

**GOVERNMENT OF TEALANGANA
PROHIBITION & EXCISE DEPARTMENT**

From
Sri Sarfaraz Ahmad, I.A.S.,
Director, Prohibition & Excise,
Telangana, Hyderabad

To
The Managing Director,
TSBCL,
Hyderabad.

Lr. Cr.No.3168/2017/CPE/TS/F1, dt.17.05.2023

Ex

Sir,

Sub:- Rules- The Telangana Excise (Grant of licence of selling by bar and conditions of licence) Rules, 2005 – Amendment – Notification – Orders – Issued – Communicated – Reg.
Ref:- G.O.Ms.No.46, Revenue (Excise-II) Dept., dt.10.05.2023

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I invite attention to reference cited and communicate herewith copy of orders of Government issued vide reference cited with regard to amendment to the Telangana Excise (Grant of licence of selling by bar and conditions of licence) Rules, 2005 for taking necessary action.

Encl: As above

Yours faithfully,
Sd/- Sarfaraz Ahmad
Director, Prohibition & Excise

//Attested//



Assistant Commissioner (Hqrs)

**GOVERNMENT OF TELANGANA
ABSTRACT**

RULES - The Telangana Excise (Grant of licence of selling by bar and conditions of licence)
Rules, 2005 - Amendment - Notification - Orders - Issued.

REVENUE (EXCISE - II) DEPARTMENT

G.O.Ms.No.46

Dated:10.05.2023.

Read the following:-

- (1) G.O.Ms.997, Revenue (Ex.II), Department, dated:24.05.2005.
- (2) G.O.Ms.9, Revenue (Ex.II), Department, dated:27.01.2015.
- (3) G.O.Ms.127, Revenue (Ex.II), Department, dated:30.6.2017.
- (4) G.O.Ms.No.221, Revenue (Ex.II), Department, dated:27.09.2017.
- (5) From the DPE, Hyd., Letter Cr.No.3168/2017/CPE/TS/F1, dated 5-12-2022.
- (6) From the DPE, Hyd., Letter Cr.No.3168/2017/CPE/TS/F1, dated 15-12-2022.

ORDER:

The following notification shall be published in an Extra-ordinary issue of the Telangana Gazette, dated: 10 May, 2023:-

NOTIFICATION

In exercise of the powers conferred by section 72 read with sections 2 (11-A), 17, 28 and 29 of the Telangana Excise Act, 1968 (Act No.17 of 1968), the Government of Telangana hereby makes the following amendments to the Telangana Excise (Grant of licence of selling by bar and condition of licence) Rules, 2005 issued in G.O.Ms.No.997, Revenue (Excise-II) Department, dated: 24.05.2005 and as amended from time to time:-

AMENDMENTS

In the said rules;-

1. In Rule 4, the proviso(s) shall be omitted.
2. "9-A Renewal of 2B Licence:- For Rule 9-A the following shall be substituted, namely:-
 - (1) After grant of license under rule 4 the annual renewal of 2B license shall be DEEMED subject to certain conditions as specified.
 - (2) Before 15 days of expiry of license the licensee shall submit an application for auto renewal of license, duly bearing a court fee stamp of requisite value as per the provision of Indian Stamp Act, 1899, to the Deputy Commissioner of Prohibition & Excise or any other officer authorized by Commissioner of Proh. & Excise, T.S. Hyderabad, duly attaching the following documents,
 - (i) Proof of payment of requisite renewal fee.
 - (ii) Proof of payment of first instalment of BET.
 - (iii) B.G. as prescribed.
 - (iv) Proof of payment of Trade License fee for the current year.
 - (v) An affidavit in Form 4B on Stamp Paper of requisite value as per the provisions of Indian Stamp Act, 1899".
3. In Rule 10, in sub-rule (3) for clause,(a) the following shall be substituted, namely:-
 - (a) "The annual "Bar Excise Tax" shall be paid before commencement of the licence period in one lump sum or in "four" equal instalments or in a manner as notified from time to time. When the licence is issued before 1st October the 1st instalment, i.e., 1/4 of the annual "Bar Excise Tax" shall be paid into Government Treasury through a challan before the issue of licence along with a Bank Guarantee from a Scheduled Bank situated in Telangana in Form -3B for an amount equal to 1/4 of annual Bar Excise Tax. The Bank Guarantee shall be valid for a period of "**twelve**" months. The 2nd, 3rd and 4th Instalments of annual "Bar Excise Tax" of value equal to 1/4th of annual Bar Excise Tax each shall be remitted on or before 20th December of the

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same year, 20th March and 20th of June of succeeding year" respectively: Provided that in addition to the instalments, licensee shall pay Special Bar Excise Tax at the rate of Rs.2.00 lakhs along with the 2nd instalment of annual Bar Excise Tax as a one time collection without accounting it for 7 times".

4. For Rule 10-A, the following shall be substituted, namely:-
"10-A: The licensee shall pay a Turnover Tax" @ 10% including Value Added Tax (VAT) on the sale price of Indian Made Foreign Liquor and Foreign Liquor purchased from Telangana Beverages Corporation Limited when the cumulative value of his / her purchases during license year exceeds (Seven) times of the annual Bar Excise Tax including additional Bar Excise Tax".
5. In Rule 33,
 - (i) In sub-rule (1), for the figures and expressions "Rs.1000/-", the figures and expressions "Rs.5,000/-" shall be substituted.
 - (ii) In sub-rule (2), clause (ii) shall be omitted.
6. In Form-2B (Under rule 4),
 - (i) The licence condition No.2, shall be Omitted.
 - (ii) In Licence condition No.5, for the words "beer" the words and expressions "Indian Made Foreign Liquor and Foreign Liquor" shall be substituted.
7. For Forms 3B and 3B1 (Under rule 10), the form 3-B appended to this G.O. as Annexure-I shall be substituted.
8. For Form 4B (Under rule 5), the Form 4B appended to this G.O. as Annexure-II shall be substituted.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**A. SANTHI KUMARI
CHIEF SECRETARY
& SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)**

To

The Commissioner of Printing and Stationary & Stores Purchases, Telangana, Chanchalguda, Hyderabad (with a request to furnish (200) copies to Government and Commissioner of Prohibition & Excise, Telangana, Hyderabad, and 50 copies to Special Commissioner of Information and Public Relation, Telangana State, Hyderabad.)
The Director, Prohibition & Excise, Telangana State, Hyderabad.

Copy to:

The Law (A) Department.
The PS to P.M. Secy to Chief Minister.
The PS to Minister for Prohibition and Excise.
The PS to CS & Spl. Secy (CT& EX).
SF/SC

//FORWARDED BY ORDER//


SECTION OFFICER

Annexure-I
(To G.O.Ms.No.46, Rev (Ex.II) Dept., dated:10.05.2023).

FORM-3-B
(See Rule 10)
Format of Bank Guarantee

To
The District Prohibition and
Excise Officer.....

Dear Sir,

Whereas Sri / Sarvasri.....S/o..... r/o..... occupationis/ are the licensees of Bar.....situated in..... village/ Mandal..... District..... known as and is/ are liable to pay 1st "Bar Excise Tax" instalment of Rs.payable on or before 1st October of the licence year as required under proviso to Rule 10(3)(a) of The Telangana Excise (Grant of License of Selling by Bar and Conditions of Licence) Rules, 2005 and Sri/ Sarvasri is/ are liable to furnish Bank Guarantee for the 2nd, 3rd and 4th instalments payable on or before 20th December, 20th March and 20th June of succeeding year 20-- respectively according to proviso to sub-rule (3)(a) of Rule 10 of the Telangana Excise (Grant of License of selling by Bar and Conditions of Licence) Rules, 2005.

We hereby guarantee for Rs..... (Rupeesonly) being towards second, third and fourth instalment of "Bar Excise Tax" for the licence year..... to the Government along with such interest and late fee on the above amount which may accrue.

