

OFFICE OF THE EXCISE COMMISSIONER, UTTAR PRADESH

PRAYAGRAJ No. 735/DO 805A/238/435

Prayagraj, dated May 17, 2022

NOTIFICATION

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of Notification no. /LXXVII- 3-21-57(M)/2020 dated May, 2022:

In exercise of the powers under section 41 of the U.P. Excise Act, 1910 (Act no. IV of 1910) and with previous sanction of the State Government, the Excise Commissioner hereby makes the Uttar Pradesh Licences for the processing and bottling of Analytical Grade & HPLC Grade Absolute Alcohol Rules, 2022

UTTAR PRADESH LICENCES FOR THE PROCESSING AND BOTTLING OF ANALYTICAL GRADE AND HPLC GRADE ABSOLUTE ALCOHOL RULES, 2022

1. Short title and Commencement-(1)These rules may be called the Uttar Pradesh Licences for the processing and bottling of Analytical Grade and HPLC Grade Absolute Alcohol Rules, 2022.

2. Definitions-In these rules, unless there is anything repugnant to the subject or context, - (a) Analytical Grade Absolute Alcohol means the Analytical Grade Absolute Alcohol as defined in Indian

Standard Specification and HPLC Grade Absolute Alcohol means processed and refined Absolute Alcohol for manufacture of HPLC solvent,

(b) Licencee means the holder of Licence in Form FL-50 as appended to these rules;

(c) Licence means licence issued in Form F.L. 50 for processing and bottling of Analytical Grade Absolute Alcohol and HPLC Grade Absolute Alcohol,

3. Fee of Licence- The fee of licence in Form F.L. 50 shall be realized at the rate of Rs. 5.00 per bulk

litre of Absolute Alcohol obtained from any distillery in Uttar Pradesh to process and bottle the Analytical Grade Absolute Alcohol and HPLC Grade Absolute Alcohol. The fee shall be realized by the Excise Inspector in charge of distillery from Licencee before making issues of the Absolute Alcohol from the distillery and shall be deposited in the Treasury.

4. Bottling fee-The bottling fee shall also be realized from the Licencee at the rate of Rs. 11.50 per litre.

5. Grant of Licence for Processing and bottling of Analytical Grade Absolute Alcohol and HPLC Grade Absolute Alcohol- (1)An Analytical Grade Absolute Alcohol and HPLC Grade Absolute Alcohol processing and bottling licence in Form FL-50 may be granted by Excise Commissioner to.

i. A distiller having PD-2 Licence authorized to manufacture only industrial alcohol as well as Anhydrous alcohol.

ii. A company or unit holding PD-33 Licence to establish a industrial distillery including Anhydrous alcohol plant, having minimum investment of Rs. 50 crore and minimum capacity of 40 KLPD, on giving an assurance and commitment by an affidavit supported by Bank Guarantee of Rs. 25 Lakh that it shall install industrial distillery within two years from the date of grant of FL 50 licence. If the unit fails to establish the industrial distillery within the specified period, the aforesaid Bank Guarantee shall be forfeited in favour of the State Government by the Excise Commissioner and the licence granted

for processing and bottling of Analytical Grade Anhydrous Alcohol and HPLC Grade Absolute Alcohol licence shall be held in suspended stage until the industrial distillery is commissioned.

(2) For the grant of such licence, the Applicant shall submit application before Excise Commissioner in form FL-51 as appended in these rules through the District Excise Officer of the concerned district with descriptions and plans of the building along with details of Latitude and Longitude in which applicant proposes to construct the unit and also an inventory giving the description and size of plant and other permanent apparatus. The plan shall be drawn on a computer aided drawing showing the exact position and dimensions of each vessel, tank and receiver to be used. Elevation of each part of unit like storage, receiver and other parts shall be shown on the computer aided drawing. Application shall be uploaded on designated portal also.

(3) If after such enquiry, as may deem necessary, the Excise Commissioner is satisfied, he shall, subject to such conditions as the State Government may deem fit to impose, grant a licence in form FL-52 authorizing the establishment of Analytical Grade absolute alcohol and HPLC Grade Absolute Alcohol plant on payment of fee of Rs. 1,00,000 (One Lac only).

