

**THE TAMIL NADU LIQUOR RETAIL VENDING (IN SHOPS AND BARS)
RULES, 2003**

(G.O.Ms.No.292, Prohibition and Excise (VI), dated the 3rd November 2003).

No. S.R.O.A-45 (a)/2003- In exercise of the powers conferred by Sections 17-C, 17-D, 21,22-D and 54 of the Tamil Nadu Prohibition Act, 1937 (Tamil Nadu Act X of 1937), the Governor of Tamil Nadu hereby makes the following rules:-

RULES.

1. Short title and commencement.-- (1) These rules may be called the Tamil Nadu Liquor Retail Vending (in Shops and Bars) Rules, 2003.

(2) These rules shall come into force on the 29th November 2003.

2. Definitions.—In these Rules, unless the context otherwise requires,--

- (a) “Act” means the Tamil Nadu Prohibition Act, 1937 (Tamil Nadu Act X of 1937);
- (b) “Agent” means the Co-operative Society appointed as agent by the Corporation for retail sale of liquor on behalf of the Corporation;
- (c) “Assistant Commissioner / Deputy Commissioner” means the Assistant Commissioner (Excise) / Deputy Commissioner (Excise) in charge of the district;
- (d) “bar” means a place located within the shop or adjoining the shop used for consumption therein of liquor’
- (e) “bottled liquor” means liquor put in bottles or other receptacles, corked, sealed and labeled by the manufacturer before issue for sales;
- (f) “Collector” means the Collector of the Revenue District;
- (g) “Corporation” means the Tamil Nadu State Marketing Corporation Limited;
- (h) “ depot” means licensed premises in which stocks of bottled liquor are kept for sale by wholesale by the Corporation and includes branches of the Corporation;
- (i) “ distance” means the distance by the shortest pathway, lane, street or road, generally used by the members of the public;
- (j) “ educational institution” means a place where there is regular conduct of classes and includes Schools, Polytechnics, Industrial Training Institutes and Colleges but does not include tutorial institutes;
- (k) “ Excise Officer” means Officer-in-charge if Excise Work in the taluk or division, as the case may be;

- (l) “ Form” means the form appended to these Rules;
- (m) “Government” means the Government of Tamil Nadu;
- (n) “ licence” means a licence granted under sub-section (1-B) of Section 17-C of the Act to the Tamil Nadu State Marketing Corporation Limited;
- (o) “liquor” means Indian-made Foreign Spirits;
- (oo) “ maximum retail price” means the price determined by adding retail profit margin at the rate of 10% of stock transfer price and sales tax payable by the Tamil Nadu State Marketing Corporation Limited under the Tamil Nadu General Sales Tax Act, 1959, to the stock transfer price of Tamil Nadu State Marketing Corporation Limited;
- (p) “ place of worship” means a temple, mosque, church or gurudwara where organized and ritualistic prayers are offered regularly at least once in a week but does not include any structure whether with or without a deity on road-saide, pavement or footway or in the compound of any building which is not a place of worship by itself;
- (q) “retail vending of liquor” with its grammatical variations and cognate expressions means the vending of liquor by a licensee being the grantee of the privilege of retail sale of bottled Indian-made foreign spirits, but does not include the vending of liquor by the F.L.2 to FL.9 licence holders referred to under the heading “(A) Licences for liquor used for consumption” in sub-rule (a) of rule 17 of the Tamil Nadu Liquor (Licence and Permit) Rules, 1981;
- (r) “ shop” means the building in which the liquor is stocked and sold;
- (s) “ transport permit” means the permit issued for transport of liquor from the depot of the Tamil Nadu State Marketing Corporation Limited to the retail vending shop within the State.

3. Application for the grant of licence.—(1) As soon as may be after promulgation of the Tamil Nadu Prohibition (Amendment) Ordinance,2003, the Corporation shall make an application to the Commissioner of Prohibition and Excise for the grant of licence for the retail vending of liquor in shops and bars for the whole of the State of Tamil Nadu.

(2) The application shall be accompanied by the Trasury receipt in proof of the payment of Annual Privilege Fee of Rs. 250,00,00,000/- (Rupees two hundred and fifty crores only), Licence Fee of Rs.1,00,000/- (Rupees one lakh only) and Application Fee of Rs.1,000/- (Rupees one thousand only) for the grant of licence.)

4. Grant of licence.—(1) On application, Commissioner of Prohibition and Excise shall grant licence in Form-I for the retail vending of liquor in shops and bars in the whole State. The licence shall be issued in the name of the Corporation.

(2) The licence granted under this rule shall be subject to the provisions of the Act and Rules made thereunder.

