



# ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು  
ವಿಶೇಷ ಪತ್ರಿಕೆ

ಭಾಗ - IV-A	ಬೆಂಗಳೂರು, ಸೋಮವಾರ, ಏಪ್ರಿಲ್ 30, 2012 (ವೃತ್ತಾಂತ ೧೦, ಶಕ ವರ್ಷ ೧೯೩೪)	ನಂ. ೩೧೯
------------	----------------------------------------------------------------	---------

## FINANCE SECRETARIAT

### NOTIFICATION - I

No. FD 3 PES 2010, Bangalore, Dated: 30<sup>th</sup> April, 2012

Whereas the draft of the following rules further to amend the Karnataka Excise (Brewery) Rules, 1967, was published as required by Sub-section (1) of Section 71 of the Karnataka Excise Act, 1965 (Karnataka Act 21 of 1966) in Notification-I No. FD 3 PES 2010 dated 28-10-2011 in Part-IV-A of the Karnataka Gazette (Extra Ordinary) No. 897 dated 28-10-2011 inviting objections and suggestions from all persons likely to be affected thereby within thirty days from the date of its publication in the Official Gazette.

And whereas the said Gazette was made available to the public on 28<sup>th</sup> October, 2011.

And whereas, no objections and suggestions have been received in respect of the said draft by the State Government.

Now, therefore, in exercise of the powers conferred by Section 71 of the Karnataka Excise Act, 1965 (Karnataka Act 21 of 1966), the Government of Karnataka hereby makes the following rules, namely:-

### RULES

**1. Title and Commencement:-** (1) These rules may be called the Karnataka Excise (Brewery) (Amendment) Rules, 2011.

(2) They shall come into force from the date of their publication in the Official Gazette.

**2. Amendment of rule 2:-** In the Karnataka Excise (Brewery) Rules, 1967 (hereinafter referred to as the said rules) in rule 2, after clause (h), the following shall be inserted, namely:-

"(hh) "Factory Out-let" means a place which is separated, but contiguous to the Brewery license premises, where the licensee is permitted to show-case the process and the products manufactured in the Brewery alongwith facility to sell for consumption or otherwise of beer, serving food etc to the employees and visitors to the Brewery,"

**3. Insertion of rule 3A.-** After rule 3 of the said rules, the following shall be inserted, namely:-

**"3A. License for factory Out-let.-** (1) Any holder of Brewery license desirous to show-case the process and to sell draught beer or bottled beer and the products manufactured in the licensed premises may apply to the Commissioner in **Form-6** through the Deputy Commissioner along with a challan for having paid the license fee of rupees two lakh per year. The application shall be accompanied with full description of area separated from manufacturing area, seating arrangement, plan, refreshment room with sufficient accommodation and separate toilet with running water facilities. If the Commissioner is satisfied that licence in **Form-7** may be granted to sell bulk beer and bottled beer, he shall issue the same.

(2) The licensee under sub- rule (1) intend to show case and sell the bottled beer and serve for consumption, he shall obtain the same from KSBCL in accordance with the Karnataka Excise (Possession, Transport, Import and Export of Intoxicants) Rules, 1967.

(3) The licensee under sub-rule (1) shall lift the bulk beer only against the permits issued by the excise officer in charge of brewery in accordance with the Karnataka Excise (Possession, Transport, Import and Export of Intoxicants) Rules, 1967.

(4) The licensee under sub- rule (1) shall issue only bulk beer not exceeding four liters to an employee or a casual visitor of the brewery.

(5) The licensee under sub- rule (1) shall maintain daily accounts and Stock Book-1 as prescribed in Form-8."

**4. Insertion of Form 6, 7 and 8:-** After Form No 5 of the said rules, the following shall be inserted namely:-

**FORM -6**

**Application for Grant of License to Sell Draught Beer and Bottled Beer on the Premises of Brewery**

[see rule 3A(1)]

1	Name and Address of the Brewery Licence No. .... If details. ....	
	If the Applicant is a company or a firm the names and addresses of the Directors or Partners of the Company or Firm	
3	Whether license for sale of Draught/ Beer is obtained if yes , details	
4	Details of the Fee paid	
5	Whether premises meant for sale of draught beer and Bottled beer is approved by Deputy Commissioner of Excise	
6	Details of the staff of sale outlet	
7	Details of the premises used for sale of Draught Beer as shown in the plan	

Date

Signature of the Applicant

Place

## FORM -7

## License to Sell Draught and Bottled Beer on the Premises of Brewery

[see rule 3A(1)]

1	Name of the Brewery Licence No. of Brewery	
2	District in which the Brewery is located	
3	Details of Fee paid Period of licence	

I. . . . . the Excise Commissioner in Karnataka under the provisions of Section 16 of the Karnataka Excise Act, 1965 hereby license you. . . . . (hereinafter the Licensee) to run a factory out-let at premises. . . . . of the Brewery subject to the following conditions :-

