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NOTIFICATION

No. J.25011/10/2019-EXC, the 7th September, 2022: In exercise of the powers conferred by section 53 of the Mizoram Liquor (Prohibition) Act, 2019; (Act No. 8 of 2019), *the Government of Mizoram hereby makes the following rules for enforcement of the Mizoram Liquor (Prohibition) Act, 2019 and for regulating manufacture, possession, sale, transportation and consumption of grape wine manufactured from fresh grape grown in Mizoram and produced in licenced winery in Mizoram, and grant, cancellation and renewal of licence for the purpose, and for prescribing procedure and conditions for such licence and to provide for the imposition of excise duty or fines thereon and for matters connected therewith, namely:-*

PART - I **PRELIMINARY**

1. Short title, extent and commencement. -

- (1) These rules may be called the Mizoram Liquor (Prohibition) Rules, 2022.
- (2) They shall have the like extent as the Principal Act.
- (3) They shall come into force on the date of publication in the Official Gazette.

2. Definitions. -

- (1) In these rules, unless the context otherwise requires:-
 - (a) "Act" means the Mizoram Liquor (Prohibition) Act, 2019;
 - (b) "article" for the context and for the purpose of the Act and rules means anything seized under the Act;
 - (c) "Competent Authority" means an officer empowered to issue licences and permits under the Act and rules as the case may be.
 - (d) "Ethanol" means alcohol with the chemical formula C_2H_6O .
 - (e) "Excise & Narcotics custody" - for the context and application of these rules, the Excise & Narcotics custody means any secure storage which may comprise of any room, space or building established by the Excise & Narcotics Department for stock of confiscated Liquor, grape wine or any articles;
 - (f) "Extra Neutral Alcohol (ENA)" means spirit obtained from rectified spirit by removing the water present as much as possible by treatment with quicklime or potassium carbonate. The Extra Neutral Alcohol of the Indian Pharmacopoeia should not contain more than one percent by weight of water;
 - (g) "fermentation" includes natural or artificial change which produces alcohol;
 - (h) "fortified grape wine" means grape wine the alcoholic strength of which has been increased by the

addition of sugar or neutral spirit or other substances permitted by the Commissioner and which shall have not more than such per cent of alcoholic strength as may be prescribed by the Government from time to time;

- (i) “*fortification*” means the process of manufacturing fortified grape wine;
- (j) “*government*” means Government of Mizoram or any officer of the State Government who is authorised by the Government of Mizoram to exercise any or all the powers of the State Government under these rules;
- (k) “*grape*” means fruit of *Vitis* (grapevines) such as *Vitis vinifera*, *vitis lubrusca* and so on;
- (l) “*laboratory*” means the laboratory of the Chemical Examiner of the Excise & Narcotics Department, Government of Mizoram or Forensic Science Laboratory, Mizoram or a laboratory in a plant;
- (m) “*licence*” means a licence granted under the Act or these rules;
- (n) “*licensee*” means a person licenced to manufacture, possess, import, export, transport, store, purchase, consume, sale or dispense any grape wine;
- (o) “*litre*” means bulk litre of 1000 millilitres;
- (p) “*Military Canteen*” means canteen licence issued by the Government or any authorised officer for the sale of Foreign Liquor to member of the Defence or Paramilitary forces stationed in Mizoram;
- (q) “*Officer-in-Charge*” means an Excise & Narcotics officer appointed for the purpose of supervising the operations in a winery or liquor deposited in Excise & Narcotics custody;
- (r) “*pass fee*” means fee collected for import and export of any grape wine or liquor excluding Excise duty;
- (s) “*permit*” means a permit granted under the Act or these rules;
- (t) “*prescribed*” or “*approved*” means prescribed or approved by the Government of Mizoram;
- (u) “*Rectified spirit*” means plain spirit of strength of not less than 50° O.P. (Fifty degree O.P.);
- (v) “*Spirit*” means any liquor containing alcohol obtained by distillation, whether it is denatured or not;
- (w) “*Grape wine*” means the fermented juice of fresh grapes grown in Mizoram and produced in licenced winery located in Mizoram which could be used as sacramental wine or as beverage;
- (x) “*Winery*” means a building or a part of a building specified in the licence for the manufacture and store of grape wine;
- (y) “*Year*” means the year beginning with 1st April and ending on 31st March the following year.

(2) Words and expressions used herein, but not defined, but defined in the Act, shall have the same meaning as assigned to them in the Act.

PART – II

POWERS AND DUTIES OF OFFICERS

3. Delegation of Powers. –

Subject to the provision of these rules, the Government may delegate any of its powers conferred under the Act and rules to any of its officers not below the rank of Inspector of Excise & Narcotics for prompt disposal of cases and other important matters.

4. Expert. –

All Officers in the Department of Excise & Narcotics and Police who had undergone training on analysis of grape wine or liquor and duly certified by Forensic Science Laboratory, Mizoram may give evidence as an expert for the purpose of the Act in an inquiry or trial which may be used as evidence.

5. Dry Day. –

The Commissioner may, by order declare any day as dry day for the whole of Mizoram to which the Mizoram Liquor (Prohibition) Act, 2019 (Act No. 8 of 2019) applies or for any local area comprised therein in which sale and consumption of any intoxicating liquor or grape wine shall be prohibited in military canteens or retail outlets.

PART III
PROHIBITION AND ENFORCEMENT

6. No advertisement. –

No one should put up or display advertisement for grape wine in any media or hoarding.

7. No retail shop near place of religious worship or school. –

No retail sale of grape wine shall be within close vicinity of places of religious worship and educational institutions.

8. No display of grape wine. –

No retail vendor shall display grape wine to be visible from outside. The sold grape wine should be properly wrapped in papers and put in non-transparent bag.

9. Use of Breath analyser. –

Consumption and influence of liquor is proved if a person's blood alcohol content level is 30mg or above per 100ml detected in a test by a breath analyser.

10. Permission for Grape wine. –

All other forms of Liquor, except Grape wine as defined in clause (w) of sub rule 1 of rule 2 and those permitted in Canteen Tenance License and for use in scientific purposes/medical practitioner's prescription, remains totally prohibited;

PART - IV
LICENSING AND REGULATION OF WINERY AND OTHER PLACES OF STORAGE

11. Application for licence. –

Any person desiring to obtain a licence to set up a winery in any place in which the Act applies shall apply in Form No. MLPR - XI to the Commissioner giving the following particulars:-

- (1) The name or names, and the address or addresses of the person or persons applying, if a firm, the name of every partner of the firm and, if a company, the registered name thereof;
- (2) The name of the place, the site and the building in which the winery is to be constructed;
- (3) The number and full description of the stills, vats and other permanent apparatus which the applicant wishes to work or set up, and the size and capacity of such still, etc.;
- (4) The date from which, in the event of a licence being granted to him, the applicant proposes to commence working of the winery;
- (5) A plan of the building which he intends to use or to construct for his winery, and a plan showing the position of stills, vats and other permanent apparatus therein, and a list of store rooms, etc. connected therewith.

