



# കേരള ഗസറ്റ് KERALA GAZETTE

## അസാധാരണം EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്  
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Thursday

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01st February 2024  
1199 മകരം 18  
18th Makaram 1199  
1945 മാഘം 12  
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നമ്പർ  
No. 396

GOVERNMENT OF KERALA

Taxes (G) Department

NOTIFICATION

G. O. (P) No. 3/2024/Taxes.

Dated, Thiruvananthapuram, 24th January, 2024  
10th Makaram, 1199.

S. R. O. No. 103/2024

In exercise of the powers conferred by Sections 24 and 29 of the Abkari Act, 1 of 1077, the Government of Kerala hereby make the following rules further to amend the Foreign Liquor Rules issued under notification No. S. R. 4-1859/52/RD dated 17th January, 1953 and published in the Travancore-Cochin Gazette Extraordinary No. 2 dated 17th January, 1953, namely:—



## RULES

1. *Short title and commencement.*— (1) These rules may be called the Foreign Liquor (2nd Amendment) Rules, 2024.

(2) They shall come into force at once.

2. *Amendment of the Rules.*— In the Foreign Liquor Rules, 1953,—

(1) in rule 13, after sub-rule (11C), the following sub-rule and proviso shall be inserted, namely:—

“(11D) *Foreign Liquor (11D) Seasonal beer/wine parlour license.*—License in this Form may be issued by the Commissioner of Excise under orders of Government to restaurants classified by Department of Tourism, Government of Kerala and hotels having one star, two star, three star, four star, five star, five star deluxe, heritage, heritage grand or heritage classic classifications granted by Ministry of Tourism, Government of India, which are situated in the tourist centres approved by Tourism Department, Government of Kerala, to vend beer/wine for a quarter period. The quarterly rental shall be ₹ 1,00,000 (Rupees One Lakh only). This license shall expire automatically on the last day of the period for which the license is granted, if not renewed.

No such license shall be issued to hotels having one star, two star and three star classification if located within 200 (Two Hundred) metres and to hotels having four star, five star deluxe and heritage classification if located within 50 (Fifty) metres from any educational institution, temple, church, mosque, burial ground or Scheduled Caste/Scheduled Tribe colony. Holder of this license should exercise this privilege at least in one quarter every year, otherwise the license shall be treated as defunct.

Notwithstanding anything contained in this rules, the license in this Form shall be renewed by the Deputy Excise Commissioner of the Division concerned for the subsequent or any other quarter in a year:

Provided that there is no change in the nature, content or scope of the license or premises.

*Note:*— Quarter period in this rules means— 1st Quarter—1st April to 30th June

2nd Quarter—1st July to 30th September

3rd Quarter—1st October to 31st December

4th Quarter—1st January to 31st March”.



3. after FORM F.L.11 the following FORM shall be inserted, namely:—

“FORM F.L.11D

[See Rule 13(11D)]

**LICENCE FOR THE PRIVILEGE OF POSSESSION AND VEND OF BEER/WINE  
FOR CONSUMPTION IN THE PREMISES IN TOURISM SEASONS**

Under the provisions of the Abkari Act, 1 of 1077, and of the rules made thereunder, the Commissioner of Excise, Kerala State, hereby licence ..... residing at ..... to vend beer/wine at the premises of the Hotel/Restaurants..... during the quarter period from 1st ..... to the last day of ..... subject to the conditions and stipulations to be observed by the said licensee.

**CONDITIONS**

1. The privilege under this licence extends to the possession and vend of beer/wine on payment of a quarterly rental of ₹ 1,00,000 (Rupees One Lakh only).

2. The sale of beer in quantity less than one bottle at a time to a person is prohibited. The beer/wine sold under this licence shall be permitted to be consumed only within the premises specified in the licence.

3. The licensee is prohibited from selling beer/wine other than the one supplied by the Kerala State Beverages (Manufacturing and Marketing) Corporation Ltd. The licensee is also prohibited from rectifying, purifying, colouring, flavouring or mixing any materials therewith.