(3) The Corporation shall issue an authorisation in Form-I in respect of each shop where the business of retail vending of IMFS is to be carried on either directly by the Corporation or through the Co-operative Societies as agents of the Corporation.

(4) The Corporation shall furnish the list of authorized retail vending shops located within each district to the Collector indicating the details of such shops run directly by the Corporation and the shops run by the Co-operative Societies as its agents. List of such shops shall be furnished by the Corporation to the Collector concerned within 10 days of the commencement of business.

5. Issue of duplicate licence.—In the event of loss, mutilation or damage of the licence during the period of its currency, a duplicate licence may be issued by the Commissioner of Prohibition and Excise, on an application by the Corporation, on payment of Rs.100/- (Rupees hundred only.)

6. Validity of the licence.—The licence granted to the Corporation under Rule 4 shall be valid for one year from the 29th November 2003.

7. Renewal of licence— The Commissioner of Prohibition and Excise may, on application by the Corporation along with renewal fee of rupees two hundred and fifty crores, renew the licence for a period not exceeding one year at a time.

8. Location of shop.—(1) No shop shall be established in Municipal Corporations and Municipalities within a distance of 50 (fifty) metres and in other areas 100 (hundred) metres from any place of worship or educational institutions:

Provided that the distance restriction shall not apply in areas designated as “ Commercial” or “ Industrial” by the Development or Town Planning Authorities:

Provided further that no shop shall be established within the premises of any hotel:

Provided also that if any place of worship, educational institution comes into existence subsequent to the establishment of the shop, the provisions of this rule shall not apply:

Provided also that no liquor shops shall be established in any tribal areas covered under Integrated Tribal Development Project and Hill Area Development Project in the Hill area of Vellore, Salem, Namakkal, Dindigul, Tirunelveli and Kanniyakumari districts.

(2) Every shop shall be housed in a pukka building and no part of the shops shall be thatched either on the sides or on the roof.

(3)The shop shall be in the location approved by the Collector before commencing the business in the shops.

9. Shifting of shop.—There shall be no change in the location of shops except with the previous permission of the Collector.

10. Location of Bar.—(1) The bar shall lie within the shop or adjoining the shop.

(2) The bar shall have minimum plinth area of ten square metres.

(3) Every bar shall be housed in pukka building and no part of the bar shall be thatched either on the sides or on the roof. The bar room shall be sufficiently screened so that consumption of liquor is not visible from outside and shall also be provided with fans. Sufficient number of tables and chairs for the consumers to conveniently sit and consume liquor shall be provided. Such room shall not be used as a club or recreation room or for any other purpose whatsoever. No gambling or any kind of disorderly conduct in the shop shall be permitted.

(4) Facilities such as drinking water and wash basin within the surroundings of each shop premises shall be provided and the shop, its premises and surroundings shall be always kept clean, hygienic and well lit.

(5) Every shop shall have a signboard in Tamil in front of the shop showing the number of the shop and details regarding authorization issued by the Corporation for the shop, the price of liquor in different sizes of bottles sold in the shop shall also be displayed. There shall also be displayed on the signboard the following slogans in bold letters about the evils of drinking and such other slogans as may be approved by the Commissioner.

“ மது நாட்டுக்கு, வீட்டுக்கு, உயிருக்கு கேடு “

“Liquor-ruins country, family and life”

11. Working hours of shops.-- No business shall be transacted before 8 a.m. and ‘(after 12.00 mid-night) at the shop or bar.

2(11-A. Liquor not to be sold to persons not completing 21 year of age..—(a) No liquor shall be sold or served by the licensee to any person who has not completed 21 Years of age.

(b) where any doubt arises in regard to the age of such persons the licensee may require the person concerned to produce any documentary evidence issued by the Central or State Government or Educational Institution or the local authority in proof of the age of such persons.)

12. Closure of shops.—(1) The shop shall remain closed on Thiruvalluvar Day falling in January, Gandhi Jayanthi Day on the 2nd October, Mahavir Jayanthi Day, Birthday Eve of Nabal Nayagam and Vadalur Ramalingar Ninaivu Naal and there shall be no sale of liquor in the shops on the aforesaid days.

(2) The shop shall also be closed as per the directions issued by the Government, the Commissioner of Prohibition and Excise or the Collector.

13. Disposal of stock of liquor found unfit for human consumption.—If any stock liquor in the shop is found to be unfit for human consumption on any account, the

Collector may order destruction of such stocks in the presence of an Excise Officer authorised by him.

14. Fixation of retail sale price.-- (1) The liquor shall be sold at the 3(Maximum retail price) fixed by the Corporation.