12. Consideration of application and issue of licence. –

(1) The Commissioner, on receipt of the application, shall take into consideration all aspects for construction of such winery and forward the same to Government with recommendation or otherwise.

(2) On receipt of approval from Government, the Commissioner shall issue licence in Form No. MLPR - XII, but only after deposit of prescribed fee.

13. Terms and conditions for issuing permit or licence. –

The licensee, on granting a licence in Form No. MLPR - XII shall be bound by the following terms and conditions and he also shall be subject to any other instruction or notification of a competent authority –

- (1) The licensee shall not produce/store grape wine except at the place mentioned in the licence and only under the supervision of the Officer-in-Charge.
- (2) The licensee shall use only materials approved by the Commissioner.
- (3) The licensee shall maintained alcohol content as may be prescribed by the Government from time to time.
- (4) The licensee shall not dilute or adulterate the grape wine, or store any grape wine which he knows to be diluted or adulterated.
- (5) All receptacles shall be so placed and fixed as to facilitate the contents thereof being accurately gauged and measured. Each receptacle shall be gauged by the Officer-in-Charge and shall bear a distinctive serial number and have its capacity distinctly and indelibly marked on it. A table showing the dimensions and capacities of the receptacles shall be maintained by the licensee for reference. Measuring labels shall be affixed to show contents at one centimetre of depth of each receptacle.
- (6) There shall be proper enclosure with strong iron gate which shall be manned by an Excise & Narcotics personnel during working hours who shall ensure that no unauthorized person enter into the plant premises. However, security of such establishment shall be the responsibility of the licensee.
- (7) The licensee shall, besides providing suitable office accommodation with sanitary arrangements for the supervisory staff within the premises, also supply them with such furniture and other articles as the Commissioner or any other officer so authorised may consider necessary.
- (8) The licensee shall not permit or allow any smoking and use of bare light or fires within the premises.
- (9) The licensee shall not discontinue the manufacture unless he has given to the Commissioner or any other officer so authorised three months notice of his intention to do so.
- (10) (a) There shall be only one entrance to the plant and one door to the compartments or rooms.
(b) Every plant shall be under the joint lock and key of the Officer-in-Charge thereof and of the licensee or his authorized agent. The lock used by the Officer-in-Charge shall be a Government lock and the key shall remain in his personal custody. At the end of each working day the Officer-in-Charge and the licensee shall close and lock every building, room or compartment therein.
- (11) The licensee shall keep affixed on the outside of each room or compartment a sign on which should be conspicuously painted in oil colour, the purpose for which the room or compartment is intended to be used and no room or compartment or receptacle intended for a specific purpose shall be used for a different purpose.
- (12) (a) The licensee shall maintain accounts showing a correct account of-
 - (i) the period allowed for fermentation;
 - (ii) the names and quantities of other ingredients, if any, added before, during or after fermentation/blending;

- (iii) the period allowed for ageing;
 - (iv) quantity manufactured;
 - (v) the quantity issued from the plant with the dates of issue, names of the licensees to whom and the places to which the grape wine has been consigned;
 - (vi) the balance in stock after each transaction; and
 - (vii) the quantity of residue and base and the manner of their disposal.
- (b) The licensee shall maintain day-to-day accounts showing therein, the stock of grape wine at the end of each day.
- (c) The entries in the account books should not be erased or overwritten. Should it be necessary to correct any entry it should be rounded in red ink in such manner as to leave it distinctly visible and the correct entry should be inserted above it. Every such correction should be initialled by the Officer-in-Charge.
- (13) The licensee shall issue authorisation signed by himself and countersigned by the Officer-in-Charge to all his agents or servants who are allowed to enter the plant. No person who does not hold an authorisation shall be allowed to enter the plant. It will be open to the Officer-in-Charge to cancel any authorisation countersigned by him.
- (14) Except with the written permission of the Commissioner or any other officer so authorised, the licensee shall not sell, transfer or sub-lease the right of manufacture conferred upon him by this licence, nor shall he, in connection with exercise of the said right, enter into any agreement or arrangement which is in the nature of a sub-lease. If any question arises whether any agreement or arrangement is in the nature of sub-lease, the decision of the Commissioner or any other officer so authorised shall be final and binding on the licensee.
- (15) The licensee shall, on a requisition from the Officer-in-Charge, allow him to take samples of the material used, at any stage and the grape wine stored in the plant, free of cost, whenever required for the purpose of chemical analysis. The Licensee shall pay such fee as may be determined by the Government from time to time for each examination of sample made by the Chemical Analyst.
- (16) The licensee shall allow the Officer-in-Charge or any other Officer duly authorised by the Commissioner to take stock of grape wine stored at the plant at least twice in a year. The licensee shall be required to explain the excess or deficiency in the stock if it exceeds or falls short by one per cent. If the explanation is not satisfactory, the licensee may be required to pay such excise duties as the Commissioner may direct.
- (17) The licensee shall maintain such weights and measures as may be determined by the Officer-in-Charge with the previous approval of the Commissioner.
- (18) The licensee shall provide fire extinguisher and other fire safety equipment within the premises of the plant. The licensee should ensure that the staff working in the plant are trained and capable of effectively handling fire safety equipment.
- (19) The Licensee shall provide for an emergency exits in the premises of the plant.
- (20) No grape wine shall be removed from the plant without payment of duties and fees under the Act, rules and orders and without production of transport permit from the Competent Authority.
- (21) When required by an Excise & Narcotics officer of and above the rank of Sub-Inspector, every licensee shall assist with sufficient number of servants in taking account of his stock.
- (22) The licensee must install Closed Circuit Television in his establishment covering every working room including bars, main doors, main gate and store rooms. The licensee shall ensure that such CCTV recorded data. Such data stored by the CCTV may be reviewed by the Competent Authority any time.
- (23) The licence may be suspended or cancelled in accordance with the provisions of the Mizoram Liquor (Prohibition) Rules, 2022.

14. Construction of winery. –

(1) The licensee shall construct the winery according to approved plan. Alteration of the plan shall be done only after obtaining approval from the Government.

(2) Every room, enclosure and vessel shall be numbered and marked with its purpose.

15. Security deposit and execution of bond. –

For the observance of the conditions of the licence and of these rules and for the payment of all sums which may become due to Government, by way of duty, fees, fines or otherwise under these rules, the licensee shall execute a deed hypothecating to Government his vat, pipes, pumps and all other apparatus including bottling plant, bottles, etc. together with the stock of liquor stored at any time during the validity of the licence and if so required by Government at the time of signing, deposit a sum not less than the licence fee as security.

16. Staff quarters and office furniture. –

The licensee shall provide suitable quarters and office rooms for the Officer-in-Charge and supporting staff in proximity to the plant; and shall maintain such quarters properly. He shall also supply such office furniture or materials and machinery as may be required for the use of such officers and staff within the plant.