4. All beer/wine kept for sale must bear a printed label showing clearly the country of manufacture, the name of the bottler as entered in his licence and place of bottling and stickers pasted by the Kerala State Beverages (Manufacturing and Marketing) Corporation Ltd. All foreign made wine imported into the State and kept for sale, other than those purchased directly from the Customs Bonded Warehouse, shall be affixed with labels approved by the Excise Commissioner as provided in Foreign Liquor (Approval of Label) Rules, 2018.



5. Possession and sale of foreign liquor other than beer/wine or any other kind of liquor are prohibited.

6. The licensee shall maintain day to day true accounts of transactions in such manner, either in ink in such registers or electronically as prescribed by the Commissioner of Excise from time to time and shall furnish such information and statistics as may be called for by any officer of the Excise Department not below the rank of an Excise Inspector. Beer/wine shall not be transferred from one beer/wine parlour to another without the written consent of the Deputy Commissioner of Excise concerned.

7. A Sign Board of the dimensions 1 metre x 3/4 metre shall be fixed to the main front of the shop. The Board should have a white background with the number, name of the licence, and name of the licensee written in black letters. The Board should contain the warning in English and Malayalam “ALCOHOL CONSUMPTION IS INJURIOUS TO HEALTH”—“മദ്യപാനം ആരോഗ്യത്തിന് ഹാനികരം” and “DRUNKEN DRIVING IS PUNISHABLE”— “മദ്യപിച്ച് വാഹനം ഓടിക്കുന്നത് ശിക്ഷാർഹമാണ് ” written both in English and in Malayalam in red letters, each letter having a dimension of not less than five centimeters. The license must be hung in a conspicuous place within.

8. No Liquor shall be sold under this license through more than one beer and wine counter within the licensed permit room of the hotel.

9. The holder of this licence shall not maintain or operate counters in, or in the premises of the hotel or in any area other than within the licensed permit room of the hotel.

10. An Excise Officer not below the rank of an Excise Inspector shall have the authority to inspect the premises and accounts and verify the permits and vouchers for the purchase and transport of beer/wine and shall also have the authority to take possession of any quantity of beer/wine found unfit for human consumption or suspected to have been tampered with. Officers of the Excise Department, not below the rank of a Deputy Commissioner of Excise, are empowered to confiscate and destroy any liquor found in the parlour to be unfit for human consumption or which has been tampered with.

11. F.L. 11D licensed premises shall not be kept open before 10 O' clock in the morning and after 12 O' clock in the mid night.



12. The premises specified in the license shall remain closed on the following days:

- (i) Birth day of Mahatma Gandhi;
- (ii) Birth day of Sree Narayana Guru;
- (iii) Commemoration day of Mahatma Gandhi;
- (iv) Samadhi day of Sree Narayana Guru;
- (v) During the period of forty-eight hours ending with the hour fixed for the conclusion of the poll in connection with general or bye election within the polling area and on the whole day of counting of votes within the polling area;
- (vi) During the period of forty-eight hours ending with the hour fixed for the conclusion of the poll in connection with the election or bye election to the Corporation, Municipal Divisions, Wards or Panchayat constituencies within the polling area and on the whole day of counting of votes within the polling area;
- (vii) The first day of all English calendar months;
- (viii) Good Friday;
- (ix) International Day against Drug Abuse and Illicit Trafficking.

13. The licensee shall furnish such returns and information as may be required by the Commissioner of Excise and the Excise Officers from time to time. The licensee shall maintain in his parlour an inspection note book with the pages numbered consecutively for the inspecting officers to record their remarks. The licensee shall not sell, transfer, lease or sub-rent the whole or any portion of the privilege granted to him under the licence.

14. Every licensee shall be bound to report to the Commissioner of Excise or the Deputy Commissioner of Excise concerned, all instances which come to his knowledge, of any person employed by him in the carriage or sale of beer/wine, committing breaches of the Abkari Act, 1 of 1077 or rules made thereunder and to comply with any order of the Commissioner of Excise or of the Deputy Commissioner of Excise concerned to discontinue the employment of such person.