(2) The ' (maximum retail prices) of liquor shall be displayed, in a conspicuous place in front of the shop, for the information of the public.

15. Stock of liquor.—No liquor other than that supplied by the wholesale depot or branch depot of the Corporation shall be stocked and sold in the shops.

16. Maintenance of Accounts.-- (1) True and correct accounts of the transactions in the shop for every day shall be maintained at every shop in Forms III, IV, V, VI, VII, VIII and IX in ink The accounts for the day shall be closed before the Commencement of business on the next day.

(2) The District Manage of the Corporation shall submit such returns and furnish such information or particulars as may be required by the Commissioner of Prohibition and Excise, Collector or the Assistant Commissioner / Deputy Commissioner and also by such Officer of the Excise Department authorized in his / her before.

(3) Copies of the indents, bills, invoices, permits relating to the purchase or sale of liquor shall be produced for inspection or check by the Collector, Assistant Commissioner / Deputy Commissioner or any other inspecting authority authorized in this behalf whenever required and shall be handed over to such Officer or authority after obtaining a receipt.

17. Inspection.-- (1) Officer of the Excise Department not below the rank of Excise Inspector, Officers of the Revenue Department no below the rank of a Tahsildar authorized by the Collector are authorized to enter into and inspect the shops to check the accounts, verify physical stocks and to take samples of liquor for chemical test or analysis.

(2) An inspection book in Form-IX shall be maintained in every shop for the use of the inspecting officers. The inspection book shall be handed over to the Colelctor after the expiry of the licence period.

(3) In the event of any violation being detected in any shop, without prejudice to any other penal action contemplated by the Tamil Nadu Prohibition Act, 1937, disciplinary action shall be taken against the persons responsible.

18. Corporation to abide orders of Commissioner of Prohibition and Excise and other Officers.—The Government or the Commissioner of Prohibition and Excise may, from time to time, issue directions to the Corporation and where any such directions have been issued, those directions shall be deemed to be additional conditions subject to which

the licence has been granted and the Corporation shall be bound by such additional conditions.

19. Transport Permit.—No liquor obtained from the depot of the Corporation shall be transported to the retail vending shop within the State except under a transport permit issued by “ the Assistant Commissioner or the Excise Supervisory Officer, as the case may be, specially authorized by the Collector of the district concerned in Form-XI for which the corporation shall apply in Form-X.

20. Power to exempt.—The Government may, by notification, and subject to such conditions, if any, as they may specify in such notification, exempt, whether prospectively or retrospectively, any person or class of persons from the operation of the provisions of all or any of these rules.

FORM-I

(See Rule 4)

LICENCE FOR THE EXCLUSIVE PRIVILEGE OF RETAIL VENDING OF INDIAN MADE FOREIGN SPIRIT IN SHOPS AND BARS.

Licence is hereby granted and issued to Tamil Nadu State Marketing Corporation, Chennai (hereinafter referred to as the Corporation) for retail vending of Indian Made Foreign Spirit to shops and bars for the whole of the State of Tamil Nadu for the period from----- to ----- subject to the following conditions:-

CONDITIONS

1. The Corporation shall be bound by the provisions of the Tamil Nadu Liquor Retail Vending (in Shops and Bars) Rules,2003 and also by the following conditions which are special to this licence.
2. The privilege conferred herein extends to the possession and sale of liquor in shops and also consumption of liquor in the bars attached to the retail shops.
3. The Corporation shall in pursuance of this licence, fix, locate and open as many shops as may be necessary to effectively carry on the business of sale, by retail, of Indian Made Foreign Spirit in this State and the said Corporation in so fixing the shop, shall take into account the population of the locality, the need of the locality and other relevant factors including location of shop in conformity with Rule 8 of these rules.
4. The individual retail vending units so fixed and located in the districts shall be authorized by an order made by the Corporation in Form II of these Rules in respect of all shops so fixed and located by the Corporation both for direct vending by the Corporation and shops run through the Agency of the Co-operative societies.
5. The Corporation shall furnish the list of all such authorized retail vending shops located within each district to the Collector indicating the details of shops run directly by the Corporation and the list of shops run by the Co-operative Societies as its agent . Such list shall be furnished by the Corporation to the Collector concerned within ten days of commencement of business.
6. No printing or publication or other display or distribution of any advertisement or other matter soliciting the use of or offering of any liquor in the licensed premises shall be permitted.
7. The provisions and the requirements of the Rules relating to the sale or issue of liquor under the licence, the maintenance of accounts and submission of returns shall be complied with. An Inspection Book in Form IX of these Rules shall be maintained.