(4) The aforesaid Licence shall be valid (unless specifically extended) for a year from the date of issue within which period the Licence holder thereof shall arrange to secure building, plant, machinery and other equipment required for the establishment.

(5) Validity of licence may be extended for a year on proper reasons given by the Licencee and after payment of fee of Rs. 1,00,000 (One Lac Only).

(6) Before the issuance of licence in Form F.L.-50, a Technical officer authorized by the Excise Commissioner shall inspect the premises, etc. and compare the same with the plans and certify accordingly.

(7) No licence in Form F.L.-50 shall be granted until the applicant has

(i) satisfied the Excise Commissioner that the proposed building, vessels, plant and apparatus to be used in connection with the processing and bottling of Analytical Grade absolute alcohol and HPLC Grade Absolute Alcohol and its storage and issue are strictly in accordance with the rules made in this behalf and are in conformity with the plans submitted by the applicant and further that due precaution has been taken against fire;

(ii) deposited security of Rs 10.00 Lac, seventy five percent of which shall be deposited as a fixed deposit receipt pledged under designated name as Excise Commissioner, Uttar Pradesh and the remaining twenty five percent shall be deposited in cash in Government Treasury;

(iii) deposited the licence fee at the rate of Rs. 10.00 (Ten) per year per kilolitre of the sanctioned capacity to possess Absolute Alcohol for processing and bottling of Analytical Grade absolute alcohol and HPLC Grade Absolute Alcohol in advance for the year or part thereof for which the licence is to be granted.

6. General Conditions- The following general conditions shall be binding on Licencee/Applicant, namely:-

(1) The Licencee shall be bound to observe relevant provisions of the U.P. Excise Act, 1910, and the rules made thereunder, applicable to his licence and the general and special conditions of his licence.

(2) The Licencee shall obtain proper licence/permission/ NOC from Petroleum and Explosives Safety Organization, Fire department, Pollution Control and Central Pollution Control Board.

(3) The Licencee must be registered under Goods and Services Tax for processing and selling of fine chemical from 5 years.

(4) The Licencee shall produce Government No-dues Certificate from the concerned District Magistrate.

(5) Applicant in case of a company shall submit Memorandum of Association and Articles of Association of the company and transfer or lease document regarding ownership of land.

- (6) If it is found that there is shortfall of ENA, and consequently potable liquor, then Excise Commissioner shall restrict the sale of Absolute Alcohol from distilleries of Uttar Pradesh for manufacture of Analytical Grade absolute alcohol and HPLC Grade Absolute Alcohol in the state. (7) The Licencee shall not change the premises in which he carries on his business under his licence except with the previous permission of the Excise Commissioner which should be noted on the licence by the Collector or any officer duly empowered by him and the Excise Commissioner shall be informed. (8) If the Licencee desires to enter into partnership in regard to business covered by licence, he shall do so only after obtaining the previous sanction of the Excise Commissioner and his licence shall therefore be suitably amended. Where partnership is entered into, the partner as well as the original holder of the Licence shall be bound by the conditions of that licence.
- (9) If any partnership is dissolved, the factum of dissolution shall be communicated to the Excise Commissioner by all the partners of the dissolved partnership within three days
- (10) If the Licencee becomes incapable of carrying on the business or dies or becomes insolvent or, in the case of a firm, company or other association of persons, it is wound up, the Excise Commissioner may-
i.either cancel the licence; or
ii continue it in the name of the legal successors, if any, of the Licencee.
- (11) If the Licencee goes out of business he shall dispose of his stock of Absolute Alcohol and Analytical Grade absolute alcohol and HPLC Grade Absolute Alcohol in such manner as the Excise Commissioner may direct
- (12) The Licencee shall not sell or part with as gift or otherwise any quantity of spirit obtained under the licence or utilize it for purposes other than stated in the licence,
- (13) No Absolute Alcohol shall be removed from the licensed premises without the sanction, in writing, of the Excise Commissioner.
- (14) Any attempt on the part of the Licencee to use spirit for human consumption shall attract cancellation of his licence in addition to the penalties that may be imposed under the U.P. Excise Act, 1910
- (15) The Licencee shall maintain registers prescribed for the business carried on by him. The Licencee shall submit all prescribed returns punctually and maintain the accounts of transactions from day to day.
- (16) The Licencee shall maintain an up-to-date account in Form F1-53 of the alcohol received from the distillery and stored in storage tanks, used in the manufacture and the balance left in stock at the end of the day and Analytical Grade Absolute Alcohol and HPLC Grade Absolute Alcohol manufactured and issued
- (17) The Licencee shall at any time produce for inspection on demand his licence and accounts by an officer of the Excise Department not below the rank of an Inspector and shall allow the inspection of his licence, registers, permits or passes, total stock of Absolute Alcohol and Analytical Grade Absolute Alcohol and HPLC Grade Absolute Alcohol and premises by the said officer.
- (18) The Licencee shall maintain an inspection note book with the pages numbered consecutively and hand it over on demand to an officer of the Excise Department not below the rank of an Inspector. Any punishment or warning incurred by the Licencee, without forfeiture or cancellation of his licence shall be recorded in the book.
- (19) A digital record will also be maintained and be submitted online on designated portal of Excise Department daily.
- (20) The licence shall not be transferred or sublet or sold without the previous permission of the Excise Commissioner.
- (21) The Licencee shall sell the Analytical grade absolute alcohol and HPLC Grade Absolute Alcohol to the dealer/end user for the purpose used for laboratory testing use, Pharmaceutical use, laboratory use in schools/colleges/Institutions/Pathologies/R&D Centres and take the necessary

certificate/document from the dealer/end user as mentioned in Appendix-I and produce at the time of inspection also.

(22) The purchaser of the analytical grade absolute alcohol and HPLC grade absolute alcohol shall register himself on the portal through the Licencee.

(23) Issue of Analytical grade absolute alcohol and HPLC Grade Absolute Alcohol shall be under a Transport pass in Form FL-54

(24) Brand and Label of Analytical grade Absolute Alcohol and HPLC Grade Absolute Alcohol shall be approved by Excise Commissioner on payment of fee of Rs. 50,000 each.



7. Indent for Absolute Alcohol (1)Supplies of Absolute alcohol obtained by the Licencee shall be on
indents in



form 1-1 appended to these rules. The indent shall be in printed forms bound in books in triplicate and numbered consecutively. Whenever a Licencee indents for spirit he shall prepare indent in triplicate using carbon paper, send the original of the indent with the fly-leaf by licence concerned to the distillery producing Absolute Alcohol the duplicate of the indent shall be sent to the Excise Inspector of the concerned unit and the triplicate retained by the Indent for his file.

(2) On receipt of the indent along with the prescribed fly leaf the Officer In-charge of the distillery shall not honour the indent unless he has made accurate entries in a very legible way, in each column of the fly leaf and endorse the quantity of Absolute alcohol supplied on the indent. If the distillery is not in a position to meet the requirements of the indent, he shall inform the indenter accordingly. A copy of the communication shall be sent to the Excise Inspector of the unit

8. Forfeiture of security- In case of non-observance of the terms and condition of the licence, the security so deposited may be forfeited to Government and licence cancelled in addition to other penalties that may be provided under the law after giving opportunity to the Licencee to explain.

F.L. 50

Licence for processing and manufacture of Analytical Grade Absolute Alcohol and HPLC Grade Absolute Alcohol

Licence No.....Dated.....

Licence is hereby granted and issued to..... (Name and address of the Licencee), hereinafter referred to as the Licencee, at the below mentioned premises to possess litres of Absolute Alcohol for processing and bottling of Analytical Grade Absolute Alcohol & HPLC Grade Absolute Alcohol during the year ending March 31, 20.....

Description of the licensed premises

Address of the premises.....

Boundary of the premises: North.....

South.....

East.....

West.....

Latitude..... Longitude.....

The Licence shall be subject to -

(i) the provisions of the U.P. Licences for processing and bottling of Analytical Grade Absolute Alcohol & HPLC Grade Absolute Alcohol Rules, 2022,

(ii) rules relating to export and transport of spirit, contained in Chapters IV and V of Part-II of the Excise Manual, Volume-I (1995 edition)

(iii) Such other **rules and orders**, as may be made or issued by the Excise Commissioner and the Government from time to time, and the infraction of which will render the Licencee liable to **cancellation** in addition to any penalties imposed under the above laws.

Conditions: -

1- The Licencee shall maintain all buildings, walls, water channels and drains necessary for the plant in proper order.

2- The Absolute Alcohol shall be obtained from a distillery situated in Uttar Pradesh, produced if any scarcity found in the State it may be imported from the other state with the permission of the Excise Commissioner, Uttar Pradesh.

3- If it is found that there is shortfall of ENA, and consequently potable liquor, then Excise Commissioner shall restrict the sale of Absolute Alcohol from distilleries of U.P. for processing and bottling of Analytical Grade Absolute Alcohol & HPLC Grade Absolute Alcohol in the state.

- 4- The Absolute Alcohol shall be stored in gauged vats or other receptacles approved by the Excise Commissioner. All such vessels shall bear a distinctive serial number and their full capacities shall be distinctly and intelligibly marked over them.
- 5- The Licencee shall, subject to the previous approval of the Excise Commissioner, supply and erect all plant and appliance necessary for the storage of Absolute Alcohol and production, storage and transport of Analytical Grade Absolute Alcohol & HPLC Grade Absolute Alcohol which will include installation and maintenance of CCTV Cameras with IP Address at the entrance/exit gate of the unit.
- 6- The Licencee shall be responsible for maintaining proper cleanliness within the premises of the unit and shall observe all the provisions of sub-section (1) of section 11 of the factories Act, 1948 and rules made and orders if any issued there under and relevant provisions regarding water and air pollution, unless especially exempted by the State Government from and of these provisions.
- 7- The Licencee shall make effective arrangement for the disposal of wastes and effluents from the processing and bottling of Analytical Grade Absolute Alcohol & HPLC Grade Absolute Alcohol and shall make all such arrangements as prescribed in notification dated 8-4-2016 issued by Ministry of Environmental, Forest and Climate change under Solid Waste Management Rules, 2016 and also prescribed by the state Government in this behalf under the provisions of sub-section (2) of section 12 of Factories Act, 1948 and under the relevant provisions regarding water and air pollution.
- 8- The spirit shall be stored in a separate premises approved with PESO. There shall be only one entrance to the spirit storage premises. The gates shall be secured with excise ticket lock during the absence of the Excise Officer In charge.
- 9- No addition or alterations shall be made in the spirits store premises, tanks, receivers and plants or in respect of permanent fixture therein without the previous orders of the Excise Commissioner. The Absolute Alcohol and Analytical Grade Absolute Alcohol & HPLC Grade Absolute Alcohol receivers and storage tank shall be opened and closed only in the presence of the Excise Officer In charge.
- 10- No spirit shall be taken away from the premises by anyone other than a person duly authorized by the Excise Commissioner.
- 11- An application for every quantity of spirit required to be removed from the storage tanks must be made in writing to the Excise Officer In-charge who shall record the quantity issued day-to-day in a prescribed register.
- 12- The Licencee shall maintain an up-to-date account of the Absolute Alcohol received from the distillery and stored in storage tanks, used in the processing and bottling and the balance left in stock at the end of the day and Analytical Grade Absolute Alcohol & HPLC Grade Absolute Alcohol processed and bottled and issued in the Form F.L.53 and in the manner as prescribed by the Excise Commissioner, Uttar Pradesh.
- 13- The Licencee shall apply to the Excise Commissioner through the District Excise Officer of the district concerned, for the renewal of the licence at least one month before the date of expiry of the licence.
- 14- If storage and processing and bottling wastage of Absolute Alcohol is found more than 1.0 percent on the last working day of every calendar month after verification of the stock of Absolute alcohol and Analytical Grade Absolute Alcohol & HPLC Grade Absolute Alcohol produced and stored in the unit, then for such excess wastage of Absolute Alcohol, the consideration fee shall be liable to be charged at the rate of economy category of Indian made foreign liquor.

15- The Licencee shall pay fee at a rate prescribed by the State Government, per litre on the issues of the Absolute Alcohol obtained from any distillery in Uttar Pradesh or imported from the other state for the manufacture of an Analytical Grade Absolute Alcohol & HPLC Grade Absolute Alcohol. 16- The fee shall be realized by the Excise Inspector In-charge of the distillery before making issues of the Absolute Alcohol from the distillery from the Licencee and shall be deposited in the treasury under the relevant head.

17-The Excise Commissioner shall decide the strength of excise personnel necessary for the supervision and his decision shall be binding on the Licencee. The Licencee will provide office with office furniture for the officer in-charge and suitable quarter to the excise staff to the satisfaction of the Excise Commissioner in the vicinity of the licensed premises. The Licencee shall be bound to keep the quarters and their appurtenances in proper repair and not to interrupt or to annoy any officer residing therein, in his use or enjoyment thereof. In case any question should arise as to the sufficiency of the accommodation, the question shall be referred to the Excise Commissioner whose decision shall be final and binding on the Licencee.

18- The Licencee shall furnish to the Excise Officer In-charge a list containing the names of the manager and other employees employed by him and of all other employees whose duties require them to enter the spirit store. He shall promptly inform the Excise Inspector concerned of any changes which he may choose to make in the list from time to time.

19- The Licencee shall provide himself with the following registers in duplicate:

(i) Register of transaction in the Absolute Alcohol store showing the receipt and use of spirit. (ii) Register of operations in the unit showing the quantity of Absolute Alcohol used and total quantity of Analytical Grade Absolute Alcohol & HPLC Grade Absolute Alcohol produced.

(iii) All registers and forms which the Excise Commissioner may prescribe shall be printed and supplied by Licencee free of charge to the concerned Excise Inspector to supervise the operation.

(iv) He shall maintain daily accounts of transactions and sell of Analytical Grade Absolute Alcohol & HPLC Grade Absolute Alcohol to the parties with his name, address and mobile No.

20- A digital record will be maintained also and be submitted online on designated portal of Excise Department daily.

COUNTERPART AGREEMENT

I..... the above-named Licencee, for myself, my heir, legal representatives and assigns here by agree to all terms and conditions hereinbefore written and expressed.

Date:

Licencee:

Witnesses:

1-

2-

Excise Commissioner
Uttar Pradesh

ENDORSEMENT OF RENEWAL

This licence is hereby renewed on the conditions herein before stated for the period stated below.

Period.....to.....

Excise Commissioner,
Uttar Pradesh

FL-51

See Rule 5(2)

**Application to Establish
Analytical Grade Absolute Alcohol & HPLC Grade Absolute Alcohol**

Plant 1. Name of applicant

2. Name of address of the undertaking

3. Detail of investment

a. Fixed Assets

b. Land Site Development

c. Building

d. Plant and Machine

4. Location

5. Raw Material Required for production

6. Water and power requirement

a) Particular of the requirement

b) Whether necessary permission in as secured 7.

Process

8. Technical Assistance

9. Forecast of Time Factor

10. Item of Manufacture and quantity of item per year 11.

Employment Potential

12. Any special facility requirement from Govt.

Signature of Applicant with Date

Annexures

1. Pollution NOC

2. Fire NOC

3. GST

4. Detail of Plant/Machinery

5. Layout Plant in 3 copy

6. Plan & elevation of the drawing

7. Fee chalan

8. Detail of tanks and gauge chart of all alcohol storage tank in 3 copies 9.

Capacity calculation of the plant

FL-52

See Rule 5(3)

**Licence to establishment for process and bottle Analytical Grade Absolute Alcohol & HPLC Grade
Absolute Alcohol Plant**

Licence is hereby granted and issued to..... (Name of and address of Licencee.....
(enter detail of Location) in the village and town.....District to process and bottle
Analytical Grade Absolute Alcohol plant & HPLC Grade Absolute Alcohol with.....Lac litre Annual
capacity. Licence is valid for one year from the date of issuance of this licence.

Date

Excise Commissioner

Uttar Pradesh

(I-1)

Indent of
See

Absolute Alcohol

Rule 7

Excise Inspector In charge

.....

Please issue..... litre of Absolute Alcohol for processing and bottling
of Analytical Grade Absolute Alcohol & HPLC Grade Absolute Alcohol from

.....to..... Dated.....

Authorized Person of Unit/Licencee

Recommendation of Excise Inspector in charge of the Unit.

Sign and Seal of
Excise Inspector in
charge of Unit

F.L. 53

Absolute Alcohol									
Date	Openi ng balanc e	From where receive d	Permi t no. and date	Quantity	Total of Columns 2+5	Quantit y taken or issued for use	Closing balance spirit	Analytical/HPL C Grade Absolute alcohol manufactured	Analytical/HPLC Grade Absolute alcohol sale
1	2	3	4	5	6	7	8	9	10

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Form FL-54

Uttar Pradesh Excise Department
Analytical Grade Absolute Alcohol & HPLC Grade Absolute
Alcohol Transport Pass Verify and return immediately

1. Pass No:

Date:

Valid up to: 2. Name of consignor:

Licence No.: 3. Name and address of consignee:

Licence No.: 4. Description of Analytical Grade Absolute

Alcohol/HPLC Grade Absolute Alcohol 5. Indent No.:

Indent Date:

Purchase Order No. issued by consignee/Sale order No. issued by consignor Date of
purchase/sale order:

6. Fee Paid (in Rs.):

7. Vehicle No:

8. Route Detail

9. Gross Weight:

Tare Weight:

Net Weight:

10. Details of dispatch:

No. of Bottles	Capacity in ML.	Alcohol in BL	Alcohol in AL

Digitally signed by person authorized by
MD/CEO of the Licencee with date and designation.

13. Details of quantity received:

Received No. of Bottles

Capacity of bottle

Quantity in Bulk Litre

Digital signature of recipient of consignee
with Date & Designation.

APPENDIX-I

END USE CERTIFICATE FROM DEALER/END USER

We hereby certify that the below mentioned material has not been used for human consumption or any other mis utilization covered under the excise control Act:-

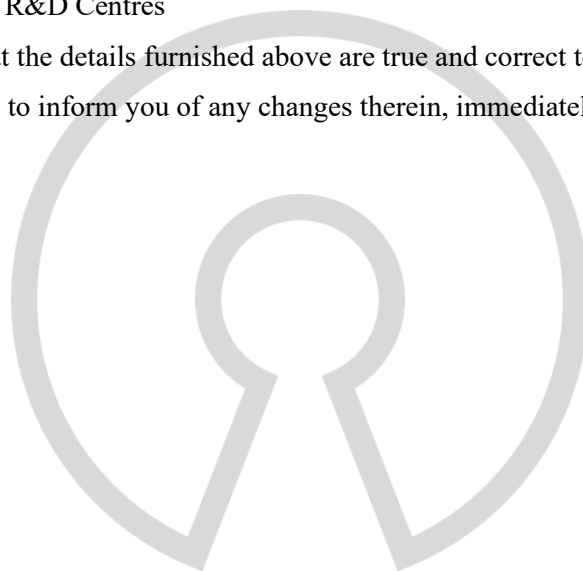
INVOICE NUMBER	INVOICE DATE	PRODUCT	QUANTITY
		ETHANOL 99.9% (Analytical Grade/HPLC Grade)	

Purpose Used for:-

- Laboratory testing use
- Pharmaceutical use
- Laboratory use in schools
- Laboratory use in colleges
- Laboratory use in institutions
- Laboratory use in Pathologies
- Laboratory use in R&D Centres

We hereby declare that the details furnished above are true and correct to the best of our knowledge and belief and I undertake to inform you of any changes therein, immediately.

(Sign & Stamp)



By order,
SENTHIL PANDIAN C.
Excise Commissioner,
Uttar Pradesh.