Further we,.....Bank undertake to pay the said amount guaranteed on demand from the licensing authority in case this Bank Guarantee stands forfeited under sub-rule (4) of Rule 10 of The Telangana Excise (Grant of License of selling by Bar and Conditions of Licence) Rules, 2005.

This guarantee shall be in force for a period of 12 (Twelve) months from the date of execution or till clearance certificate is obtained from the "District Prohibition and Excise Officer" whichever is earlier.

We undertake not to revoke this guarantee under any circumstances till clearance certificate is obtained from the "District Prohibition and Excise Officer"

Yours faithfully,

For.....Bank

A. SANTHI KUMARI
CHIEF SECRETARY
& SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)


SECTION OFFICER

Annexure-II
(To G.O.Ms.No.46, Rev (Ex.II) Dept., dated:10.05.2023).

Form-4B
(See Rule 5)
Affidavit

I /We hereby solemnly affirms and state on oath as follows :

- i) That, I/We have paid Rs. 1.00 lakh towards bar renewal fee vide Challan No. _____, dated _____.
- ii) That, I/We have paid ₹ _____ lakhs towards first instalment of Bar Excise Tax (BET) vide challan No. _____, dt: _____, Challan No. _____, dt: _____.
- iii) That, I/We have submitted a bank guarantee for 25% of annual Bar Excise Tax. The Bank Guarantee details are as follows:-
Bank Guarantee No. : _____
Name of bank : _____
Name of branch : _____
Date of issuance of Bank Guarantee : _____
Valid upto : _____
- iv) That I/We have paid the fee for renewal of trade license for the current financial year.[Copy attached].
- v) That I/We own the property/ possess a valid lease deed for the property, where the bar is located. [Copy of lease deed / possession documents is attached].
- vi) That, I/We shall be severally/jointly responsible to abide by the terms and conditions of the license as laid down in the license in Form 2B, dated _____ and the Telangana Excise (Grant of License of Selling by Bar and Conditions of License) Rules, 2005.
- vii) That, I/We shall abide by the provisions of Telangana Excise Act, 1968 and the rules and orders there under existing and also those that would be issued from time to time.
- viii) That, I/We shall abide by all general conditions applicable to the sale of intoxicants and also instructions issued by the Commissioner, Prohibition & Excise, in this regard from time to time.
- ix) That, I/We shall be bound to pay the "Bar Excise Tax", excise duty and security deposit or any enhanced license fee, excise duty and security deposit and the like levied from time to time.
- x) That, I/We shall be bound to pay the penalties or "Bar Excise Turnover Tax" levied from time to time.
- xi) That, I/We hereby agree that the license is liable to be cancelled on the basis of any adverse report of investigation for any lapse which amounts to contravention of any Rule or any condition of license or any other provision of Law and also for any conviction in any criminal case at any time either in the past or in future.
- xii) If the license is surrendered in the middle of the lease period, I/We shall not be eligible for refund of "Bar Excise Tax"
- xiii) That, if I/We fail to pay the gallonage fee, Excise Duty, Penalties or "Bar Excise Turnover Tax", etc., if any, due to the Government on time, the license is liable to be cancelled and the entire amount so due, without prejudice to any other mode of recovery, may be recovered by way of distraining my/our movable and immovable property whatsoever I/We possess and selling the said properties under the Telangana Revenue Recovery Act, 1864 (Ac No.II of 1864).

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I/We hereby declare that the above information is true to the best of my/our knowledge and in case of any false declaration, the license of the bar is liable for cancellation.

Signature of deponent		Name of the bar	
Name of the deponent		License number of bar	
Fathers Name		Address of bar	
Aadhar Number		Excise Station	
Whether licensee or Authorized representative?		Excise District	

*In case of multiple partners the above table shall be repeated as many times as and the number of partners.

**A. SANTHI KUMARI
CHIEF SECRETARY
& SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)**


SECTION OFFICER