil Secretariat, J&K, Jammu for kind information of Administrative Secretary.
5. Excise and Taxation Officer, City Excise Range, (North/South), Jammu, Excise Range Udhampur-Reasi, Doda-Kishtwar-Ramban, Kathua, Samba, Rajouri-Poonch, Srinagar-Budgam-Ganderbal, Distilleries, Eradication Wing Jammu, Accounts Kashmir, Anantnag-Pulwama-Kulgam-Shopian, Baramulla-Kupwara-Bandipora, Distilleries.
6. Sr. Programmer I/c website Jkexcise.nic.in
7. Order file/concerned file.

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## ANNEXURE - I

### PROCEDURE FOR GRANT OF JKEL-6A LICENSE

#### Definition

The Jammu and Kashmir Excise Policy 2023-2024 notified vide S.O. 172 dated 28-03-2023 under para 2.5.5 provides for grant of permission in favour of existing manufacturing units to lease out their premises by grant of JKEL-6A License. This JKEL 6-A licence is a Bottling Licence on leased out production line of JKEL-6/D-2 Licences and is granted to the established liquor firms for bottling of quality liquor brands on the leased-out production line(s) of the existing liquor manufacturing units in Jammu and Kashmir.

#### Procedure for Issuance of License

1. JKEL-6/D-2 Licensee desirous of leasing out their bottling line shall apply to Excise Commissioner along with the DETAILED PROJECT REPORT and Consent Letter from the proposed lessee.
2. Excise Commissioner shall seek feasibility report from Deputy Excise Commissioner, Distilleries.
3. Deputy Excise Commissioner, Distilleries, after examining the viability/ potential of the proposed lease arrangement, shall submit a DETAILED REPORT along with an UNDERTAKING from the JKEL-6/D-2 licensee to the Excise Commissioner to the effect that he/she shall be responsible for all the omissions/defaults on the part of the proposed lessee and that he shall be liable for any non-payment of Excise dues by the proposed lessee.
4. If viable for lease out arrangement, the Excise Commissioner shall ask the Deputy Excise Commissioner Distilleries to process the case for issuance of license.
5. Deputy Excise Commissioner Distilleries shall seek following documents from the applicant for further processing of the case: -
  - i. Proposed Blue prints indicating the area to be leased out (5 Nos.). In case any alteration/addition is required in the existing approved blueprint, processing fee prescribed under Rule 39(a) of Liquor Licence and Sale Rules, 1984 shall also be deposited.
  - ii. Processing fee (Non-Refundable) as per Excise Policy.
  - iii. Lease Deed
  - iv. Character Certificate of lessee from the Senior Superintendent of Police.
  - v. Age certificate Document of the lessee
  - vi. Health Certificate of the lessee by a Registered Medical Practitioner.
  - vii. PAN Card of lessee
  - viii. Financial position certificate issued by any Bank in favour of lessee.
  - ix. No Due Certificate in respect of lessee from State Taxes Department.



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- x. Affidavit from the Lessee to the effect that there is nothing outstanding against him/her on account of arrears of Excise/State Taxes Department and that he/she is not convicted of any non-bailable offence by a criminal court or convicted or reasonably suspected of committing or conniving at the commission of any non-bailable offence under the J&K Excise Act Svt., 1958 or The Opium Act or The Dangerous Drugs Act, 1930.
6. The Deputy Excise Commissioner, Distilleries shall recommend the case to the Excise Commissioner along with all the documents/reports.
7. After scrutinizing the case, the Excise Commissioner, J&K may issue JKEL-6A license on the production of following documents by the Lessor: -
  - a) Prescribed License fee as per the J&K Excise Policy or as notified by the Government from time to time.
  - b) Bank Guarantee by the lessee amounting to Rs. One Lakh.
  - c) Surety Bond by the lessee amounting to Rs. Five Lakh attested by 1<sup>st</sup> class Magistrate as security for the fulfilment of all the conditions of the licence.
  - d) The Lessor shall execute a bond sworn before 1<sup>st</sup> class Magistrate to the effect that any liability on part of the lessee over and above the security deposited by him, shall be the responsibility of the lessor and the Excise Department may liquidate any security already pledged by the lessor for discharge of any such liability of the lessee.
  - e) Counterpart agreement by the lessee.
  - f) Six photographs of lessee.