8. No sale of liquor shall be made under the licence on Gandhi Jayanthi Day, viz, the 2nd October, Thiruvalluvar Day falling in January, Mahaveer Jayanthi Day and Birthday eve of Nabigal Nayagam and Vadalur Ramalingar Ninaivu Naal.
9. The liquor supplied by the wholesale depot and branch depot of the Corporation shall alone be sold in sealed bottles in the same condition as is received from the depot in the shop.
10. No business shall be transacted before 8.00 a.m. and ‘ (After 12.00 mid-night at the shop or bar).
11. There shall be displayed on the sign board the following slogans in bold letters about the evils of drinking and such other slogans as may be approved by the Commissioner.

“ மது -நாட்டுக்கு, வீட்டுக்கு, உயிருக்கு கேடு “

“Liquor-ruins country, family and life”

12. Possession of liquor stocks outside the authorized premises is prohibition.
13. True and correct accounts of the transaction in the shop for every day shall be maintained. Such accounts are open for inspection and check by the inspecting officials of the Prohibition and excise Department and other officers authorized by the Commissioner or Collector in this behalf.
14. The 2(Mamimum retail prices) for various brands of liquor shall be displayed in a prominent place in front of the shop.
15. No person suspected to be suffering from any infectious disease or any one below the age of 21 shall be employed in the shop and bar.
- 3(15-A(a) No liquor shall be sold or served by the licensee to any person who has not completed 21 Years age.

(b) Where any doubt arises in regard to the age of such person, the licensee may require the person concern to produce any documentary evidence issued by the Central or State Government of Educational Institution or the local authority in proof of the age of such person.)

16. Liquor obtained from the wholesale depot or branch depot of the Corporation shall be transported only under a transport permit in Form XI and subject to the terms and conditions of such transport permit.
17. Indian Made Foreign Spirit and Beer shall be sold in open bottles, glasses or pegs for consumption only within the premises of the bar.
18. No liquor other than the stock transferred from the retail vending shop to which the bar is attached shall be used in such bars.
19. No bottling of liquors and also mixing of any intoxicants to boost the intoxication of liquor shall be done.
20. Liquor shall be served only within the area of the bar. Serving liquor outside the area of the bar is strictly prohibition.

21. Drinking water and wash basin shall be provided within the bar premises. The premises and surroundings shall always be kept clean and tidy.
22. Sufficient number of tables and chairs shall be provided for the consumer to conveniently sit and consume liquor in the bars.
23. The authorized premises shall not be used as club or for recreational purposes or any other purpose whatsoever.
24. No gambling or other kinds of disorderly conduct shall be permitted in the bar.
25. The bar used for consumption of liquor shall be sufficiently screened so that consumption of liquor is not visible from the place of sale of liquor or from outside.
26. In the event of any infraction of any of the conditions of the licence or rules or orders in the shop, without prejudice to any other penal action contemplated by the Tamil Nadu Prohibition Act, 1937, disciplinary action shall be taken against the persons responsible.

Signature of the Authorised Signatory.

(Common to all shops run either by TASMAC directly or by the agent)

Form-II
(See Rule 4)

**AUTHORISATION ISSUED FOR THE SALE BY RETAIL OF IMFS IN
IMFS SHOP NO.---**

I, _____ Managing Director, TASMAC holder of the Retail
Vending Licence No. _____ issued by the
Commissioner of Prohibition and Excise in _____
dated _____ under the provisions of the Tamil Nadu Prohibition Act, 1937
(Tamil Manager, TASMAC _____
District _____ Society as an agent** of TASMAC , to vend IMFS
at the address specified below from the _____ day
of _____ (month) _____ (Year) to the _____ day
of _____ (month) _____ (Year) subject to the Tamil Nadu
Liquor Retail Vending (in Shops and Bars) Rules, 2003.

IMFS Retail Vending Shop NO.”
Local Body in which the shop is located:
Address (in full)

MANAGING DIRECTOR,
TASMAC.

** - Strike out which ever is not necessary.

FORM-III

CASH BILL
(See Rule 16)

I.M.F.S. Retail Shop No.----- TNGST No.-----
Name of the Retail Licensee-----
Name of the shop and the address of-----
The licensed premises shall be printed-----
-
Both in Tamil and English language-----
In these blank columns-----
BILL No.

Sl.No.	Name of I.M.F.S Variety and brand	Batch No. And Label No.	Quantity sold (in bottles)	Rate per bottle.	Amount
(1)	(2)	(3)	(4)	(5)	(6)
				Rs. P.	Rs. P.
				Total amount	_____

“ மது -நாட்டுக்கு, வீட்டுக்கு, உயிருக்கு கேடு “

“Liquor-ruins country, family and life”

Signature.