15. The licensee shall on requisition by the Commissioner of Excise or any officer duly authorized by him deliver up the licence for amendment.



16. The licensee shall not have pecuniary dealings of any kind with the officers of the Excise Department.

17. No remission, abatement or refund of the rental shall be claimed by the licensee on any account whatsoever. Interest on all sums due shall be payable at the rate of 18 per cent per annum.

18. Infraction of any of the rules or the conditions of the licence either by the licensee or by any person in his employment shall entail on the licensee or his agent or both, a fine of ₹ 50,000 (Rupees Fifty Thousand only) or cancellation of the license or both. An Officer of and above the rank of Deputy Commissioner of Excise shall be competent to impose all or any of the above penalties except the cancellation of the licence which can be done only by the Excise Commissioner:

Provided that if the holder of such license of permit sells or stores for sale liquor in any premises, other than the licensed premises, such penalty shall not be less than ₹ 1,00,000 (Rupees One Lakh only).

19. The maximum strength at which beer shall be sold is 6% v/v and the alcoholic strength of Indian Made Wine which can be sold shall be from 8% v/v to 15.5% v/v.

20. The licensee shall be bound by all the relevant rules which have been made under the Abkari Act, 1 of 1077 as subsequently amended and continue in force and which may hereafter be passed under the said Act or under any law relating to abkari revenue, which may hereafter be passed.

21. It shall be competent to the Commissioner of Excise to set aside, modify or otherwise revise an order passed by any Excise Officer subordinate to the Commissioner of Excise. The Commissioner of Excise shall also exercise the powers delegated to his subordinate, if found necessary.

22. When the period of licence expires or when the licence is cancelled, revoked or notice of such cancellation or revocation is given to the licensee, the licensee shall within 30 days from the date of expiry of the period of licence or from the date of receipt of cancellation or revocation notice, as the case may be, sell or transfer the full stock of beer/wine to any other beer/wine parlour licensees. Should the licensee fail to do so within the prescribed time limit, the Excise Inspector of the range within which the licensee's beer/wine parlour is situated, will take such beer/wine in custody and keep the same in the office.



The licensee shall be allowed a further period of 30 days for selling or transferring the same to another beer/wine parlour in one transaction after obtaining proper permits from the Excise Inspectors concerned. If before the expiry of this further period the licensee again fails to sell or transfer it, the officer in charge of the division shall otherwise dispose of the beer/wine as per rules.

SCHEDULE SHOWING BOUNDARIES OF THE BEER/WINE PARLOUR

<i>Taluk, Village, Muri, Survey No., Door No. etc.</i>	<i>Bounded on the</i>			
	<i>North by</i>	<i>East by</i>	<i>South by</i>	<i>West by</i>

SCHEDULE SHOWING BOUNDARIES OF THE PERMIT ROOM

<i>Bounded on the North by</i>	<i>Bounded on the East by</i>	<i>Bounded on the South by</i>	<i>Bounded on the West by</i>

SCHEDULE SHOWING BOUNDARIES OF THE BEER/WINE STORE ROOM

<i>Bounded on the North by</i>	<i>Bounded on the East by</i>	<i>Bounded on the South by</i>	<i>Bounded on the West by</i>

Dated this the ..... Day of .....20.....

Excise Commissioner ”

By order of the Governor,

DR. A. JAYATHILAK, IAS,  
*Additional Chief Secretary to Government.*



### Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

Government have announced its Abkari policy for the year 2023-2024, as per G.O. (Ms.) No. 79/2023/TAXES dated 27th July, 2023. Government have *inter alia* decided to grant seasonal beer/wine parlour license to hotels and restaurants situated in the tourist centres approved by Government of Kerala. In order to implement the said decision, the Foreign Liquor Rules, 1953 need to be amended suitably.

The notification is intended to achieve the above object.