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## ANNEXURE - II

### CONDITIONS OF OPERATION

**Operation of JKEL-6A License is subject to the following terms and conditions:**

1. The grant of Bottling license on leased out production line of JKEL-6/D-2 license shall be subject to the rules applicable to D-2/JKEL-6 license.
2. Licensee shall comply with all the provisions of the J&K Distillery Rules 1946 in so far as they are applicable to the bottling and maintenance of accounts of Liquor.
3. The lessor shall provide separate storage tanks, blending tanks and vessels to lessee so that the spirits and other material of both the parties should not get intermingled or stored in common containers.
4. Each vessel shall have legibly painted on it the number, capacity, use to which it is applied and the name and style of the lessee.
5. The name and style of JKEL-6A License along with bottling line number shall be displayed at a conspicuous place demarcating the leased-out bottling line.
6. Raw Material and Finished Goods of JKEL-6A licensee shall preferably be stored in separate room/bond. In case the existing room/bond is to be shared, the portions of room/Bond to be used by the two licensees shall be separated with mesh/Grill and the portion to be used by JKEL-6A Licensee shall bear the name and style of the licensee at some conspicuous place.
7. The lessee shall maintain registers as prescribed in JK Distillery Rules, 1946.
8. The lessee shall pay all duties/fees as the government may prescribe from time to time.
9. Any excise dues payable by the lessee, if remain unpaid for more than 3 months, shall be recoverable from the lessor.

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ANNEXURE - III

License JKEL-6A

OFFICE OF THE EXCISE COMMISSIONER  
JAMMU AND KASHMIR

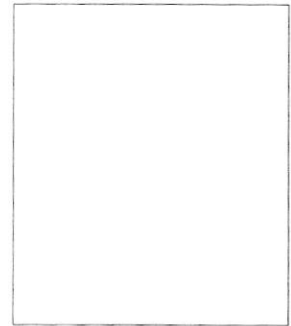
Bottling license on leased out production line of JKEL-6/D-2 licenses

License No

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1) Name and other particulars of the Licensee.

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2) Particulars of the Licensed Premises (Leased out) as per approved

Blue Prints

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(One copy of the approved Blue Print to be attached with this License)

3) Period for which the license is granted

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This license is issued subject to the terms and conditions recorded overleaf and to such other rules for the security of the revenue as the Government of Jammu and Kashmir, or any authority empowered by them in this behalf may issue from time to time, the infringement of any of the conditions shall render the license liable to suspension or cancellation at the discretion of the Excise Commissioner.

Date of issue .....

Excise Commissioner  
J&K Govt.

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**Terms and Conditions of License**

1. The licensee shall observe the provisions of Jammu and Kashmir Excise Act, Svt. 1958 and all rules made under any other law for the time being in force applicable to the transportation and storage or spirit and blending and bottling, issue and sale of Indian Made Foreign Liquor.
2. The licensee shall comply with all the provisions of the Jammu and Kashmir Distillery Rules in so far as they are applicable to the blending, bottling, issue, sale and maintenance of accounts of Indian Made Foreign Liquor.
3. The licensee shall not set up any facility or implement for distillation or re-distillation of spirit
4. The licensee shall make his own arrangement for spirits from local or outside distilleries on payment of such duties and levies as the Government may fix from time to time. The Government of Jammu and Kashmir or Excise Department shall undertake no responsibility to allot potable spirit to the licensee out of inter-state allocation of spirit by Government of India.
5. A statement of the number, size, description and capacity of the Storage tanks, blending vats and bottling machines which the licensee may use, maintain or erect under the licence are annexed to this licence.
6. The blueprint of the leased-out premises to be used for blending and bottling and for storage and other purposes connected with the business of the blending and bottling shall be approved by the Excise Commissioner before the licensee starts blending and bottling of Indian Made Foreign Liquor. The licensee shall not without the sanction of Excise Commissioner make any alteration in machinery and equipment.
7. The licensee shall at all times maintain the leased-out premises in a state of efficiency and good repairs to the satisfaction of the Deputy Commissioner Excise.
8. The licensee shall furnish true statements as may be required by the Deputy Commissioner Excise in the form prescribed by rules.
9. The licensee shall comply with all directions of the Excise Commissioner regarding the character or purity of the liquor to be manufactured, the stock of spirit or materials to be maintained and all other matters in which compliance is prescribed by rules made under the Jammu and Kashmir Excise Act, 1958.
10. The licensee shall deposit annual license fee before the close of financial year.



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11. The licensee shall not discontinue the working (except in the case of closure for clearing or repairing) without giving six months' notice in writing to the Deputy Commissioner Excise of his intention to cease work. The licensee shall continue to fulfil the conditions of the licence during the currency of the notice.
12. If the licensee infringes, or causes or permits any person to fringe any of the conditions of this licence, the Excise Commissioner may forthwith revoke and determine the licence and forfeit to the Government the whole or any part of the deposit made by the licensee.
13. The licensee shall pay regularly and by due date all payments which may become due to Government and in default thereof, the Excise Commissioner may forfeit the whole or any part of any security furnished by him.
14. If the licensee from any cause, physical or mental, becomes incapable of carrying on business or dies or becomes insolvent, or (in case the licensee is a company) is wound up, the Excise Commissioner may either cancel the licence, or may allow to continue it in the name of the legal representative of the licensee.
15. Upon the revocation, cancellation or determination of the licence under the preceding conditions, the licensee or his representative shall forthwith cease to use the leased area for the purpose for which they were licensed. Neither the licensee nor any other persons shall be entitled to any compensation or damages whatsoever, in respect of revocation, cancellation or determination of the license.

(Sd.)

Excise and Taxation Commissioner.

Dated.....