FORM-V

DAILY CHITTA

(See Rule 16)

Sl.No.	Date of sale.	Bill number	Name of I.M.F.S. sold	Quantity sold (in bottles)			Cost collected
				180ml	375/325ml	750/650 MI	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

FORM V
(See Rule 16)
STOCK – CUM – SALE REGISTER.

Date	Name of IMFL/Beer Brand	Source of supply			Opening Balance (in Bottles)			Total
			Invoice Number	Date	180ml	375ml	750ml	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Quantity received (in bottles)			Total	Total (Col. in bottles)			Total (Col.9 + 13)
180ml	375ml	750ml		180ml	375ml	750ml	
(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)

Quantity sold (in bottles)			Total	Total amount collected	Closing stock (in bottles)			Total
180ml	375ml	750ml			180ml	375ml	750ml	
(18)	(19)	(20)	(21)	(22)	(23)	(24)	(25)	(26)

- Note:-**
1. Separate Folio to be opened for each item of Liquor / Beer.
 2. An index should be maintained in the first page.
 3. Beer in 325 ml. bottle may be entered against I.M.F.L. 375 ml. and 650 ml. against 750 ml. .

FORM-VI
(See Rule 16)

**MONTHLY ABSTRACT OF ACCOUNT OF LIQUOR RECEIVED AND SOLD FOR THE
MONTH OF----**

Sl.No.	Details	Beer (Malt Liquors)		Sparkling Wine		Other Wine		Spirit including liquors			Remarks
		L.ML.	No. of Bottles	Quantity (in litres)	No. of Bottles	Quantity (in litres)	No. of Bottles	Quantity (in litres)	No. of Bottles	Qutnity (in litres)	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
1.	Opening balance on the 1st day of the month										
2	Receipts during the month										
3	Total (Items 1+2)										
4	Sales										
5	Closing Balance										

Signature of the Authorised Signatory.

FORM-VII
(See Rule 16)
Stock-cum-sale Register in Bar
NATURE OF LIQUOR / BEER SOLD IN BOTTLES

Sl.No.	Details	Whisky ml	Brandy ml	Gin ml	Wine ml	Rum ml	Beer ml
		180 375 750	180 375 750	180 375 750	180 375 750	180 375 750	325 650
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	Opening balance						
2	Receipts(Voucher number)						
3	Total						
4	Sales						
5	Closing balance						

Place:

Date:

Seal:

Signature of the Authorised Signatory.

FORM-VIII
(See Rule 16)

**MONTHLY ABSTRACT OF ACCOUNT OF LIQUOR RECEIVED AND SOLD FOR THE
MONTH OF----**

Sl.No.	Details	Beer (Malt Liquors)		Sparkling Wine		Other Wine		Spirit including liquors			Remarks
		L.ML.	No. of Bottles	Quantity (in litres)	No. of Bottles	Quantity (in litres)	No. of Bottles	Quantity (in litres)	No. of Bottles	Qutnity (in litres)	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
1.	Opening balance on the 1st day of the month										
2	Receipts during the month										
3	Total (Items 1+2)										
4	Sales										
5	Closing Balance										

Signature of the Authorised Signatory.

FORM-IX
(See Rule 16 and 17)

INSPECTION BOOK

Sl.No.	Name of the Inspecting Officer	Description	Date of Inspection	Remarks	Date on which extract was sent to the Licensing authority
(1)	(2)	(3)	(4)	(5)	(6)

FORM X
(See Rule 19)

Application for Permit for transport of liquor from the Wholesale depot / branch depot of the Tamil Nadu State Marketing Corporation Limited to the retail vending shop with in the State.

Here affix court fee label
value of Rupee one.

To

The Excise Supervisory Officer,
Indian Made Foreign Liquor Department,
Tamil Nadu State Marketing Corporation Limited.

1. Name and address of the Applicant
(in Block Letters).
2. Place and Licence No. of the Indian Made Foreign
Liquor retail vending shop.

3. Quantity of liquor required to be transported.
4. Shortest Route
5. Particulars of Vehicle with registration number
6. Name of the transporter
7. Cash Bill number and date of Tamil Nadu State Marketing Corporation.
8. Invoice number and date of Tamil Nadu State Marketing Corporation.

I hereby declare that the particulars given above are correct and that I undertake to abide by the conditions of the licence issued under the Act and the orders made thereunder.

Place:

Signature of the Applicant.

Date:

