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THE UTTAR PRADESH EXCISE (SETTLEMENT OF LICENSES FOR WHOLESALE OF FOREIGN LIQUOR) RULES, 2002

In exercise of the powers under section 41 of the United Provinces Excise Act, 1910 (U.P. Act no. 4 of 1910), read with section 21 of the Uttar Pradesh General Clauses Act, 1904 (U.P. Act no. 1 of 1904), the Excise Commissioner, Uttar Pradesh with the previous sanction of the State Government hereby makes the following rules with a view to **amend** the Uttar Pradesh Excise (Settlement of Licenses for Wholesale of Foreign Liquor) Rules, 2002, namely:-

- 1 Short title and commencement-(1) These rules may be called the Uttar Pradesh Excise (Settlement of Licences for Whole Sale of Foreign Liquor) Rules, **2002**
- 2 Definitions-In these rules, unless there is anything repugnant in the subject or context-
 - a."Act" means the United Provinces Excise Act, 1910 as amended from time to time;
 - b."Additional Consideration Fee" means difference amount obtained as a result of rounding off the maximum retail price of foreign liquor/beer to the next multiple of rupees, which shall be payable at Distillery/Brewery level and recoverable by Distillery/Brewery from wholesale supplier in addition to Ex-Distillery/Ex-Brewery Price and which in turn could be recovered by wholesale supplier from retail licensee in addition to maximum wholesale price;
 - c.Additional License Fee- means the leviable sum in the form of consideration for the exclusive privilege of wholesale supply of foreign liquor/ beer/wine/LAB to be made by the licensee of FL- 2/FL-2B in the other district for whom FL-2/FL-2B License could not be sanctioned or where supply is interrupted in addition to the district for which License has been granted and which shall have to be deposited in accordance with the procedure laid down by Excise Commissioner with the approval of State Government;
 - d."Beer" includes ale stout, porter, cider and all other fermented liquors made from Malt having alcoholic strength from 3% v/v upto 8% v/v;
 - e."Consideration Fee" means a fee for foreign liquor, wine, beer and low alcoholic beverages as fixed by the State Government under section 30 of the Act, which shall be deposited in treasury by the licensee prior to supply;
 - f."Excise Year" means the financial year commencing on 1st April and ending with 31st March of the next calendar year;
 - g."Family" means and includes spouse (husband or wife), dependent son(s), unmarried daughter(s) and dependent parents;

- h. "Foreign liquor" means and includes spirit or liquors imported in India or spirit or liquor made in India and to sophisticated or colored so as to resemble in flavor or color liquor imported into India and includes Malt spirit, Whisky, Rum, Brandy, Gin, Vodka and liquors;
- i. "Form" means a form appended to these Rules;
- ii. "Importing unit" means either a brand owner or principal importer or any person or entity authorized to import liquor into the country;
- 1 Uttar Pradesh Excise (Settlement of Licences for Wholesale Sale of Foreign Liquor) (15th Amendment) Rules, 2024
- 2 Uttar Pradesh Excise (Settlement of Licences for Wholesale Sale of Foreign Liquor) (14th Amendment) Rules, 2023
- iii. "Individual" means a person who is the citizen of India not below the age of 21 years at the time of making application for the grant of License;
- iv. "Licensing Authority" means the Excise Commissioner, Uttar Pradesh;
- v. "License Fee" means the consideration for grant of License for exclusive privilege of wholesale of foreign liquor under section-24A of the Act, payable by the Licensee, preferably through e-payment, before the License is granted to him, on such rates as notified by the Excise Commissioner with the previous sanction of the State Government;
- vi. "Low Strength alcoholic beverages" means the carbonated alcoholic beverages having alcohol up to 5% v/v and above 5% v/v to 10% v/v manufactured from Extra Neutral alcohol (E.N.A.) and sophisticated by addition of flavoring or coloring matter or both and any other material so as to give it a special flavor;
- vii. "Overseas foreign liquor" means beer, spirit, wines and liquors, which have been imported into India and are intended for human consumption, and are liable, on such importation, to duty under Custom Tariff Act, 1975 read with Customs Act, 1962;
- viii. "Portal" means the electronic platform created specifically for the purpose of uploading information in the prescribed form with regard to the process of manufacturing liquor up to the stage of its distribution;
- ix. "Security Amount" means that amount which is to be deposited through **Fixed Deposit Receipt** pledged in favour of Excise commissioner Uttar Pradesh, or through e-payment and refundable after the final settlement of all the claims and dues to the State Government. The security amount shall be 10% of the License fee:
- Provided that in case of renewal security deposited prior in cash/e-payment or through National saving Certificate or Bank Guarantee shall be acceptable till it is not refunded;
- (r) "Solvency" means financial eligibility criteria set for an applicant applying for the grant of wholesale License;
- (s) "Wine" means the product obtained on alcoholic fermentation of grape juice or pulp or juice of any other fruit, natural or fortified the alcoholic content where of does not exceed 42% proof spirit;
- (2) Words and expressions not defined in these rules but defined in the Act shall have the meanings respectively assigned to them in the Act.

33- Period of license-

The period of license will be for one excise year or for its part for which license is granted, but license will be renewed or extended for next year on demand of the licensee on such terms and conditions decided by the State Government.

FL-1 and FL-1A licenses may be issued for three years on deposition of triple the amount of the prescribed license fee. Provided that this licence shall remain valid till the validity of the concerned FL-3/FL-3A licence. Application form for new license or renewal of license shall be submitted and granted online.

44- Types of wholesale Licences for foreign liquor, beer, wine and Low Alcoholic Beverages-

- (1) There shall be Six types of licences for wholesale of foreign liquor, beer, wine and Low Alcoholic Beverages i.e.

(a) Licence in Form FL-1 for wholesale of the foreign liquor, beer, wine and Low Alcoholic Beverages shall be granted to distilleries/breweries/ vinteneries situated in the State of Uttar Pradesh on prepaid consideration fee;

Provided that those vinteneries situated in the State which are bottling wine for the first time and are eligible for exemption in consideration duty shall not be required to obtain FL-1 licence.

3Uttar Pradesh Excise (Settlement of Licences for Wholesale Sale of Foreign Liquor) (12th Amendment) Rules, 2021
 4Uttar Pradesh Excise (Settlement of Licences for Wholesale Sale of Foreign Liquor) (14th Amendment) Rules, 2025

(b) Licence in form FL-1-A for wholesale of foreign liquor, beer, wine and Low Alcoholic Beverages, manufactured by distilleries breweries and vinteneries situated outside the State of U.P. and by whom Licence in Form FL-3-A has been taken for bottling of foreign liquor, beer, wine and Low Alcoholic Beverages and shall be granted on prepaid consideration fee;

(c) Licence in Form FL-2 shall be granted for wholesale of foreign liquor, wine, low alcoholic beverages and overseas foreign liquor and wine for sale to the retail licensed vendors;

(d) Licence in Form FL-2-A shall be granted for wholesale of foreign liquor, beer, wine and Low Alcoholic Beverages and overseas foreign liquor to licensed wholesale and retail vendor of military/Paramilitary forces;

(e) Licence in Form FL-2-B shall be granted for wholesale of beer, wine and low alcoholic beverages as well as imported beer /low alcoholic beverages for sale to retail licensed vendors;

Provided that supply of wine and low alcoholic beverages in glass bottles will be permissible to civil/military/paramilitary forces.

(f) Licence in Form BIO-1 shall be granted to importing units for opening vend for wholesale of overseas foreign liquor. This Overseas foreign liquor from other Countries shall be brought under the import of overseas foreign liquor in Uttar Pradesh Rules-2003;

It will be mandatory for the importing units doing business of overseas imported liquor through any custom bond of the state to obtain BIO-1 license for selling the overseas imported liquor through wholesale or prescribed retail licenses of the state

(2) The Aforesaid importing units shall fulfill the following eligibility criteria :-

a. It shall have a custom bond warehouse or allocation of space in custom bond warehouse within Uttar Pradesh, established under the provisions of Import of Overseas foreign liquor in Uttar Pradesh Rules, 2003;

b. It shall be registered on the portal of the Excise Department within in the state on payment of license fees and deposit of security as prescribed by the Excise commissioner with the previous approval of the State Government;

(i) The importing units doing business of overseas imported liquor through any customs bond in the State, with the prior approval of the State Government, shall be granted overseas wholesale or prescribed retail licenses of the State on depositing the license fee and security as prescribed by the Excise Commissioner. BIO license will be issued for selling imported liquor;

Provided that if the BIO-1 licensee wishes to obtain licence in any other Municipal Corporation district or in the district of Divisional Headquarters, then he can obtain BIO-1A licence by depositing the prescribed licence fee, in which he will get all the facilities of BIO-1.

(ii) Under the BIO license of any district, only one custom bond located in the same district will be associated, but in any one custom bond, more than one importing units can be linked to their BIO licenses by allotting separate spaces;

(iii) In addition to the information required in the application form submitted for BIO license, it will be mandatory to upload the required details of the custom bond to be attached and the certificate of allotment of space into the portal. For the operation of every BIO license, it will be mandatory to have a bonded liquor warehouse whose premises will be in the same district and outside the premises of the concerned customs bond. BIO 1 license will be operated as per the Uttar Pradesh Excise (Arrangement of Licenses for Wholesale Sale of Foreign Liquor) Rules, 2002 (as amended) and the instructions given from time to time;

(iv) All the importing units registered on the portal of Uttar Pradesh Excise Department will pay the custom duty from their BIO located in the state to any wholesaler/retailer outside the state (except Custom Bond) who has a valid import permit. For export of paid liquor, online export permit will be compulsorily obtained from the concerned District Excise Officer and clearance (export) of the concerned liquor will be done only through the transport pass issued through the portal of Uttar Pradesh Excise Department. This said clearance will be done by depositing the permit fee at the rate prescribed by the

Excise Commissioner with the prior approval of the export state government.

(v) It will be mandatory for each BIO licensee to get the license wise approval/registration of all the brands and labels of imported liquor sold overseas in the wholesale licenses and prescribed retail licenses of Uttar Pradesh by following the prescribed online process and depositing the prescribed fees. For this, authorization letter from the brand owner or the concerned brand owner in India/major importer of the brand will not be mandatory.

(vi) BIO-1 license will allow transportation of liquor in the same vehicle to multiple destinations.

c. It shall declare the details of custom bonded ware houses in which liquor shall be imported and stored;

d. It shall declare and obtain approval of Excise Commissioner for the warehouse outside custom bond of concerned district in which overseas foreign liquor de-bonded from custom bonded ware houses shall be stored before sale in U.P.;

e. The importing unit may procure overseas foreign liquor from any custom bond in the country;

f. It may either sell to authorized persons within the state or to transfer stock to another importing unit within the state or transfer to other custom bonds located in other state or export to authorized persons in other states;

g. The brands of overseas foreign liquor shall be registered either by brand owner or its authorized principal importer or any other authorized importing unit. Upon such registration all the importing units can sell and procure and no separate registration by each such unit is required:

Provided that free online registration of all those brands stored in custom bonds of the importing units will also be done, which will not be sold to wholesale/retail licensees of the State;

h. It shall be authorized to sell only those brands of overseas foreign liquor registered in the State;

i. BIO-1 license of the importing unit will be affiliated to only one custom bond located in the same district;

j. Importing units which:-

(i) is importing liquor directly into any of its custom bonds in the State or;

(ii) is receiving transfer of liquor from custom bonds of importing units located in other States or;

(iii) is transferring liquor to the custom bond of an importing unit located in other States or;

(iv) doing the transfer business of liquor in custom bonds of other importing units located in the State, will be registered on the Uttar Pradesh Excise portal by depositing the prescribed registration fee.

(5) It will be mandatory for the units dealing in any kind of overseas imported liquor in the state to get themselves registered on the prescribed portal of the Excise Department of Uttar Pradesh by paying the prescribed registration fee.

5-Application for grant of licence-

Application for grant of licence shall be made online on excise portal (www.upexciseportal.in) in the form prescribed by Excise Commissioner.

Note- UTTAR PRADESH EXCISE (SETTLEMENT OF LICENSES FOR WHOLESALE OF FOREIGN LIQUOR) (THIRTEENTH AMENDMENT) RULES, 2022

6. Grant of licence

(1)(a) The licence for wholesale of Foreign Liquor shall be granted by the Excise Commissioner or an officer authorized by him on submission of solvency certificate or certificate of owned property issued by authorized Income Tax Valuer bearing net worth not less than the requisite amount of licence fee. **In cases of approval of licence for wholesale of Foreign Liquor in mid-season, licence fees will be charged on quarterly basis:**

Provided that the license fee will also be deposited for the quarter in which the license is approved and payment of licence fee preferably through e-payment platform and deposit of security amount through Fixed Deposit Receipt pledged in favour of Excise Commissioner, Uttar Pradesh or through e-payment in accordance

with the provisions of these rules on application of applicants submitted online. The license in Form FL-2, FL-2B shall be in every district:

Provided that for the grant of license in Form FL-1, FL-1A and FL-2A, proof of solvency is not required.

In case of renewal, security deposited prior in cash or through National Saving Certificate / **Bank guarantee** shall be acceptable till it is not refunded and the solvency certificate or certificate of owned property issued by an income tax valuer during the settlement of previous year shall be acceptable if it is valid and is for the required amount.

- (aa) License in Form FL-2, FL-2B and BIO-1 may be renewed by Excise Commissioner or an officer authorized by him, subject to the terms and conditions prescribed by the State Government;
- (b) In case of grant new License or when ever any existing license in the form FL-2A is vacated (including the mutation of names) and its continuance and settlement with some other party is considered necessary; the Excise Commissioner shall grant / transfer the licence subject to the prescribed terms and conditions;
- (c) License in Form FL-1 and FL-1A shall be granted by the Excise Commissioner. These licenses may be renewed for next three financial years after depositing the prescribed dues. If justified and found in revenue interest, one or more FL-1/FL-1A licenses can be sanctioned outside the distilleries/breweries premises:

Provided that if any repugnant fact comes into notice in operation of those licenses, then the decision of the Excise Commissioner about the renewal of these licenses shall be final and obligatory.

- (2) The Licensee shall not be permitted to transfer or sublet the licence to any other person.

7- (1) License in form FL-2 and FL-2B shall be granted to any person who-

- (a) be a citizen of India,

or

is a partnership firm having not more than two partners, both being citizens of India. No change in partnership shall be allowed after allotment of shop(s).

6 Uttar Pradesh Excise (Settlement of Licences for Wholesale Sale of Foreign Liquor) (14th Amendment) Rules, 2023
7 Uttar Pradesh Excise (Settlement of Licences for Wholesale Sale of Foreign Liquor) (15th Amendment) Rules, 2024

Provided that if the license has been obtained by a person, then in the event of his death, as per the nomination affidavit (if any) given by the licensee, for the remaining period of the license, the license shall be in the names of the heirs/family members/close relatives of the deceased licensee, if not otherwise ineligible. Nominations for continuing as license holders will be considered as per the order of preference mentioned in the affidavit.

Provided further that in case of non-availability of nomination affidavit of the deceased licensee, his legal heir may continue to be the licensee for the remaining period of the license.

If the license is jointly obtained by two persons, then in the event of death of one of the persons, the surviving person and the nominee or legal heir of the deceased licensee selected as above, if otherwise eligible, continue to be the licensee for the remaining period of the license. Could. There will be no distinction between the legal responsibilities of both the persons and both will be jointly and severally liable.

Provided that the wholesale licensee can also submit a nomination affidavit regarding the transfer of the licence, in which he can mention the name of his heirs/family members/close relatives, Aadhaar number, relation etc. in first, second, third etc. order of preference. In cases of death, the applications submitted as per the nomination affidavit will be considered first, otherwise action will be taken as per the rules;

- (b) is above twenty-one years of age at the time of making application for the grant of License;
 - (c) is not a defaulter/ blacklisted or debarred from holding an excise License under the provisions of any rules made under the Act;
 - (d) does not possess any License for retail sale of Country Liquor, Foreign Liquor, Beer and Model Shop;
 - (e) submits an affidavit duly verified by notary public as proof of the following, namely:-
- (II) that he possesses or can arrange on rent a suitable premises in that locality for opening the shop in accordance with the provisions of Uttar Pradesh Number and Location of Excise Shop. Rules, 1968 as amended from time to time;

- (II) that premises of the shop as shown in sub clause (e)(1) has not been constructed in violation of any law or rules.
- (III) that he and his family members possess good moral character and they have no criminal background nor have been convicted of any offence punishable under the United Provinces Excise Act, 1910 or the Narcotics Drugs and Psychotropic Substances Act, 1985 or any other cognizable and non-bailable offence;
- (IV) that in case he is selected as licensee he shall furnish a certificate, prior to issuance of the License, issued by the District Collector or Superintendent of Police/Senior Superintendent of Police of the concerned district or an officer not below the rank of assistant commissioner of police nominated by the police commissioner of the concerning police Commissionerate of the District of which he is the resident, showing that he as well as his family members possess good moral character and they have no criminal background or criminal history;
- (V) that he shall not employ and salesman or representative who has criminal background as mentioned in clause (iii) or, who suffers from any infectious contagious diseases or is below twenty-one years of age or a woman. Licensee shall have to obtain Naukarnama bearing photographs of his authorized salesman/ representative from District Excise Officer on payment of fee as prescribed by the State Government from time to time.
- (VI) that he is not in arrear of any public dues or Government dues,
- (VII) that he is solvent and has the necessary funds or has arranged the necessary funds, for conducting the business, the details of which shall be made available to licensing authority is required;
- (viii) that applicant is not involved in mafia activities, anti-social activities and organized offensive activities, if after issuance of License it is proved that he is involved in mafia activities, anti social activities and organized offensive activities then the allotted agreement/ lease/ contract shall be cancelled;
- (ix) that applicant is not an advocate registered with Bar Council. If he is found registered advocate after getting the License then the License shall be cancelled;
- (x) that he shall furnish the PAN no. along with his application for obtaining the License;
- (xi) that he shall be bearer of solvency certificate issued by a competent authority or of a certificate of owned property issued by the approved Income Tax Valuer and his networth shall be equivalent to not less than double the amount of the license fee.