17. Arrangement of winery. –

(1) Separate rooms or compartments separated by grills embedded in cement concrete shall be provided for the following purpose in every winery and no such room or compartment shall be used for more than one of the following purposes. –

- (a) manufacturing;
- (b) storage of grape wine in bulk and bottling operations;
- (c) storage of grape wine in sealed bottles, keg, casks, barrels and other receptacles;
- (d) there shall be separate tanks for fermentation, storage and fortification;
- (e) each tank used for fermentation, storage or fortification shall be marked with a permanent serial number and the capacity of such tanks accurately gauged by the Officer-in-Charge of the winery. A dipping rod shall be provided by the licensee marking the capacity for every centimetre of depth and the dipping point for each tank shall be indicated in permanent point on the tank with the word "DIP";
- (f) the licensee shall provide a separate spirit store with double lock arrangements.

(2) Every room or compartment in the winery shall be well ventilated and all the windows thereof shall be securely barred and covered with wiremesh of not more than two centimetres. At the close of each working day, the winery and every room or compartment therein shall be locked by the licensee and the Officer-in-Charge with separate locks.

(3) The licensed premises shall be open to inspection at all reasonable hours by Excise & Narcotics Officers authorised in that behalf by the Government or any other officer so authorised.

(4) All the processes in the manufacture of grape wine shall be carried out under the supervision of the Officer-in-Charge.

(5) An accurate account of all the articles required for the manufacture of grape wine brought into winery shall be maintained by the licensee and verified by the Officer-in-Charge.

(6) The entire process of manufacture, including a correct account of materials used and the time taken or allowed for every stage of manufacture, shall be recorded by the licensee and verified by the Officer-in-Charge.

(7) A correct account of the kind and quantity of grape wine manufactured shall be maintained by the licensee and verified by the Officer-in-Charge in Form No MLPR - XV. Three (3) samples of 750 millilitre bottles of every batch of grape wine manufactured shall be sent to the Commissioner or any other officer so authorised by the licensee, one sample for being sent to the Chemical Analyst and two samples for being preserved by the Commissioner or any other officer so authorised till such reasonable period as they are required.

(8) The licensee shall maintain the accounts of transactions of extra neutral alcohol or spirit stores in Form No.MLPR - XVI.

(9) A correct account of the residue and the base shall be maintained by the licensee. The residue and the base shall be destroyed in the presence of the Officer-in-Charge.

(10) The licensee shall keep such account in a proper register which shall be clear, updated and accurate in all manner. It shall also be liable for inspection at any time by a competent authority.

(11) Duty at such rates as may be fixed and notified by Government from time to time shall be paid by the licensee or retailer before the grape wine is removed from the winery.

18. Licensee to give notice of commencement of work. –

Every licensee must give at least fifteen days notice in writing to the Commissioner, of the date on which he proposes to commence work and at least one month's notice before he ceases to work.

19. Power to withdraw establishment. –

In case a licensee ceases work or fails to produce as planned for a period exceeding one month, the Government may withdraw the establishment stationed at the plant and may prohibit all further work or production as planned until the licensee has given him fifteen days' notice in writing of the date on which he proposes to recommence work or produce as planned as the case may be.

20. Cancellation. –

All licence issued under these rules shall be subject to the terms and conditions as prescribed in rule 13 and breach of such terms and conditions shall, without prejudice, entail cancellation, suspension, prosecution of the licensee or any person in his employment under the provisions of the Act, rules and orders made thereunder.

21. Vessels for storage. –

Extra Neutral Alcohol shall be stored in sound vessels. Each vessel shall bear a serial number, painted or cut thereon. Its external parts must also be clearly visible.

22. Dipping place or level of vessel not to be altered. –

The licensee shall not alter the dipping place or level of any vessel, or any device to be used for taking the gauge of any vessel, to prevent him from taking a true account the quantity contained in any vessel.

23. Materials. –

The materials or bases to be used in making grape wine shall only be of such descriptions as are generally approved by the Competent Authority. All materials used must be of good quality, and no ingredients noxious to health be used in distillation, brewing or added to the grape wine.

24. Strength of grape wine manufactured to be regulated by the Government. –

The strength of grape wine manufactured in the plant shall be as prescribed by the Government by

notification and shall be subjected to such periodical analysis as the Government may direct, and the licensee shall be bound to take steps to remedy any defects in his product.

25. Periodical stoppage. –

The licensee shall comply with such order issued by the Government for the periodical stoppage of distillation or brewing for the purpose of ascertaining the quantity or quality of grape wine in view of materials used.

26. Transfer of grape wine from receiver to store-room. –

All grape wine collected in the receivers shall be transferred or conveyed into the store (bonded warehouse) without unnecessary delay provided that no grape wine shall be so transferred without the knowledge of Officer-in-Charge.

27. Hours of work. –

(1) All operations in a plant requiring the presence of an officer of the Excise & Narcotics Department, shall be stopped on Sundays and dry day(s) and on the order of the Government. The licensee shall so arrange his operations that no officers of the Excise & Narcotics Department need ordinarily be on duty for more than eight hours on any working day.

(2) When distillations is carried on at night or at all other times when an officer of the Excise & Narcotics Department is not present, the plant gate shall remain locked provided that on Sundays or dry day(s) mentioned in sub-rule (1) above, the registered employees of the licensee may be allowed entry and exit.

28. Fortification of grape wine. –

(1) The grape wine manufactured in the licensed premises shall not be fortified except with the permission of the Government.

(2) A licensee desiring to fortify grape wine shall make an application in Form No. MLPR - XVII to the Commissioner or any other officer so authorised one month before the commencement of the operation.

(3) On receipt of the application the Government or any officer so authorised if satisfied that there is no objection to grant the permission to fortify grape wine may grant the permission and the Officer-in-Charge shall be present at the time of fortification and the entire operation of fortification shall be under his supervision.

(4) Fortification shall be made after filtration of grape wine and before bottling.

(5) The tank where filtered grape wine is stored shall be gauged by the Officer-in-Charge in the presence of the licensee or his agent and record the same before the addition of neutral spirit or rectified spirit or pure grape juice.

(6) After the spirit or any substance have been added to the grape wine, the content of the tank shall be thoroughly stirred to ensure a complete mixture of grape wine with the spirit or substance added.

(7) After adding neutral spirit or rectified spirit or pure grape juice the said tank shall again be gauged and recorded by the Officer-in-Charge in the presence of the licensee or his agent.

(8) Three (3) samples of 750 ml. bottles from each such tank of grape wine to which the spirits have been added shall be obtained by the Officer-in-Charge, one sample for being sent to the authorised Chemical Analyst and two samples for being preserved by the Commissioner or any other officer so authorised till such period as they are required.

(9) Grape wine to which spirit or any substance have been added shall be accounted for separately in Form No. MLPR - XVIII.

(10) Every bottle, jar or cask containing fortified grape wine shall have on the label affixed the words "Fortified grape wine" in a conspicuous manner.

29. Removal of grape wine from the winery. –

- (1) Grape wine manufactured in the licensed premises shall not be removed except–
 - (i) for transport within the State of Mizoram under the permit issued by the Assistant Commissioner; and
 - (ii) for exports outside the State, under a permit issued by the Commissioner or another officer so authorised.
- (2) A licensee desiring to remove grape wine from the winery shall make an application in Form No. MLPR - V.
- (3) On receipt of an application for a permit for transport within the State, the Officer so authorised by the Commissioner shall, with a challan after having credited the pass fee or excise duty, issue transport permit in triplicate in Form No. MLPR - VI and send one copy of it to the Assistant Commissioner of Excise & Narcotics of the place to which the grape wine is to be transported, give the second copy of the permit to the licensee to accompany the consignment and file the third copy with the challan in his office.
- (4) On receipt of an application for an export permit to export outside the State, the Commissioner or any other officer so authorised shall, with a challan after having credited the pass fee or excise duty, issue export permit in triplicate in Form No. MLPR - VII and send one copy of the permit to the Commissioner of the place to which the grape wine is to be exported, send the second copy of the permit to the licensee to accompany the consignment and file the third copy with the challan in his office.

30. Verification of consignment on arrival. –

On arrival of consignment of grape wine or ENA, the Licensee shall at once report it to the Commissioner or Assistant Commissioner concerned for verification. The consignment should not be opened till the arrival of verifying Excise & Narcotics Officer. The verification of the consignment done by Excise & Narcotics Officer shall be countersigned by the officer authorised by the Commissioner. In the case of retail shop the verification done by officer endorsed by Assistant Commissioner shall be countersigned by the Officer-in-Charge of an Excise & Narcotics Station. A copy of the invoice countersigned by concerned officer shall be returned to the sender and one copy be kept in the winery or retail shop for audit purposes etc. He shall make necessary entries in a register.

31. Receipt of grape wine. –

No grape wine or ENA shall be received in any retail shop or winery, or other places of storage unless accompanied by a pass from an Officer-in-Charge of the winery or distillery from which they have been procured and by a permit from the Commissioner granting its import or transport permit issued by Assistant Commissioner.

32. Establishment for supervision of winery etc. –

The winery or other places of storage shall be under the charge of an Officer-in-Charge appointed by the Commissioner or Assistant Commissioner of the district with supporting staff as the case may be. The licensee shall also employ adequate security at his own cost as may be directed by the Commissioner.

33. Winery, retail shop, etc. under two locks and keys system. –

Every winery, retail shop or other places of storage shall be be locked by two locks; one being supplied by Excise & Narcotics Department and the other supplied by the licensee. The lock used by the

Officer-in-Charge shall be a government lock and the key shall remain in his personal custody. At the end of each working day the Officer-in-Charge and the licensee shall close and lock every building, room or compartment therein.

The keys of the lock used by the licensee shall be retained by the licensee or his authorized agent. However, such key shall, on the requisition of the Commissioner or the officer-in-charge or any authorised officer, immediately be available and be open such locks so as to enable inspection.

Either Excise locks or licensee's locks shall be made in India and approved by the Commissioner or any other officer so authorised.

34. Entry of persons into winery or other places of storage. –

Winery or other places of storage shall be opened only for the entrance and exit of persons who have official business within. Except with the permission of the Officer-in-Charge, no one other than superior officers of the Excise & Narcotics Department, licensee or their regular employees and licenced vendors who have come to purchase grape wine, shall be allowed to enter the premises. All persons employed on regular basis by the licensee shall be supplied with photo identity cards which shall be used as passes for entry and exit. Persons given permission by the Commissioner or Officer-in-Charge shall be issued temporary passes.

35. Ejection of undesirable persons. –

The Officer-in-Charge of a winery or other places of storage, may eject and exclude from the premises any person whom he finds to have committed, or to commit any breach of these rules or the provisions or who is intoxicated, riotous or disorderly. All actions taken by any such officer under these rules shall forthwith be reported by him in writing to his official superiors.

36. Licensee etc. bound by provisions of the Act and rules. –

Licensee of a winery or other places of storage shall be bound by the provisions of the Act and rules, and by all special orders which may be issued by the Commissioner or any authorised person regarding winery or other places of storage, and shall cause all persons employed by them to obey all such rules.

37. Working hours in a winery, retail shop or other places of storage. –

The opening hours of winery or retail shop or other places of storage shall be fixed by the Commissioner. The Commissioner may, on sufficient and reasonable ground, direct such establishment to be opened even on a holiday or be closed on any working day.

38. Bond for transport of grape wine. –

Grape wine intended for a retail shop is transported under bond and is the sole risk and responsibility of the winery or licensee of the retail shop. The bond is discharged when the liquor is deposited in a retail shop.

39. Disposal of grape wine on expiry of license. –

(1) On the expiry of the licence either on account of expiry of the term, or on account of cancellation or suspension, the Commissioner may take over or permit the successor of the licensee of the winery or retail shop as the case may be, to take over the balance of grape wine at cost price(ex-bonded price), or may require the licensee of the winery or other places of storage, as the case may be, forthwith to remove all grape wine remaining within the winery, retail shop or other places of storage on payment of duty and fees in full.

(2) If the licensee fails to remove all the grape wine within thirty days of the receipt of written notice from the Commissioner, the cost of any establishment which may be necessary to employ at the winery, retail shop or other places of storage, may be recovered from the defaulter, and if he fails to do so within one month, the grape wine shall be liable to forfeiture at the discretion of the Commissioner.

(3) A person who has been a licenced vendor may, on the expiry of his licence, and with the sanction of the Commissioner, sell wholesale to another licenced vendor any grape wine which he is authorised under the conditions of his licence to sell and of which he has been lawfully in possession, provided that the grape wine is fit for consumption;

Provided further that, if the Commissioner considers that the grape wine or any part thereof is unfit for consumption or has otherwise deteriorated so as to be unsaleable, he shall cause the same to be destroyed without any compensation.

40. Smoking and fire prohibited. –

Smoking or the use of fire whatsoever by any person within the premises of winery, retail shop or other places of storage is prohibited.

41. Enclosure of winery or other places of storage. –

There shall be proper enclosure with strong iron gate in every winery or other places of storage which shall be manned by Excise & Narcotics personnel during working hours who shall ensure that no unauthorized person gain entry into the premises. However, security of such establishment shall be the responsibility of the licensee.

42. Fixation of price. –

(1) The criteria for fixation of wholesale or the maximum retail price (MRP) of grape wine for each licensing year shall be decided by the Government. Thereafter, the Commissioner may fix the price of grape wine in wholesale or in retail.

(2) The Government, for reasons to be recorded in writing, may increase or decrease the existing wholesale or retail prices.

(3) Where the price of any grape wine is fixed under sub-rule(1) or sub-rule (2), the licensee shall be bound to sell such grape wine at such price.

(4) When Government fix the prices, MRP as arrived at, by adding various components of price structure, shall be displayed on each bottle by the manufacturer. MRP shall not be overwritten by any means whatsoever.

(5) While fixing the MRP of grape wine, the same shall be rounded off to the next higher multiple of:

(a) Rupees ten in the case of one litre and above;

(b) Rupees five in the case of 180 ml and above;

(6) The amount so increased shall be added in the pass fee/duty.

43. Registration and Label Approval. –

(1) Any grape wine produced from winery in Mizoram shall use approved label which shall be registered by the Commissioner on payment of such fee per annum as may be prescribed by the Government.

(2) Such approved label shall bear inscriptions “DRINKING OF GRAPE WINE IS INJURIOUS TO HEALTH” and “MAXIMUM RETAIL PRICE(MRP)” or in case of export, “NOT FOR SALE IN MIZORAM,” or if it is to be used for sacramental wine “SACRAMENTAL WINE”.

Note: If any change is to be made, the manufacturer shall have to pay label registration fee again.

44. Maintenance of Accounts. –

(1) The licensee shall keep regular and accurate accounts showing:-

- (1) the quantity and description of materials used,
- (2) the quantity of grape wine manufactured,
- (3) the quantity of grape wine issued,
- (4) the quantity of grape wine in store.

(2) The quantity of grape wine produced or Extra Neutral Alcohol remaining in stock in each cask, vat or other receptacle shall also be shown. Such accounts shall be open at all times for inspection by the Excise & Narcotics Officer-in-Charge or other Excise & Narcotics Officer authorised by the Commissioner.

(3) The licensee shall also keep regular accounts of quantity of grape wine produced and issued showing the name of the licenced vendors to whom issued and the stock remaining in the winery . The licenced vendor shall also keep such account to record quantity of grape wine received or sold. Such accounts shall be kept open at all times for inspection by the Officer-in-Charge and of all superior Excise & Narcotics Officers.

(4) The licensee shall keep such account in a prescribed register in these rules or as may be prescribed from time to time.

45. Taking stock accounts. –

Every licensee shall, when required by Officer-in-Charge, assist with sufficient number of personnel in taking account of his stock.

46. Submission of monthly statement. –

At the close of each month the Officer-in-Charge shall submit in duplicate through the Assistant Commissioner of the District to the Commissioner, a monthly statement of manufactured grape wine and/or export of grape wine together with duplicate copies of transport permit, in Form No.MLPR - XIX showing for the month concerned, all details of such grape wine manufactured or exported to other states and the amount of duty collected. One copy shall be retained by the Assistant Commissioner concerned.

The Officer-in-Charge shall also submit in duplicate to the Commissioner monthly statement showing details of stock of grape wine through the Assistant Commissioner of the District concerned in Form No. MLPR - XX. One copy shall be retained by the Assistant Commissioner concerned.

47. Chemical Laboratory. –

(1) The licensee shall establish a well-equipped Chemical Laboratory to the satisfaction of the Government within the premises of the winery to check the quality of raw materials used and to check and analyse the grape wine produced in the winery, which shall be manned by a Chemist holding a degree in Science with Chemistry as one of the subjects, preferably Organic Chemistry or Bio-Chemistry or specialisation in Alcohol Technology, or by an authorised Chemical Analyst. The Government may also establish laboratory for analysis of grape wine.

(2) The grape wine produced in the winery shall be released for sale only after the person referred to in sub-rule (1) certifies that such grape wine is fit for human consumption.

(3) The licensee shall register his plant with such competent authority to ensure such standard in regard to food safety. Registration to such authority with registration number must be shown on the label.

48. Closed Circuit Television (CCTV). –

In every winery, a Closed Circuit Television or security camera covering every working room including main doors, main gate and store rooms shall be installed. The licensee shall ensure that such CCTV or

security camera record data. Such data stored by the CCTV or security camera may be reviewed by Competent Authority at any time.

PART V
ISSUE OF LICENCES AND PERMIT

49. Issue of licences and permits. –

(1) Issue of licence for establishment of winery, retail sale of grape wine and permits for export and transport of grape wine shall be subject to the rules, conditions imposed, duties and fees prescribed by the Government from time to time. The term of each licence or permit shall be for one year commencing from 1st April and ending on 31st March the following year;

Provided that if an application for issue of licence or permit is received, the initial licence or permit may be issued for part of the remaining period of that financial year and the full year of the next financial year. The fees for the licence or permit may be proportionately determined;

Provided further that renewal of such licence or permit for subsequent year shall be done according to the financial year only.

(2) Subject to conditions laid down in the rules or any other instruction, the Government or any officer duly authorised by it, i.e. the Competent Authority may grant such licence or permit.

50. Canteen tenant licence. –

Canteen licence for the sale of foreign liquor under the military 'Canteen' system shall be granted by the Assistant Commissioner of the District on payment of fees prescribed by the Government.

51. Conditions for grant of licence to armed forces. –

Licence in Form No. MLPR - VIII shall be granted to person covered by the provisions of rule 50 on payment of fee as may be prescribed. Such licence may be granted for a period of one year from the 1st April to the 31st March the following years. In case the licence is granted during the course of the year, it shall be granted only up to the 31st March the following year.

52. Payment of duty and fee by armed forces and issue of permit. –

(1) A licence holder, under rule 51 above, shall apply in Form No. MLPR - IX to the Assistant Commissioner of the district for issue of permit for import of liquor and pay Excise duty and/ or fees as may be prescribed by the Government from time to time through Treasury Challan. The original copy of the challan should be kept in the office of the Competent Authority.

(2) On payment of duty and or fees as stated in sub-rule (1), the Competent Authority shall issue permit in Form No. MLPR - X in Quadruplicate to the licensee for import of liquor. One copy of the permit should be retained by the office for record.

(3) On receipt of a consignment, the licensee shall at once notify its arrival to the Competent Authority and shall not open the consignment until it has been examined by an officer from the issuing authority or unless the Competent Authority has for reason to be recorded in writing, intimate that it need not be examined.

53. Application for retail sale of grape wine. –

(1) A person wishing to open a retail shop for sale of grape wine must either personally or through his agent first submit an application accompanied by up-to-date tax clearance certificate, certified copy of aadhaar, certified copy of Residential Certificate and two recent passport size photographs in Form No.

MLPR-XIII to the Commissioner stating clearly:-

- (i) the name, date of birth and gender of the applicant with full address and contact number;
 - (ii) Parentage;
 - (iii) Proposed location for shop;
- (2) After scrutiny of the application and spot verification the Commissioner may forward to Government with recommendation or otherwise for necessary action.

54. Grant of licence for retail sale of grape wine.

Licence for the retail sale of grape wine for consumption on "OFF" the premises shall be granted in Form No. MLPR-XIV by the Commissioner with the previous sanction of the Government after the applicant deposited necessary fee through challan. Such licensee shall abide by the Act, rules and conditions therein and shall sell grape wine to persons above eighteen years only. Besides, the licensee shall keep a correct account of sales daily in a prescribed register and he shall produce his licence and his daily accounts for inspection on demand of any Excise & Narcotics Officer.

Note : Consumption "OFF" the premises means sale of grape wine for consumption not on retail shop or its premises.

55. Conditions for issue of licence, permit or pass. –

Every licence, permit or pass under these rules shall be granted –

- (a) on payment of such fees, if any, as the Government may by notification fix, and
- (b) subject to any provision of these rules or such other restrictions and on such conditions as may be imposed, and
- (c) shall be in the prescribed form and shall be subject to the conditions or instruction specified therein. It shall be effective from the date specified therein and remain in force for a period specified therein unless cancelled earlier, and
- (d) an application for renewal of licence shall be made at least one month before the date of expiry of the licence.

56. Cost of grape wine to be displayed. –

The price or maximum retail price (MRP) of each grape wine shall be displayed conspicuously in a board inside the retail shop. MRP shall not be overwritten by any means whatsoever.

57. Import of Extra Neutral Alcohol, rectified spirit and ethanol. –

Import of Extra Neutral Alcohol, rectified spirit or ethanol in any quantity to Mizoram is prohibited except under the cover of permit and unless the conditions of these rules or orders or instructions are fulfilled.

58. Person eligible to import Extra Neutral Alcohol, rectified spirit or ethanol. –

(1) Permit for the import of Extra Neutral Alcohol, rectified spirit or ethanol from other states shall be issued only to licence holder by the Government.

(2) A holder of licence wishing to import Extra Neutral Alcohol, rectified spirit or ethanol into Mizoram must either personally or through his agent first submit an application in Form No. MLPR - I to the Commissioner of Excise & Narcotics stating clearly :-

- (i) The name of the distillery or the distributor or of the firm from which the import is to be made;
- (ii) the alcoholic strength of the Extra Neutral Alcohol, rectified spirit or ethanol ;
- (iii) the route by which it is proposed to import;

- (iv) the amount of duty leviable on total quantity of the Extra Neutral Alcohol, rectified spirit or ethanol to be imported.

NOTE: A separate application shall be necessary in respect of each consignment.

- (3) The Government or any officer authorised may issue permit for import of Extra Neutral Alcohol, rectified spirit or ethanol to licence holder in Form MLPR - II.

59. Application for export or transport of grape wine. –

(1) A holder of licence wishing to transport grape wine within Mizoram must either personally or through his agent first submit an application in Form No. MLPR - III to the Assistant Commissioner of the district stating clearly:-

- (i) The name of the licenced Vendor / the distributor or of the firm to which grape wine is to be transported;
- (ii) number and mode of receptacles or packages containing grape wine;
- (iii) the alcoholic strength;
- (iv) the quantity of grape wine, which is to be transported, and whether the transport is to be made in bulk or in bottle or can;
- (v) the route by which it is proposed to transport;
- (vi) the amount of pass fee leviable on total quantity of grape wine to be transported.

(2) A holder of licence wishing to export grape wine from Mizoram to other states must either personally or through his agent first submit an application in Form No. MLPR - III to the Commissioner stating clearly:-

- (i) The name of the distillery / the distributor / bonded warehouse / or of the firm to which grape wine is to be exported;
- (ii) number and mode of receptacles or packages containing grape wine;
- (iii) the alcoholic strength;
- (iv) the quantity of grape wine, which is to be exported, and whether the export is to be made in bulk or in bottle or can;
- (v) the route by which it is proposed to export; and
- (vi) the amount of pass fee leviable on total quantity of grape wine to be exported.

NOTE: A separate application shall be necessary in respect of each consignment.

60. Permit for transport or export of grape wine. –

The Competent authority may issue permit for export or transport of grape wine in Form No. MLPR - IV after payment of export/transport fee.

61. Fixation of licence fee, pass fee or excise duty. –

The Government may, by notification, fix excise duty, pass fee, label fee, licence fees and security fees from time to time.

PART – VI

DISPOSAL OF CONFISCATED ARTICLES

62. Confiscated articles to be made over to Commissioner/Assistant Commissioner of Excise & Narcotics. –

When in any case a Magistrate orders the confiscation of anything under section 39 of the Act, such things shall be handed over either to the Commissioner or the Assistant Commissioner of Excise &

Narcotics in-charge of a District. The same shall be kept in Excise & Narcotics custody which shall be at the disposal of the Commissioner.

Provided that proper accounts and records of such confiscated articles shall be maintained by the Commissioner and the Assistant Commissioner, as the case may be, and that verification of stock and records shall be done every six months.

63. Mode of disposal of confiscated articles. –

The disposal of confiscated articles by orders of a Magistrate shall be deferred till the period of appeal against such orders has expired, or if an appeal be made against such orders, till the appeal is disposed of;

Provided that –

(1) the sale of any animal or thing ordered to be confiscated shall not be deferred unless the owner or his agent deposited to the Assistant Commissioner of Excise & Narcotics in-charge of a District such sum as that officer may consider to be required and to be sufficient for the up keep or safe custody of such animal or thing, pending the result of an appeal.

(2) if the confiscated thing be of a perishable nature it may be disposed of immediately.

64. Disposal of confiscated article if order is reversed. –

(1) If any order of confiscation of article be reversed on appeal, such article, or the sale-proceeds thereof and the amount, if any deposited for the keep or safe custody of such article shall at once be returned to the owner thereof, or his agent as per order that may be issued by the Court.

(2) If no one appears within one month from the order to appeal or claim ownership of the confiscated article, the sale-proceeds or the amount, if any, deposited, such article, or sale-proceeds or amount shall be forfeited to the Government.

65. Disposal of confiscated article. –

(1) Confiscated article which are known to have been of licit origin and not tampered with shall be kept in the custody of Excise & Narcotics which shall be at the disposal of the Commissioner. The rest shall be destroyed.

(2) When an article is confiscated under section 39 of the Act, it shall be disposed of as follows:-

(a) When such article, in the opinion of the authorised officer does not exceed Rs.10,000/- in value, it may be sold by such authorised officer to the highest bidder or in his discretion released on payment to such sum as he may think fit, or, with the sanction of the Government, retained for the use of the Excise & Narcotics Department.

Provided that articles that required licence or permit shall be disposed off to licence/permit holders only.

(b) When such article, in the opinion of the authorised officer of the District exceed Rs.10,000/- in value, it shall be disposed of at the direction of the Commissioner, who may in special cases refer the matter to the Government for orders.

66. Deposition of sale-proceeds of confiscated articles. –

Sale-proceeds of all confiscated articles should be deposited into the revenue account of Excise & Narcotics Department through Treasury Challan to be countersigned by the Assistant Commissioner of Excise & Narcotics or any other Officer duly authorized by him on this behalf.

PART - VII
APPEALS

67. Appeals to Commissioner. –

An appeal shall lie to the Commissioner from any order of the Joint Commissioner of Excise & Narcotics or any other Officer subordinate to him and discharging functions under the Act or under any rule, or order made under the Act.

68. Appeal to Government. –

An appeal shall lie to the Government from any order made by the Commissioner discharging function under any rule, or order made under the Act.

69. Limitation. –

Every memorandum of appeal must be presented within thirty days from the date of the order, provided that the time required for obtaining a copy of the order shall be excluded from the calculation of the period of thirty days.

70. Interim order. –

The Government, while entertaining the appeal may stay execution of the order appealed against and pass such interim order as it may consider expedient.

71. Calling for record. –

In hearing appeal, Government may call for the concerned proceedings held by any of the Officers or Authorities as mentioned in these rules and pass such orders thereon as it thinks fit.

Commissioner & Secretary
Excise & Narcotics Deptt.
Govt. of Mizoram

Proformas**FORM MLPR - I**

[See rule 58(2)]

Application for import of Extra Neutral Alcohol, rectified spirit or ethanol into Mizoram.

1. Name of applicant and licence No. _____
2. Name and address of distillery/firm from which
Extra Neutral Alcohol, rectified spirit or
ethanol is to be procured. _____

3. Quantity of Extra Neutral Alcohol,
rectified spirit or ethanol is to be imported. _____
4. Alcoholic Strength _____
5. Route by which Extra Neutral Alcohol,
rectified spirit or ethanol is to be imported _____
6. Validity of the permit _____
7. Gross amount of duty and fee payable _____

Signature of the Applicant

Name of the Applicant(in capital letter)

Contact No.

FORM MLPR - II

[See rule 58(3)]

Permit for the import of Extra Neutral Alcohol, rectified spirit or ethanol into Mizoram

Permit for the import of Extra Neutral Alcohol, rectified spirit or ethanol etc. into Mizoram under bond in which full duty/pass fee has been paid from a Brewery/Bonded Warehouse/Firm. ***This permit is not transferable.***

Serial No. of permit/pass		Date of issue	
Name and Address of the Licensee			
Name of distillery / Firm etc., from which the article is to be imported in Mizoram			
Route by which it is to be imported			

Date before which the consignment is to be despatched to Mizoram	
Validity of the permit	
Quantity of Extra Neutral Alcohol / Rectified Spirit /Ethanol	

The full **Import Permit Fee/excise duty** amounting to Rs. ____ (_____) had already been paid at the Treasury/Sub-Treasury at _____ by Challan No _____ dt _____

Signature of Issuing Authority with seal

Memo No. _____

Dated _____

Copy to:

1. M/s _____ [Winery/Firm from which import is to be made.]
2. The Commissioner of Excise, Government of _____ [State from which import is to be made] for favour of information with a request to accord sanction for export.
3. The Excise Officer In-charge M/s _____ [Name of Winery/Firm] for information and necessary action.
4. The Superintendent of Excise, _____ District, _____ [From which import is to be made] for information.
5. The Excise & Narcotics Officer-in-Charge, _____ Winery for information and necessary action. He is directed to report to this office on the date of receipt of the consignment immediately.
6. M/s _____ [Applicant] for information and necessary action.
7. Guard File.

Signature of Issuing Authority with seal

FORM MLPR - III
[See rule 59]

Application for Transport/export of grape wine

To,

The
.....

Sir,

I desire to transport/export grape wine manufactured at my winery. Detail of the quantity, destination, duty to be paid etc, are furnished below :

1. The name of the licenced Vendor / distributor : _____
distillery / bonded wareouse / firm
to whom the grape wine is to be exported.
2. Name of Label of grape wine (if any) : _____

3. Number and mode of receptacles or package : _____
4. Date of manufacture with Batch No. : _____
5. Alcoholic Strength : _____
6. Quantity of grape wine to be transported/exported (in bulk/bottle/can) : _____
7. Route by which grape wine is to be transport/export : _____
8. Amount of fee payable : _____

Place:

Yours faithfully,

Date:

Signature of the Applicant

Name of the Applicant (in capital letter)

Contact No.

FORM MLPR - IV

[See rule 60]

Permit for the transport / export of grape wine from Mizoram

Permit for the transport/export of grape wine from Mizoram under bond in which full duty/pass fee has been paid from a winery/firm. ***This permit is not transferable.***

Serial No. of permit/pass	Date of issue						
Name and Address of the Licensee							
Name of winery / Firm / licenced Vendor / distributor / distillery / bonded wareouse to which the article is to be transport/export.							
Route by which it is to be transport/exported							
Date before which the consignment is to be despatched from Mizoram							
Validity of the permit							
Description of Grape wine	750ml	375ml	180ml	650ml	500ml	___ ml	Other (in litre)

The full ***Excise Duty and Pass Fee*** amounting to Rs. ____ (_____) had already been paid at the Treasury/Sub-Treasury at _____ by Challan No _____ dt _____

Signature of Issuing Authority with seal

Memo No. _____

Dated _____

Copy to:

1. M/s _____ [Vendor/Firm to which transport/export is to be made.]
2. The Commissioner of Excise, Government of _____ [State to which transport/export is to be made] for favour of information.
3. The Excise Officer In-charge M/s _____ [Name of winery/Firm] for information and necessary action.
4. The Assistant Commissioner/Superintendent of Excise, _____ District, _____ [From which transport / export is to be made] for information.
5. The Excise & Narcotics Officer-in-Charge, _____ [Name of winery/Firm/Vendor] winery for information and necessary action.
6. M/s _____ [Applicant] for information and necessary action.
7. Guard File.

Signature of Issuing Authority with seal

FORM MLPR - V
[See rule 29(2)]

Application for Removal or Transport or export of grape wine

To,

The

.....

Sir,

I desire to remove / transport / export litres of grape wine manufactured at my winery. Detail of the quantity, destination, duty paid etc, are furnished below :

1. Quantity of grape wine to be removed/transported/exported. :
2. Name of Label of grape wine (if any) :
3. Number and mode of receptacles or package :
4. Date of manufacture with Batch No. :
5. Amount of duty paid with Challan No. :
(Challan should be enclosed).
6. Name and the Licence Number of the manufacturer :
7. The name of the licensee to whom the grape wine is to be dispatched. :
8. The time required for transport/export. :

Place:

Yours faithfully,

Date:

(Name of Licensee & Signature)

FORM MLPR - VI

[See rule 29(3)]

Permit for Removal or Transport of grape wine

1. Name and the Licence Number of the manufacturer :
2. Name and Licence Number of indentor :
3. Quantity of grape wine covered by the permit :
4. Strength of grape wine :
5. Amount of duty paid with the challan number :
6. Name of Label of grape wine (if any) :
7. Number and mode of receptacles or package for carrying the grape wine :
8. The number and nature of seals on the receptacles or vessels used for carrying the grape wine. :
9. Validity of the permit. :

Dated :

Signature of Issuing Authority with seal

FORM MLPR - VII

[See rule 29(4)]

Permit for the Export of grape wine

1. Name and the Licence Number of the manufacturer :
2. Name and Licence number of exporter. :
3. Number and date of export permit. :
4. Name of Label of grape wine (if any) :
5. Quantity of grape wine covered by the permit. :
6. The number of receptacles or vessels used for carrying the grape wine. :
7. The number and nature of seals on the receptacles or vessels used for carrying the grape wine. :
8. Strength of grape wine. :
9. Amount of duty, if any, paid and the challan number (Copy to be enclosed) :
10. Validity of the permit. :

Dated :

Commissioner / Signature of Issuing Authority with seal

FORM MLPR - VIII

[See rule 51]

Licence to military canteen

[Note-Counterfoil of this licence is to be signed by the licensee and filed in the Excise Office].