**CONDITIONS**

1. The licensee shall be bound by the provisions of the Karnataka Excise Act, 1965 Notifications, Rules and Orders made or issued there under the Karnataka Excise (Brewery) Rules, 1967 and the Karnataka Excise (Lease of the Right of Retail Vend of Beer) Rules, 1976.
2. The licensee shall observe such rules as may be prescribed by the State Government or such instructions and orders as may be issued by the Excise Commissioner from time to time in regard to control of sale, possession and issue of Beer.
3. The licensee shall source the supply of bottled and bulk beer subject to Rule 3A of the Karnataka Excise (Brewery) Rules, 1967.
4. The licensee is bound to maintain separate accounts of daily transaction of each brand of Beer and submit the returns monthly to the Brewery Officer and the Deputy Commissioner of the District within the first week of the following month.
5. The licensee shall ensure metric measures only approved by the Weights and Measure Department.
6. The licensee shall ensure that the bulk Beer supplied to the licensed premises shall be in hygienic condition and sold fresh.
7. The license shall not be transferred.
8. The authorised persons or the vendor as the case may be shall equally with the license holder be responsible for breach of any of the conditions of the license.

9. The License may be suspended or cancelled in accordance with the provisions of Section 29 of the Act and the Licensee and his employee shall be liable for prosecution of breach of any conditions of license under the provisions of the Act or the Rules and orders passed hereunder.
10. The License shall continue to be in force till 30<sup>th</sup> of June. . . . .
11. Draught Beer shall be sold only for consumption in the premises
12. The licensee shall maintain receipt book and each transaction shall be entered
13. The bottled Beer shall be lifted against permit from KSBCL only
14. The opening and closing hours of the shop for sale of draught and Bottled beer shall be from 10.00AM to 10.00PM

**FORM -8**

**Stock Book No. 1**

**(see rule 3(3) (5))**

Daily Account Book to be maintained by the licensee under sub-rule 3(3) (1)

Month	Date	Opening Balance		Receipt		Sale		Closing Balance	
		Bulk	Bottled	Bulk	Bottled	Bulk	Bottled	Bulk	Bottled
1	2	3	4	5	6	7	8	9	10

Signature of the in-charge person

Verified by the Excise Officer in-charge

By Order and in the name of the Governor of Karnataka,

**D.N.Venkatachalapathi**  
Under Secretary to Government,  
Finance Department (Excise)

**FINANCE SECRETARIAT**

**NOTIFICATION - II**

**No. FD 3 PES 2010, Bangalore, Dated: 30<sup>th</sup> April, 2012**

Whereas the draft of the following rules further to amend the Karnataka Excise (Possession, Transport, Import and Export of Intoxicants) Rules, 1967 was published as required by Sub-section (1) of Section 71 of the Karnataka Excise Act, 1965 (Karnataka Act 21 of 1966) in Notification-II No. FD 3 PES 2010 dated 28-10-2011 in part-IV-A of the Karnataka Gazette (Extra Ordinary) No. 897 dated 28-10-2011 inviting objections and suggestions from all persons likely to be affected thereby within thirty days from the date of its publication in the Official Gazette.

And whereas the said Gazette was made available to the public on 28<sup>th</sup> October, 2011.

And whereas, no objection and suggestion have been received in respect of the said draft by the State Government.

Now, therefore, in exercise of the powers conferred by Section 71 of the Karnataka Excise Act, 1965 (Karnataka Act 21 of 1966), the Government of Karnataka hereby makes the following rules, namely:-

**RULES**

1. **Title and commencement.**- (1) These rules may be called the Karnataka Excise (Possession, Transport, Import and Export of Intoxicants) (Amendment) Rules, 2011.  
(2) They shall come into force from the date of their publication in the Official Gazette.
2. **Amendment of Rule 6.**- In the Karnataka Excise (Possession, Transport, Import and Export of Intoxicants) Rules, 1967 (hereinafter referred to as the said rules), in rule (6), in sub rule (1) after the words, brackets and figures "the Karnataka Excise (Sale of Indian and Foreign Liquors) Rules, 1968", the words, brackets and figures "and in Form-6 issued under the Karnataka Excise (Brewery) Rules, 1967" shall be inserted.
3. **Amendment of rule 6B.**- In rule 6B of the said rules, in sub-rule (1), after the words, brackets and figures "the Karnataka Excise (Lease of Right of Retails Vend of Beer) Rules, 1976," the words, brackets and figures "and in Form-6 issued under the Karnataka Excise (Brewery) Rules, 1967" shall be inserted.

By Order and in the name of the Governor of Karnataka,

**D.N.Venkatachalapathi**  
Under Secretary to Government,  
Finance Department (Excise)