8. Supply of foreign liquor.

- (a) The licensee shall procure supplies of Foreign Liquor in Bottles/Tetrapaks, Beer in Cans/ Bottles, Wine and Low Strength Alcoholic Beverages in Bottles of the prescribed capacity having label showing M.R.P. (Maximum Retail Price) a code under security system, affixed on it and approved by the Excise Department from distilleries, breweries and vinteneries that are Licensed manufactures of foreign liquor, beer, wine and Low Alcoholic Beverages or other wholesale shop after making full payment of consideration fee (including additional consideration fee) in advance through the electronic means and such other levies, taxes or cess as livable from time to time;
- (b) Licensee of FL-2 and FL-2B shall procure supplies of foreign liquor, beer, wine and low alcoholic beverage from BWFL-2A, **BWFL-2AA**, BWFL-2B, BWFL-2C, BWFL-2D and overseas foreign liquor from BIO-1 in bottles/cans/ tetrapacks having labels indicating M.R.P. (Maximum Retail Price), a code under security system as approved by Excise Department and on full payment of consideration fee (including additional consideration fee) in advance through the electronic means and such other levies taxes or cess as livable from time to time;
- (c) The licensee in form BIO-1 shall procure overseas foreign liquor from any custom bond in the country;
- (d) The licensee in form BIO-1 may export overseas foreign liquor to any person authorized by the designated authority of importing state, on payment of such fees as prescribed the Excise Commissioner, with previous approval of the state government. This export will be done through the transport pass generated from the excise portal after obtaining online export permit from the authorized officer;
- (e) Such custom bond holder shall be under obligation to furnish the details of liquor

being imported into and exported out of the state and such other details as prescribed by the Excise Commissioner;

(f) In case of non-availability of any type of brands of overseas foreign liquor at importing units, authorized persons may procure these brands under special permission of Excise Commissioner from custom bonds established in other states or Union Territories under provisions of import of overseas foreign liquor in Uttar Pradesh Rules, 2003;

(g) The importing units registered on the excise portal shall upload the details of custom bond to custom bond transfer of overseas liquor within the State and outside the State or outside State to within the State;

⁸Uttar Pradesh Excise (Settlement of Licences for Wholesale Sale of Foreign Liquor) (15th Amendment) Rules, 2024

(d) The importing units registered on the excise portal and doing business in the State will also be able to obtain liquor from the registered importing units of other States with the approval of the authorized officer. The details of receipt and dispatch of liquor in their custom bond along with re-ware housing certificate of the registered importing units will be uploaded on the portal within the stipulated time period.

9. Mode of Sale

(a) Licensee in form FL-1, FL-1A shall sell foreign liquor, beer, wine and Low Alcoholic Beverages to wholesaler (FL-2, FL-2A and FL-2B) of the State of Uttar Pradesh and shall not realize from them more than ex-factory price/ex-brewery price and consideration fee (including additional consideration fee) or any other tax or fee if any.

Provided that if a licensee in form FL3 or FL3A issued under The U.P Bottling of Foreign Liquor Rules, has a license in form FL1 or FL 1A at the same place, he may dispatch directly from FL3 or FL3A premises on payment of consideration fee (including additional consideration fee) or any other tax or fee if any.

(b)(i) Licence in form FL-2-A shall sell foreign liquor, beer, wine & Low Alcoholic Beverages **and overseas foreign liquor** to military canteens/Para military forces canteens having licence FL-9 and concessional rum to FL-9(A) licences. Licensee in Form FL-2-A while purchasing foreign liquor from FL-1 or FL-1-A shall record separately in the indent for the sale of rum by FL-9-A Licensee and shall separately give indent for the spirit in which rum, whisky, gin, vodka and brandy are included to be sold under FL-9 Licence and also shall store separately the rum to be sold under the licence in form FL-9-A in the wholesale Licensed premises.

(ii) For supply from other States, the licensee shall produce the list of brand registration in Uttar Pradesh of such distillery/brewery/ vintenary and deposit the consideration fee (including additional consideration fee) through e-payment platform in Government Treasury, according to the category of Foreign Liquor, minimum or as percentage of MRP for wine and according to the strength of the beer, Low Alcoholic Beverages the licensee shall produce the e-challan of consideration fee (including additional consideration fee) and e- challan of import duty to the District Excise officer of the concerned district who will issue the import permit. After arrival of the consignment, the code under security system approved by the Excise Department shall be affixed on every bottle/can/tetrapack.

(c)(i) A License holder in Form FL-2 shall make sale of Foreign liquor, wine including imported foreign liquor and wine. FL-2-B shall make sale of beer, low alcoholic beverages including imported beer and low alcoholic beverages to the retail licensees of the district.

Provided that no sale shall be made to the retail licensees of Foreign liquor, beer or wine or low alcoholic beverages of other district/districts for whom FL-2/ FL-2B license could not be sanctioned, except under permission of the Excise Commissioner. The licensee shall have to pay additional licence fee for this additional sale.

(ii) A licensee holding a licence in form FL-2 may sell Foreign liquor, wine and licensee holding a licence in form FL-2-B may sell beer, low alcoholic beverages to retail licensee holding licence issued under The U.P Excise (Grant of Bar License) Rules 2020 and The U.P. Excise (Settlement of licenses for Premium retail vends of foreign liquor) Rules 2020, within the jurisdiction of Deputy Excise Commissioner of the concerned charge unless otherwise permitted by the Excise Commissioner.

(iii) The licensee in form BIO-1 shall sell overseas foreign liquor to wholesale licensee holding licence in form F.L.-2, F.L.-2 A, F.L.-2B and licences under The U.P Excise (Grant of Bar License)

Rules 2021 and The U.P.Excise (Settlement of licenses for Premium retail vends of foreign liquor) Rules 2020 within the state.

10. Issue of liquor and transport pass-

⁹Uttar Pradesh Excise (Settlement of Licences for Wholesale Sale of Foreign Liquor) (12th Amendment) Rules, 2021 ¹⁰Uttar Pradesh Excise (Settlement of Licences for Wholesale Sale of Foreign Liquor) (12th Amendment) Rules, 2021

(I) Issue of liquor from wholesale shop shall be covered by the transport pass. For transport of liquor wholesale Licensee shall prepare computer generated transport pass in the form prescribed by the Excise Commissioner in triplicate. The first copy of transport pass shall be handed to the Licensee purchasing liquor, and second copy shall be made available to District Excise Officer of the concerned District latest within 24 hours, wholesale licensee shall retain the third copy of the transport pass to his record.

Transport passes shall be verified online on the portal of Excise Department and online verification would be deemed sufficient as a proof of receipt of liquor.

(II) Licensee shall maintain a daily shop wise register prescribed by the Excise Commissioner and shall send periodic returns of indents received and total issues made in prescribed **form**, to the District Excise Officer. In case of issues to retailer wholesale Licensee of other districts of the charge, zone in State the Licensee shall also send a copy of the above statement to the concerned District Excise Officer on the same day and obtain a receipt thereof. He shall also upload such information on the website of Uttar Pradesh Excise Department through M.I.S. (Management Information System)

11. Inspection -The Excise Officer, not below the rank of an Excise Inspector, shall be allowed every facility for examining the accounts and checking the stock of liquor whenever he visits the wholesale shop.

11.12. Maximum Wholesale price-The Excise Commissioner, with prior sanction of the State Government, may fix the maximum wholesale price of bottles/cans/tetrapacks of foreign liquor/beer/wine/ Low Alcoholic Beverages. The Licensee shall not charge from retailers more than the maximum wholesale price fixed by the Excise Commissioner, otherwise he shall be liable to punishment

12.13. Responsibility of wrong entries in record

The wholesale Licensee shall be fully responsible for the correctness and authenticity of entries made by him or his salesman in accounts, registers and records through electronic platform and he shall be responsible for making good any loss of revenue caused due to incorrect entries. Licensee shall not make overwriting and use of corrective fluid to erase the entries in the records.

