

I/209286/2023




GOVERNMENT OF JAMMU & KASHMIR
OFFICE OF THE EXCISE COMMISSIONER, J&K
EXCISE AND TAXATION COMPLEX, RAIL HEAD, JAMMU
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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.


29.04.23
(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.

I/209286/2023

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.



I/209286/2023

- 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 1st class Magistrate as security for the fulfilment of all the conditions of the licence.
 - d) The Lessor shall execute a bond sworn before 1st 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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