13.14. Storage and Prohibition of Liquor

(a) Wholesale Licensee shall store foreign liquor, beer, wine and Low Alcoholic Beverages **including overseas foreign liquor** in the approved premises only.

Provided that holder of license in form BIO-1 may store overseas foreign liquor in debonded ware house approved by the Excise Commissioner, after payment of prescribed permit fees.

(b) Wholesale Licensee is not permitted to dilute, blend or color liquor or keep any color, essence or a code generating apparatus in his approved premises.

(c) Operation of licence shall be done by the licensee himself or through his authorized salesman and Licensee shall not be permitted to transfer or sublet the Licence to any other person. Licensee shall be held responsible for any breaches of these rules or irregularities committed by his authorized salesman.

(d) Licensee shall install a computer in his godown premises and collect consolidated information in prescribed proformas and upload this on the designated portal of the excise department.

14.15- Suspension, Cancellation and Penalties-

¹¹Uttar Pradesh Excise (Settlement of Licences for Wholesale Sale of Foreign Liquor) (8th Amendment) Rules, 2018 ¹²Uttar Pradesh Excise (Settlement of Licences for Wholesale Sale of Foreign Liquor) (8th Amendment) Rules, 2018 ¹³Uttar Pradesh Excise (Settlement of Licences for Wholesale Sale of Foreign Liquor) (12th Amendment) Rules, 2021

- (1) Licensing Authority may suspend or cancel the License and forfeit the security money-
- If any bottle/can/tetra pack of foreign liquor, beer, wine and low alcoholic beverages is found in the licensed premises on which consideration fee has not been paid and which does not carry Code under Security System duly approved by the Excise Department as a proof of payment of consideration fee;
 - if any other kind of liquor or intoxicating drug for which License is not granted is found in the licensed premises;
 - if Licensee charges from retailers of foreign liquor, beer, wine and Low Alcoholic Beverages more than the maximum wholesale price fixed by the Excise Commissioner;
 - if any unauthorized code generating apparatus, spirit, colour, essence etc. is found in the Licensed premises;
 - if licensee has made incorrect or fraudulent entries in records which has resulted into loss of revenue;
 - if it is proved that the wholesale License has been sublet;
 - if any liquor or intoxicating drug is found in the possession of the Licensee against the provisions of the Act or rules;
 - if the assertions made in the affidavit or in the application form submitted by the Licensee at the time of application are found incorrect, false or misleading;
 - if it is found that the License has been obtained in a fictitious name or the Licensee is holding the License on behalf of some other person;
 - if licensee violates any of the conditions as stipulated in the License form.
 - If any Adulteration with water or any other substance/dilution of liquor, mixing of low category liquor with high category liquor is found in licensed premises. Action under other relevant provisions of law shall also be taken.

2. In case irregularities mentioned in sub rule (1) are found, the licensing authority shall take appropriate action for suspension/cancellation of License and forfeiture of security money after giving show cause notice and opportunity of personal hearing to the licensee. Thereafter, Licensing Authority shall pass suitable orders as it deems fit.

3. The licensing authority shall also recover the loss of revenue caused due to incorrect entries or irregularities committed by the Licensee or his salesman on behalf of the Licensee.

4. In case of compoundable breaches at wholesale licenses, minimum compounding fee shall be imposed as follows:-

14Uttar Pradesh Excise (Settlement of Licences for Wholesale Sale of Foreign Liquor) (11th Amendment) Rules, 2020

S.no	Type of violation	For first time (in Rs.)	For second time (in Rs.)	For third time (in Rs.)
1	2	3	4	5
1	Providing inducement to retail licensee for increasing sale.	10000	20000	50000
2	Stock not found according to account.	20000	30000	50000
3	Proper indent register not maintained.	10000	20000	50000
4	Not putting up board out side licenced premise. Necessary information not written on the board.	10000	15000	20000
5	Proper arrangement of CCTV not found or CCTV not functioning	10000	20000	30000
6	Inability to supply in prescribed time period.	20000	40000	50000
7	Minimum assessed stock not found.	20000	30000	50000
8	Inability to produce licence.	5000	10000	30000
9	Operation of licence by unauthorized sales man.	5000	10000	20000

10	Proper arrangement of cleanliness not found.	5000	10000	15000
11	Premises not found approved.	10000	25000	50000
12	Extension of premises without permission.	10000	20000	30000
13	Not sending retail shop wise monthly supply report in brand wise, capacity wise, strength wise and packaging wise.	10000	20000	50000
14	If stock register is not produced when asked for	20000	25000	30000
15	If stock register is found incomplete	10000	15000	20000
16	If liquor issued to any one particular shop is found in another shop due to bonafide reasons	25000	50000	Proceeding of cancellation of license.
17	Any other irregularity, which is not mentioned under serial-01 to 16.	2000	5000	10000

In case of compoundable irregularities, officers of the rank of Deputy Excise Commissioner and above shall be entitled to compound the irregularity and accept the compounding fees.

16. Rescission and Saving

- (1) The Uttar Pradesh Excise (wholesale vend for foreign liquor) (Eight Amendment) Rule, 2001 and all other rules relating to wholesale vend of foreign liquor are hereby rescinded.
- (2) Not with standing such a rescission settlement already executed for wholesale Licences of foreign liquor or beer for the financial year 2001-2002 under the provisions of the rule referred to in sub rule (i) shall remain valid and continue in force till March 31, 2002.

1517- FORM F.L.-1

F.L.-1

Manufacturer's licence for the wholesale vend of foreign liquor, beer, wine and low alcoholic beverages other than denatured spirit manufactured by himself licence wholesale vendors of foreign liquor only.

Photo of Applicant	Photo of Co-applicant
Photo of FL-1 Warehouse	

Latitude /Longitude of FL-1 Warehouse.....

Licence

Number.....

District.....

.

Name, Full address and aadhar number of Licensee(s)

Register No.....

Location and place of licence

East.....

West.....

North.....

South.....

Licence for the wholesale vend of foreign liquor, beer, wine and LAB other than denatured spirit is hereby granted to

..... at in the District of

form to..... for which Rs. have been paid

in advance, subject to following conditions, the infraction of any of which or a conviction for any offence under the Excise, Opium or Dangerous Drugs Laws shall render the licensee liable to the forfeiture of his licence, licence fees and security money paid in the advance in addition to any penalties imposed under the above laws.

Conditions.

1- Sales shall be made only at the licenced premises, country spirit shall not be kept stored in the same premises, if the Excise Commissioner has prohibited the sale of any particular foreign brand as being unwholesome, such brands shall not be stored and sold at the licenced premises.

2- The licensee shall store all his stock of the foreign liquor, beer, wine and Low Alcoholic Beverages pertaining to his shop in the premises for which he holds this licence.

3- The licensee shall not allow any person to conduct sales in his licenced premises unless the name of such person shall have been previously submitted to the Excise Commissioner for approval and endorsed by him on the licence.

4- Sales shall only be made in SKUs (Stock Keeping Units) of sizes/packs as prescribed by the Excise Commissioner with the prior approval of the state government.

15 Uttar Pradesh Excise (Settlement of Licences for Wholesale Sale of Foreign Liquor) (12th Amendment) Rules, 2021

5- No sales of foreign liquor, beer, wine and Low Alcoholic Beverages be allowed except in bottles/cans/ tetrapacks as prescribed by the Excise Commissioner.

6- Sale shall only be made to licenced wholesale vendors of foreign liquor/beer/wine/ Low Alcoholic Beverages.

7- The sales strength of whisky shall not be less than 42% v/v and that of gin, vodka, rum and brandy shall be more than 36% v/v but less than 42% v/v. Reduction of strength of spirit, except under special orders of the Excise Commissioner is prohibited.

NOTE- The sales strength prescribed for whisky, brandy, rum and dry gin or the apparent strengths as indicated on the bottles.

8- The license premises shall remain open for sale on all days from 9.00 am. to 8.00 pm, except on 14th April (Ambedkar Jayanti), 15th August (Independence Day), 2nd October (Gandhi Jayanti), 26 January (Republic Day) and upto 3 more days as notified for closure by the Collector. Collector or Licensing Authority may also order closure of shop on account of law and order or General Election related activity etc. under the provisions of relevant laws. No compensation shall be given for the closure of shop on above dates/days.

9- The bottling of foreign liquor, beer, wine and Low Alcoholic Beverages is prohibited, except under a separate, bottling licence granted by the Excise Commissioner.

10- The mixing of foreign liquor, beer, wine and Low Alcoholic Beverages is prohibited, except under the special sanctions of the Excise Commissioner.

11- No drug or deleterious substance shall be added to the liquor.

12- The business covered by this licence shall not be sublet or transferred.

13- At the entrance to the shop signboard approved by Excise Commissioner shall be affixed, on which shall be painted the name of the vendor and the licensed wholesale vendor of foreign liquor authorized to sell to licensed wholesale vendors only. The signboard will also display the following information:-

"Consumption of liquor is prohibited outside near the premises of shop or at public places. Any contravention in this regard shall be punishable."

14- The licensee shall maintain regular and accurate accounts in the prescribed form and register (Form F.L.-25) to be obtained Collector's Office on the payment, and shall produce the same for inspection on the requisition of any officer authorized by Government to demand their production and shall furnish to the Collector, not later than ten days after the close of each financial year, an accurate abstract showing the transaction of the proceeding year under the licence and such other returns as may be required from time to time.

15- The transport of foreign liquor from wholesale premises shall be covered by a computer generated pass in Form FL-36 which shall be prepared by the wholesale licensee in triplicate who shall retain one copy thereof for record and issue the second copy to the purchaser and the third copy to the District Excise Officer of the District concerned. The period of validity of the pass shall not exceed twice the time required to reach the destination. **Transport passes shall be verified online and online verification would be deemed sufficient as a proof of receipt of liquor.**

16- The licensee shall not employ any person suffering from any contagious or infectious disease.

17- The licensee shall receive no articles except money preferably through e-payment platform in barter of liquor.

18- All exports of duty paid Indian made foreign liquor, beer, wine and Low Alcoholic Beverages manufactured in Uttar Pradesh to any part of India shall subject to the following conditions:

- (a) The exporter shall obtain from the importer a permit authorizing the import signed by Chief Revenue Authority of the State of import or by an officer duly authorized in this behalf.
- (b) The permit shall specify:
- (i) the name and address of the person or firm authorized to import,
 - (ii) the description and quantity of the foreign liquor, beer, wine and Low Alcoholic Beverages to be imported,
 - (iii) the rate of duty chargeable in the State of import in case the Indian made foreign liquor, beer, wine and Low Alcoholic Beverages is imposed in State with which the State of Uttar Pradesh has entered into reciprocal arrangement for the adjustment of duty by transfer,
 - (iv) the rate of duty charged in the State of import and the fact that it has been realized in advance in import other than those covered by clause (iii).
- (c) On receipt of the permit, the exporter shall deposit into the treasury--
- (i) where the export is made to a State covered by clause (b) (iii) above and the rate of duty in the import State be higher than that in force in Uttar Pradesh, the difference in duty payable in Uttar Pradesh and that payable in the State of export together with export duty on the total quantity of the liquor to be exported.
 - (ii) if the rate of duty in the importing State covered by clause (b) (iii) above is the same as or less than the force in Uttar Pradesh, the export duty.
- (d) On receipt of the permit and the treasury receipt the wholesale vendor shall prepare a computer generated pass in Form FL-36 quadruplicate and submit it to the Excise Inspector in charge of distillery. The Excise Inspector shall satisfy himself that duty has been correctly realized, affix his signature to the pass in Form FL-36. The exporter shall then send one copy of the pass to the Collector of the district of export, one copy to the Chief Revenue Authority of the place of import, or such other officer as may be authorized in this behalf, one copy to the consignee, and retained the fourth copy. The treasury receipt shall always accompany the copy of the pass sent to the Collector of the exporting district.
- 19- The licensee shall produce for inspection this licence on demand by officers who are duly authorized to inspect in the district.
- 20- Licensee shall not have any retail licence of country liquor, foreign liquor, beer or model shop.
- 21- Licensee shall install C.C.T.V. cameras near opening gate and within godown of licenced premises which could easily be monitored from Excise Headquarter through I.P. address.
- 22- The licensee shall make necessary arrangements for security system and fire fighting instrument.
- 23- Consignment of foreign liquor, beer, wine and LAB from distilleries, breweries and vinteneries shall be transported only through the vehicles fitted with G.P.S. System.
24. Licensee shall employ computer operator for the upkeep and maintenance of records.
- 25- Licensee shall install a computer in his godown premises and collect consolidated information in prescribed proformas and upload this on designated portal of the excise department.

Date

Licensing Authority

18- FORM F.L.-1A

16F.L.-1A

FL-3A Licence holder's licence for the wholesale vend of foreign liquor, beer, wine and LAB other than denatured spirit manufactured by himself **for sale to** wholesale vendors of foreign liquor only.

Photo of Applicant	Photo of Co-applicant
Photo of FL-1A Warehouse	

Latitude /Longitude of FL-1A Warehouse.....

1-Licence Number.....

2-District.....

3-Name, Full address and aadhar number of Licensee(s)

1 Register No.....

2 Name of District.....

3 Location and place of licence

East.....

West.....

North.....

South.....

Licence for the wholesale vend of foreign liquor, other than denatured spirit, is hereby granted to above licence holder at in the District of from to..... for which licence fee have been paid in advance, and security deposit has been made in accordance with rule 2 (i) subject to following conditions, the infringement of any which or a conviction for any offence under the Excise, Opium or Dangerous Drugs Laws shall render the licensee liable to the forfeiture of his licence, licence fees and security money paid in the advance in addition to any penalties imposed under the above laws.

conditions.

1- Sales shall be made only at the licenced premises, country spirit shall not be kept stored in the same premises, if the

16 Uttar Pradesh Excise (Settlement of Licences for Wholesale Sale of Foreign Liquor) (12th Amendment) Rules, 2021

Excise Commissioner has prohibited the sale of any particular foreign brand as being unwholesome, such brands shall not be stored and sold at the licenced premises.

2- The licensee shall store all his stock of the foreign liquor, beer, wine and Low Alcoholic Beverages pertaining to FL-3A in the premises for which he holds this licence.

3- The licensee shall not allow any person to conduct sales in his licenced premises unless the name of such person shall have been previously submitted to the Excise Commissioner for approval and endorsed by him on the licence.

4- Sales shall only be made in SKUs (Stock Keeping Units) of sizes/packs as prescribed by the Excise Commissioner with the prior approval of the state government.

5- No sales of foreign liquor, beer, wine and Low Alcoholic Beverages be allowed except in bottles/cans/ tetrapacks as prescribed by the Excise Commissioner.

6- In the following cases the guaranteed fluid contents of the bottles shall be clearly indicated in bold letters on the labels whether the liquor is bottled in India or abroad:

(a) Quart bottle of whisky, brandy or rum if containing less than 750ml of such spirit.

(b) Quart bottle of gin if containing 50ml of gin.

(c) Pint bottle of gin if containing 375ml of gin.

(d) Half pint bottles of whiskey, brandy or rum, if containing 180ml of such spirit.

7- Sale shall only be made to licenced wholesale vendors of foreign liquor, beer, wine and Low Alcoholic Beverages.

8- The sales strength of whisky shall be not less than 42% v/v and that of gin, vodka, rum and brandy shall be more than 36% v/v but less than 42% v/v. Reduction of strength of spirit, except under special orders of the Excise Commissioner is prohibited.

9- The license premises shall remain open for sale on all days from 9.00 am. to 8.00 pm, except on 14th April (Ambedkar Jayanti), 15th August (Independence Day), 2nd October (Gandhi Jayanti), 26 January (Republic Day) and upto 3 more days as notified for closure by the Collector. Collector or Licensing Authority may also order closure of shop on account of law and order or General Election related activity etc. under the provisions of relevant laws. No compensation shall be given for the closure of shop on above dates/days.

10- The bottling of foreign liquor, beer, wine and Low Alcoholic Beverages is prohibited, except under a separate, bottling licence granted by the Excise Commissioner.

11- The mixing of foreign liquor, beer, wine and Low Alcoholic Beverages is prohibited, except under the special sanctions of the Excise Commissioner.

12- No drug or deleterious substance shall be added to the liquor.

- 13- The business covered by this licence shall not be sublet or transferred.
- 14- At the entrance to the shop signboard approved by Excise Commissioner shall be affixed, on which shall be painted the name of the vendor and the licensed wholesale vendor of foreign liquor authorized to sell to licensed wholesale vendors only. The signboard will also display the following informations:-
 "Consumption of liquor is prohibited outside near the premises of shop or at public places. Any contravention in this regard shall be punishable."
- 15- The licensee shall maintain regular and accurate accounts in the prescribed Form and register (Form-FL 25) to be obtained from Collector's Office on the payment, and shall produce the same for inspection on the requisition of any officer authorized by Government to demand their production and shall furnish to the Collector, not later than ten days after the close of each financial year, an accurate abstract showing the transactions of the proceeding year under the licence and such other returns as may be required from time to time and which shall also be uploaded online on the website of U.P. Excise Department.
- 16- The transport of foreign liquor from wholesale premises shall be covered by a computer generated pass in Form FL-36 which shall be duly prepared by the licensee in triplicate who shall retain one copy thereof for record and issue the second copy to the purchaser and the third copy to the District Excise Officer of the District concerned.
 The period of validity of the pass shall not exceed twice the time required to reach the destination. **Transport passes shall be verified online and online verification would be deemed sufficient as a proof of receipt of liquor.**
- 17- The licensee shall not employ any person suffering from any contagious or infectious disease for any purpose in his licenced premises.
- 18- The licensee shall receive no articles but receive money through e-payment platform in barter of liquor. 19- All exports of duty paid Indian made foreign liquor, beer, wine and Low Alcoholic Beverages manufactured in Uttar Pradesh to any part of India shall subject to the following conditions:
- (a) The exporter shall obtain from the importer a permit authorizing the import signed by Chief Revenue Authority of the State of import or by an officer duly authorized in this behalf.
- (b) The permit shall specify:
- (i) the name and address of the person or firm authorized to import,
 - (ii) the description and quantity of the foreign liquor, beer, wine and Low Alcoholic Beverages to be imported,
 - (iii) the rate of duty chargeable in the State of import in case the Indian made foreign liquor, beer, wine and Low Alcoholic Beverages is imported in State with which the State of Uttar Pradesh has entered into reciprocal arrangement for the adjustment of duty by book transfer,
 - (iv) the rate of duty charged in the State of import and the fact that it has been realized in advance in import other than those covered by clause (iii).
- (c) On receipt of the permit, the exporter shall deposit into the treasury--
- (i) where the export is made to a State covered by clause (b) (iii) above, and the rate of duty in the import State be higher than that in force in Uttar Pradesh, the difference in duty payable in Uttar Pradesh and that payable in the State of export together with export duty on the total quantity of the liquor to be exported.
 - (ii) if the rate of duty in the importing State covered by clause (b) (iii) above is the same as or less than the force in Uttar Pradesh.
- (d) The export pass fee receipt of the permit and the treasury receipt the wholesale vendor shall prepare a computer generated pass in Form FL-36 quadruplicate and submit it to the Excise Inspector in charge of distillery. The Excise Inspector shall satisfy himself that duty has been correctly realized, affix his signature to the pass in Form FL-36. The exporter shall then send one copy of the pass to the Collector of the district of export, one copy to the Chief Revenue Authority of the place of import, or such other officer as may be authorized in this behalf, one copy to the consignee, and the retained the fourth copy. The treasury receipt shall always accompany the copy of the pass sent to the Collector of the exporting district.
- 20- Licensee shall not have any retail licence of country liquor, Foreign Liquor, Beer or Modal Shop.
- 21- Licensee shall install C.C.T.V. cameras near opening gate and within godown of licenced premises which could easily be monitored from Excise Headquarter through I.P. address.
- 22- The licensee shall make necessary arrangements for security system and fire fighting instrument.
- 23- Consignment of foreign liquor, beer, wine and LAB from distilleries, breweries, and vinteneries shall be transported only through the vehicles fitted with G.P.S. System.
24. Licensee shall employ computer operator for the upkeep and maintenance of records.

25- Licensee shall install a computer in his godown premises and collect consolidated information in prescribed proformas and upload this on designated portal of the excise department.

Date

District

Licensing Authority

19. Manufacturer's licence for the wholesale vend of foreign liquor, beer, wine and low alcoholic beverages other than denatured spirit manufactured by himself licence wholesale vendors of foreign liquor only.

¹⁷FL-2

Licence for the Wholesale of foreign liquor and Wine See Rule 6

(a)

Photo of Applicant	Photo of Co- applicant
Photo of FL-2 Warehouse	

Latitude /Longitude of FL-1 Warehouse.....

Licence

Number.....

District.....

Name, Full address and aadhar number of Licensee(s)

(i)

(ii).....

Licence fee Rs.....(in figures)..... (in words)

Security amount Rs...(in Figures) (in Words)

Description of premises (with boundaries) Locality & house number..... Police station

..... Tehsil

Boundaries

North.....

....

South.....

East.....

West.....

Licence for the wholesale of Foreign Liquor, Wine and **Low Strength Alcoholic Beverages** (bottled in India and bottled in origin) is here by granted to above licence holders(s) at.....(Place) in P.S..... Tahsil.....in the District of.....

w.e.f. from.....to March 31, 20.....

for which licence fee and security deposit has been made in accordance with rule 6.

¹⁷Uttar Pradesh Excise (Settlement of Licences for Wholesale Sale of Foreign Liquor) (14th Amendment) Rules, 2023

The Licence is subject to the following special and general conditions the infraction of any of which or under provisions falling within the purview of rule-15 relating to the cancellation of licenses as laid down in The Uttar Pradesh Excise (Settlement of licenses for wholesale of Foreign Liquor) Rule-2002 (As amended) or a conviction for any offence under the U.P. Excise Act 1910 or Narcotics Drugs and Psychotropic substance Act 1985 shall render the licensee(s) liable for forfeiture of the licence and security deposit, in addition to any penalties under the relevant laws.

Terms and conditions.

1. The licensee shall procure supplies of foreign liquor and wine and **L.A.B** in **bottles/tetra packs** of the prescribed capacity having a code under Security System, approved by the Excise Department applied on them, from distilleries, vinteneries, who are licensed manufacturers of foreign liquor, and wine or other wholesale licenses of

foreign liquor after making full payment of the cost of spirit and wine including privilege fee (consideration fee) and such other levies/taxes, cess etc. as leviable from time to time, through e-payment platform.

2. Licensee in (FL-2) shall procure supplies of foreign liquor/wine from BWFL-2A, BWFL-2C and BIO-1 after making full payment through e-payment platform for the cost of foreign liquor and wine including all levies/taxes, cess etc.

3. Maximum retail price shall be printed **invisible bold font of 1x1 centimeter on the right top of the label** of bottles of foreign liquor and wine. The wholesale licence shall not charge more than the Maximum wholesale price fixed by the Excise Commissioner. If he do so, he will be penalized.

4. Sales shall only be made in SKUs (Stock Keeping Units) of sizes/packs as prescribed by the Excise Commissioner with the prior approval of the state government.

5. The licensee shall maintain a regular and accurate daily account in the prescribed Form and register (FL-25A), which can be obtained from licensing authority on payment and the account register shall produce for inspection whenever asked by the competent authorities. The licensee shall also furnish account of sale etc. and facilitate and provide the material and documents required by the inspecting authority and which shall also be uploaded online on the website of U.P. Excise Department through MIS at fixed interval.

6. Issue of foreign liquor and wine & Overseas imported liquor from the licensed premises of wholesale point shall be covered by computer generated transport pass in the form (FL-36A). Salesman, approved by licensee or by entitled authority and whose specimen of signature is preserved with the District Excise Officer, shall append signature on the transport pass. The first copy of transport pass shall be handed over to the purchaser, second copy shall be made available to District Excise Officer of the district within 24 hours and third copy of the transport pass shall be retained by wholesale sellers for the purposes of his record. Batch number, date of issue and details of a code under Security System shall be recorded by seller on the transport pass.

The Validity of the pass shall be less than twice the time taking in reaching the destination point. Transport passes shall be verified online and online verification would be deemed sufficient as a proof of receipt of liquor.

7. Licensee shall maintain a daily shop-wise register prescribed by the Excise Commissioner and shall send periodic returns of indents received and total issues made in prescribed form to the District Excise Officer. In case of issue to retail or wholesale licensee of other district of the charge, zone in state, if permitted by Excise Commissioner, the licensee shall also send a copy of the above statement to the concerned District Excise Officer on the same day and obtain a receipt thereof and also upload on the specified website of Excise Department.

8. The licensee shall store entire stock of foreign liquor, wine in the licensed premises only.

9. The licensee shall affix conspicuous signboard approved by Excise Commissioner at the entrance to the shop on which the name of the licensee, designation "licensed wholesale vendor of foreign liquor" location of the shop period of licence and such other information as prescribed by Licensing Authority in bold letters shall be printed. The signboard will also display the following information's:-

"Consumption of liquor is prohibited outside near the premises of shop or at public places. Any contravention in this regard shall be punishable."

10. The licensee shall not employ any person as salesman who is below twenty-one years of age or is suffering from any infectious and or contagious disease or has any criminal background or a woman. The licensee shall have to obtain **Naukarnama** of the salesman bearing their photographs duly issued by the District Excise Officer **on payment of fee as prescribed by the State Government from time to time** which shall be produced as and when demanded by inspecting authorities.

11. A licensee holding a licence in form FL-2 may sell Foreign liquor and wine to the retail license holders of the district and to retail licensee holding licence issued under The U.P. Excise (Grant of Bar License) Rules 2021 and The U.P. Excise (Settlement of licenses for Premium retail vend of foreign liquor) Rules 2020 within the jurisdiction of Deputy Excise Commissioner of the concerned charge unless otherwise permitted by the Excise Commissioner.

12. Licensee will strictly ensure the sale of foreign liquor and wine in SKUs (Stock Keeping Units) of sizes/packs as prescribed by the Excise Commissioner with the prior approval of the state government. It is

strictly forbidden under any pretext whatsoever from tampering with the labels, a code under Security System /Shrink Sleeve, Pilfer proof Seals of aforesaid bottles.

13. The licensee shall not keep in his licensed premises any spirit, color, essence, a code making apparatus, shrink sleeve, labels, capsule, seals or any other noxious material.

14. The premises in which a shop is situated shall not be used as a place of residence except by the licensee/salesman and his family.

15. The licensed premises shall remain open for sale on all days from 9.00 am. in the morning to 8.00 pm in the evening, except on 14th April (Ambedkar Jayanti), 15th August (Independence Day), 2nd October (Gandhi Jayanti), 26 January (Republic Day) and upto 3 more days as notified for closure by the Collector. Collector or Licensing Authority may also order closure of shop on account of law and order or General Election related activity etc. under the provisions of relevant laws. No compensations shall be given for the closure of shop on above dates/days.

16. The licensee shall not carry out any other business in the premises except the business of foreign liquor, wine as well as of overseas imported foreign liquor and wine for which licence is granted

Provided that if FL-2B licence is sanctioned in favour of licensee, then such licence can be run in this premises

17. The licensee shall follow the order of Excise Commissioner issued from time to time.

18. Wholesaler shall keep all popular brands in sufficient quantity for sale.

19. Licensee shall install C.C.T.V. cameras near opening gate and within godown of licensed premises which could easily be monitored from Excise Headquarter through I.P. address.

20. The licensee shall make necessary arrangements for security system and fire fighting instrument.

21. Consignment of foreign liquor and wine from distilleries and vintneries along with bonded warehouse BWFL-2A, BWFL-2C and BIO-1 shall be transported only through the vehicles fitted with G.P.S. System.

22. Licensee shall not have any retail licence of country liquor, foreign liquor, beer or model shop.

23. Licensee shall employ computer operator for the upkeep and maintenance of records.

24. Licensee shall install a computer in his godown premises and collect consolidated information in prescribed proformas and upload this on designated portal of the excise department.

25. Licensee shall ensure lifting of liquor from his godown premises in sealed cartons after scanning of security code on them.

26. The licensee shall submit the list of salesmen **for sale of liquor at his wholesale warehouse to the** Excise Commissioner/Officer authorized by the Excise Commissioner, **who shall accordingly submit the photocopy in the prescribed form to the District Excise Officer on payment of fees as prescribed by the State Government from time to time. Employment letter will be issued.**

Date.....

District.....

Excise Commissioner

Uttar Pradesh

20 -form FL-2B-

18 F.L.-2B

Licence for the Wholesale of Beer, low alcoholic beverages See Rule 6 (a)

Photo of Applicant	Photo of Co-applicant
Photo of FL-2B Warehouse	

Latitude/Longitude of FL-2B Warehouse..... Licence Number

.....District

Name, Full address and aadhar number of

Licensee(s).....

LicencefeeRs.....(infigures) (inWords)
 SecurityamountRs....(inFigures) (inWords)
 Description of premises (with boundries) Locality & house number

Policestation.....Tahsil.....

Boundries

North.....

South.....

East.....

West.....

Licence for the wholesale of Beer/Draught beer (**in cans/bottles etc**), **wine** and L.A.B (**in bottle**) (bottled in India and bottled in origin) hereby granted to above licence holders(s) at (Place) in P.S. Tahsil in

18 Uttar Pradesh Excise (Settlement of Licences for Wholesale Sale of Foreign Liquor) (14th Amendment) Rules, 2023

the District of w.e.f. from

..... to March 31, 20 for which

licence fee and security deposit has been made in accordance with rule 6.

The Licence is subject to the following special and general conditions the infraction of any which or a conviction of any offence under the U.P. Excise Act 1910 or Narcotics Drugs and Psychotropic substance Act, 1985 shall render the licensee(s) liable for forfeiture of the licence in security deposit, in addition to any penalties under the relevant laws.

Terms and conditions.

1. The licensee shall procure supplies of beer in bottles and cans, **etc** as well as low alcoholic beverages **and wine** in bottles of the prescribed capacity having a code under security system, approved by the Excise Department, applied on them, from distilleries, and breweries, who are licensed manufacturers of beer and low alcoholic beverages or other wholesale shops after full payment in advance of privilege fees and such other levies, as leviable from time to time through e-payment platform.
2. Licensee in (FL-2B) shall procure supplies of Beer and low alcoholic beverages from BWFL-2B, BWFL-2D and BIO-1 after making full payment through electronic means of the cost of beer and low alcoholic beverages including all levis/taxes, cess etc.
3. Maximum retail price shall be printed in **invisible bold font of 1x1 centimeter on the right top of** on the label of bottles and cans of beer and low alcoholic beverages. The wholesale licence shall not charge more than the Maximum wholesale price fixed by the Excise Commissioner otherwise he shall be penalized.
4. Sales shall only be made in quantities exceeding one or more than one sealed cartoons **of beer**, Low Alcoholic Beverages. **and wine**.
5. The licensee shall maintain a regular and accurate daily account in the prescribed Form and register (FL-25A), which can be obtained from licensing authority on payment and the account register shall be produced for inspection whenever asked by the competent authorities. The licensee shall also furnish account of sale etc. and facilitate and provide the material and documents required by the inspecting authority and which shall also be uploaded online on the website of Uttar Pradesh Excise Department through MIS (Management Information System) at fixed intervals.
6. Issue of beer and low alcoholic beverages from the licenced premises of wholesale points shall be covered by computer generated transport pass in the Form F.L.-36A prescribed by the Excise Commissioner in triplicate. The first copy of transport pass shall be handed over to the licensee purchasing beer and low alcoholic beverages, and second copy shall be made available to District Excise Officer of the district latest within 24 hours and wholesale licensee shall retain the third copy of the transport pass to his record batch number, date of issue, time, quantity and number of code under security system shall be recorded on the transport pass. The Validity of the pass shall be less than twice the time taking in reaching the destination point. Transport passes shall be verified online and online verification would be deemed sufficient as a proof of receipt of liquor.
7. Licensee shall maintain a daily shop-wise register prescribed by the Excise Commissioner and shall send periodic returns of indents received and total issues made in prescribed form to the District Excise Officer. In case of issues to retail or wholesale licensee of other district of the charge, zone in state, if permitted by Excise Commissioner, the licensee shall also send a copy of the above statement to the concerned District Excise

Officer on the same day and obtain a receipt thereof and also upload on the specific website of the Excise Department of Uttar Pradesh.

8. The licensee shall store entire stock of beer, and low alcoholic beverages in the licenced premises only.
9. The licensee shall affix conspicuous signboard approved by Excise Commissioner at the entrance to the shop on which the name of the licensee, designation "licenced wholesale vendor of beer" location of the shop, period of licence and such other information as prescribed by Licensing Authority in bold letters shall be printed. The signboard will also display the following information's:-
 "Consumption of liquor is prohibited outside near the premises of shop or at public places. Any contravention in this regard shall be punishable."
10. The licensee shall not employ any person as salesman who is below twenty-one years of age or is suffering from any infectious and or contagious disease or has any criminal background or a woman. The licensee shall have to obtain **Naukarnama** of the salesman bearing their photographs duly issued by the District Excise Officer **on payment of fee as prescribed by the State Government from time to time** which shall be produced as and when demanded by inspecting authorities.
11. A licensee holding a licence in form FL-2B may sell beer, and low alcoholic beverages to the retail license holders of the district and to retail licensee holding licence issued under The U.P Excise (Grant of Bar License) Rules 2021 and The U.P. Excise (Settlement of licenses for Premium retail vend of foreign liquor) Rules 2020 within the jurisdiction of Deputy Excise Commissioner of the concerned charge unless otherwise permitted by the Excise Commissioner.
12. The License is strictly forbidden under any pretext whatsoever from tampering with bottles and cans their labels a code under security system, Shrink Sleeve, Pilfer proof Seals.
13. The licensee shall not keep in his licence premises any spirit, caramel, color, essence, a code making apparatus, shrink sleeve, labels, capsule, seals and any other noxious material.
 14. The premises in which a shop is situated shall not be used as a place of residence except by the licensee/salesman and his family.
15. The license premises shall remain open for sale on all days from 9.00 am. to 8.00 pm, except on 14th April (Ambedkar Jayanti), 15th August (Independence Day), 2nd October (Gandhi Jayanti), 26 January (Republic Day) and upto 3 more days as notified for closure by the Collector. Collector or Licensing Authority may also order closure of shop in account of law and order or General Election related activity etc. under the provisions of relevant laws. No compensation shall be given for the closure of shop on above dates/days.
16. The licensee shall not carry out any other business in the premises except the business of beer or low alcoholic beverages for which licence is granted.
17. The licensee shall abide by the general or specific instructions issued from time to time.
18. Wholesaler shall keep all popular brands in sufficient quantity for sale.
 19. Licensee shall install C.C.T.V. cameras near opening gate and within godown of licenced premises which could easily be monitored from Excise Headquarter through I.P. address.
20. The licensee shall make necessary arrangements for security system and fire fighting instrument.
 21. Consignment of beer and low alcoholic beverages from distilleries, breweries and bonded godown (BWFL-2B/BWFL-2D and BIO-1) shall be transported only through the vehicles fitted with G.P.S. (Global Positioning System).
22. Licensee shall not have any retail licence of country liquor, Foreign Liquor, Beer or Model Shop.
23. Licensee shall employ computer operator for the upkeep and maintenance of records.
24. Licensee shall install a computer in his godown premises and collect consolidated information in prescribed proformas and upload this on designated portal of the excise department.
25. Licensee shall ensure lifting of liquor from his godown premises in sealed cartons after scanning of security code on them.
26. The licensee shall submit the list of salesmen **for sale of liquor at his wholesale warehouse to the** Excise Commissioner/Officer authorized by the Excise Commissioner, **who shall accordingly submit the**

photocopy in the prescribed form to the District Excise Officer on payment of fees as prescribed by the State Government from time to time. Employment letter will be issued.

Date.....

District.....

Licensing Authority

21 - Form BIO-1-

¹⁹BIO-1

Licence for sale of Overseas foreign liquor

{See Rule 4(f)}

Photo of Applicant	Photo of BIO-1 Custom Bond Warehouse	Photo of BIO-1 De-bonded Warehouse
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Latitude/Longitude of BIO-1 Custom bond Warehouse

.....

Latitude/Longitude of BIO-1 De-bonded Warehouse

.....

Licence Number.....

District.....

Name, Full address and aadhar number of license holder of importing unit

Licence fee Rs.....(in figures)

(in Words)-

.....

Security amount Rs...(in Figures).....(in Words)-.....

¹⁹ Uttar Pradesh Excise (Settlement of Licences for Wholesale Sale of Foreign Liquor) (14th Amendment) Rules, 2023

Description of premises of importing unit having custom bond or allocation of space in custom bond (with boundaries)	Description of de-bonded warehouse unit (with boundaries)
Locality & house number.... Police station Tehsil..... District..... North..... South..... East..... West.....	Locality & house number.... Police station..... Tehsil..... District..... North..... South..... East..... West.....

Licence for the wholesale of Overseas Foreign Liquor is hereby granted to above licence holder(s) at (Place) in P.S. Tehsil. in the District of w.e.f. form to March

31, 20..... for which licence fee and security deposit has been made in accordance with rule 6.

The Licence is subject to the following special and general conditions, the infraction of any of which or a conviction for any offence under the U.P. Excise Act 1910 or Narcotics Drugs and Psychotropic Substances Act 1985 shall render the licensee(s) liable for forfeiture of the licence and security deposit, in addition to any penalties liable to be inflicted under the relevant laws.

Terms and conditions.

1. The licensee shall import and store overseas foreign liquor under the rule-3, 4 and 5 of "Import of overseas foreign liquor rule Uttar Pradesh-2003".
2. Sales from de-bonded warehouses shall only be made in SKUs (Stock Keeping Units) of sizes/packs as prescribed by the Excise Commissioner with the prior approval of the state government.
3. The brands of overseas foreign liquor shall be registered either by brand owner or its authorized principal importer or any other importing unit.
4. The licensee shall maintain a regular and accurate daily account in the prescribed Form and register FL-25A which can be obtained from licensing authority on payment and the account register shall produce for inspection whenever asked by the competent authorities. The licensee shall also furnish account of sale etc. and facilitate and provide the material and documents required by the inspecting authority and also be uploaded online on the portal of U.P. Excise Department.
5. The transport of Overseas foreign liquor from the de-bonded warehouse shall be covered by the FL- 36 pass, this computer generated pass will be issued by licensee or by salesman approved by the authorized officer, whose specimen signature will be kept in the office of the District Excise Officer. First copy of the computer generated pass shall be given to the purchaser and second copy will be sent to the District Excise Officer of the district concerned within 24 hours. Third copy of the pass will be retained for record. Transport passes shall be verified online and online verification would be deemed sufficient as a proof of receipt of liquor.
6. Licensee shall maintain a daily wholesale register prescribed by the Excise Commissioner and shall send periodic returns of indents received and total issue made in prescribed form to the district excise officer. In case of issues to retail licensee of state, information regarding issues shall be given to the district excise officer concerned and also upload on the portal of the Excise Department of U.P.
7. The licensee shall keep Overseas foreign liquor only in the licensed premises.
8. The licensee shall affix conspicuous signboard approved by Excise Commissioner at the entrance to the shop on which the name of the licensee, designation "Wholesale licensee of Overseas foreign liquor" location of the shop period of licence and such other information as prescribed by Licensing Authority in bold letters shall be printed. The signboard will also display the following information's:-

"Consumption of liquor is prohibited outside near the premises of shop or at public places. Any contravention in this regard shall be punishable."
9. The licensee shall not employ any person as salesman who is below **twenty-one** years of age or is suffering from any infectious and contagious disease or has any criminal background or a woman. The licensee shall have to obtain **Naukarnama** of the salesman bearing their photographs duly issued by the District Excise Officer on payment of fees as prescribed by the State Government from time to time which shall be produced as and when demanded by inspecting authorities.
10. The licensee shall sell Overseas foreign liquor in bottles and cans with affixed code under security system to the wholesale licensee holding licence in form F.L.-2 and F.L.-2B as well as retail licence issued under The U.P. Excise (Grant of Bar License) Rules 2021 and The U.P. Excise (Settlement of licenses for Premium retail vends of foreign liquor) Rules 2020 on payment of permit fee, to other custom bonds on bill of entry and export to other states on payment of export permit fee.
11. The licensee will not deface in any circumstances the labels of bottle and cane, code under security system, PP cap or seal.
12. The licensee shall not keep in his licence premises any spirit, color, essence, code making apparatus, shring sleeve, labels, capsule, seals or any other noxious material.
13. The premises in the bond is situated shall not be used as a place of residence except by the licensee/ salesman and his family.
14. The de-bonded license premises shall be operated for sale on all days from 9.00am. to 8.00pm, except on 14th April (Ambedkar Jayanti), 15th August (Independence Day), 2nd October (Gandhi Jayanti), 26 January (Republic Day) and upto 3 more days as notified for closure by the Collector. Collector or Licensing Authority may also order closure of shop in account of law and order or General Election related activity etc.

under the provisions of relevant laws. No compensation shall be given for the closure of shop on above dates/days.

15. The licensee shall not carry out any other business in the premises except the business of overseas foreign liquor for which licence is granted.
16. The licensee shall follow the order of Excise Commissioner issued from time to time.
17. Licensee shall keep popular brands of overseas foreign liquor in sufficient quantity for sale.
18. Licensee shall install C.C.T.V. cameras near opening gate and within godown of licenced premises which could easily be monitored from Excise Headquarter through I.P. address.
19. The licensee shall make necessary arrangements for security system and fire fighting instrument.
20. Consignment of overseas foreign liquor shall be transported only through the vehicles fitted with G.P.S. System.
21. Licensee shall not have any licence for retail sale of Country Liquor, Foreign Liquor, Beer or Model Shop.
22. Licensee shall employ computer operator for the upkeep and maintenance of records.
23. Licensee shall install a computer in his godown premises and collect consolidated information in prescribed proforma and upload this on designated portal of the excise department.
24. Licensee shall ensure lifting of liquor from his godown premises in sealed cartons/ monocarton of bottle after scanning of security code on them.
25. Licensee may sell imported liquor to authorized persons within the state on gate pass in form Fl-36 on payment of permit fees.
26. The licensee in form BIO-1 may export overseas foreign liquor to any person authorized by the designated authority of importing state, on payment of such fees as prescribed by the Excise Commissioner, with previous approval of the state government.
27. Such BIO-1 licence holders shall be under obligation to furnish the details of liquor being imported into and exported out of the state and such other details as prescribed by the Excise Commissioner.
28. BIO-1 license holders will be affiliated to only one custom bond located in the same district.
29. The licensee shall submit the list of salesmen **for sale of liquor at his wholesale warehouse to the** Excise Commissioner/Officer authorized by the Excise Commissioner, **who shall accordingly submit the photocopy in the prescribed form to the District Excise Officer on payment of fees as prescribed by the State Government from time to time. Employment letter will be issued.**

Date.....

Place.....

*Excise Commissioner,
Uttar Pradesh.*