District _____
 Licence No. _____
 Name of licensee _____
 Name of Unit/ Regiment _____

.....

FORM MLPR - VIII

[See rule 51]

Licence to military canteen

[Counterfoil]

District _____
 Licence No. _____

Name of unit/ Regiment to which liquor is to be supplied _____
 Date of contract with the commanding officer of such Unit/Regiment _____
 Current from _____ to _____
 Licence fee paid in advance. _____
 Date of licence _____

Received the licence and agreed to its conditions.

Licensee (_____)

District _____
 The _____ 20__

Asst. Commissioner of Excise & Narcotics _____

[Seal of the office issuing the licence.]

Be it known to all concerned that _____ resident of _____ holder of a contract for the supply of foreign liquor under the "Canteen Tenant System" is hereby authorised by the undersigned to supply such liquor to _____ from _____ to 31st March, 20__

It is required of the holder of this licence as a condition of this licence remaining in force that the duly and faithfully perform and abide by the following conditions:-

- (i) That he pays to Government in advance a licence fee of Rs _____ and that he pays the same into the Treasury/Sub-Treasury at _____

- (ii) That he effects his sale of liquor only at the canteen appointed for the purpose by the Military authorities and that he shall not sell liquor at any other place that he shall not under cover of this licence sell foreign liquor to any person at one time in a quantity exceeding 6 bottles of 750ml.
- (iii) That wherever the Regiment or Unit aforesaid is transferred from the District in which this licence is current to another District within the State the licensee shall intimate the fact to the Authority granting the licence and shall as early as possible produce before the Assistant Commissioner of Excise & Narcotics of the District to which the Regiment or unit may be transferred, for his countersignature so as to validate the licence for the remainder of its term in such District.
- (iv) That he shall not store any foreign liquor to be sold under this licence in any premises other than the canteen or place appointed for sale by the Military authorities without previously obtaining the written sanction of the Commissioner of Excise & Narcotics on the reverse of this licence.
- (v) That he sells no liquor of any description to persons other than those attached to the Regiment or unit for which this licence is granted or duly authorised under the Regulations of the Army to use such canteen.
- (vi) That he shall not transfer his licence to any person without the previous sanction of the Assistant Commissioner of Excise & Narcotics.
- (vii) That he shall not alter the nature of any liquor or the labels under which he purchased it and that he shall not reduce the strength of such liquor whether by the addition of water or by mixing it with liquor of a lower strength or by any other means whatsoever.
- (viii) That he shall not sell or attempt to sell any kind of foreign liquor at an excessively high price.
- (ix) That he shall not during the hours in which his licenced premises are kept open, employ or permit to be employed in any part of such premises either with or without remuneration any woman to assist him in the conduct of sales in any capacity whatsoever.
- (x) That he shall not allow any person to sell liquor under this licence unless the name of such person shall, with the approval of Unit, have been previously registered in the Excise & Narcotics office and endorsed on the licence.
- (xi) That under cover of this licence, he shall not sell plain spirit, rectified spirit or denatured spirit.
- (xii) That he keeps a correct account of sales daily in form No..... to be purchased at the Excise & Narcotics Office and that he shall produce for inspection on demand of any Excise & Narcotics Officer of or above the rank of Sub-Inspector of Excise & Narcotics his licence and his daily accounts. That he allows any Excise & Narcotics Officer or above the rank of Sub-Inspector of Excise & Narcotics to enter into and remain upon his licenced premises at any time and that he do not obstruct any such officer in the performance of their duties.
- (xiii) That he reports to the Assistant Commissioner of Excise & Narcotics the arrival of every consignment of foreign liquor within 7 days for verification and shall not open the consignment until the arrival of Inspecting officer detailed by the Assistant Commissioner of Excise & Narcotics or has intimated him in writing that it will not be examined.

When the consignment is opened, the description and quantity of such liquor received shall be recorded in writing.

N.B. Infraction of any of the above conditions will subject the holder of this licence to forfeiture of the licence and to all or any of the penalties prescribed by law or rule. And on expiry of the contract and licence, the licence shall have no claim to compensation or refund of any fee paid.

District
The20

Signature of the Officer granting the license.

FORM MLPR - IX

[See rule 52(1)]

Application for import of liquor for defence and paramilitary canteen for the month of _____

- 1 Name of the Applicant : _____
- 2 Permanent Address of Applicant : _____
- 3 Quantity of liquor required. :- _____

Quantity of liquor required.		No. of personnel	
(a) RUM :		(a) Officers :	
(b) IMFL :		(b) JCOs :	
(c) BEER :		(c) Ors :	
(d) Other liquor:			

- 4 Mode of Transport : _____
- 5 Place from where the liquor is proposed to be imported : _____
- 6 I hereby declare that :-

- (a) the particulars given above are correct.
- (b) I have gone through the MLP Act, 2019 & the rules, order or instructions relating to the license and permit.

Name, Rank & Signature of Applicant
with Official Seal

FORM MLPR - X

[See rule 52(2)]

Pass for the import of liquor into Mizoram for Canteen of defence and paramilitary forces

(ORIGINAL)

(To be retained by the Assistant Commissioner of Excise & Narcotics. The challan is to be pasted on this as authority for issuing the pass.)

Pass for the import into Mizoram of Liquor etc. on which full duty/ pass fee has been paid.

- Serial no. of permit _____
- District of issue _____
- Place from which liquor is to be brought _____
- Route by which liquor is to be imported _____
- Date before which consignment is to be dispatched to Mizoram _____
- Date of issue _____
- Validity of the permit _____

Description of liquor (IMFL, beer etc., to be same as in application)	QUANTITY			Equivalent in London proof litre
	In bulk litre or bottle			
	Litre	Quarter	Pints	

Pass the article described above for import into at in the District of
 (The full duty Pass fee amounting to Rs..... having been paid at the Treasury/
 Sub-Treasury at by Challan No. dt)

Date

Signature and designation of the Officer granting it.

Entries to be made in the exporting District

Date of issue	Description of liquor (Label, Brand etc.)	Quantity issue	Strength

Deputy Commissioner of Excise or
 Officer-in-Charge of the Bonded Warehouse/Distillery

FORM MLPR - X

[See rule 52(2)]

Pass for the import of liquor into Mizoram for Canteen of defence and paramilitary forces

(DUPLICATE)

(To be sent to the Deputy Commissioner of the place of export for record.)

Pass for the import into Mizoram of Liquor etc. on which full duty/ pass fee has been paid.

Serial no. of permit _____
 District of issue _____
 Place from which liquor is to be brought _____
 Route by which liquor is to be imported _____
 Date before which consignment is to be
 dispatched to Mizoram _____
 Date of issue _____
 Validity of the permit _____

Description of liquor (IMFL, beer etc., to be same as in application)	QUANTITY			Equivalent in London proof litre
	In bulk litre or bottle			
	Litre	Quarter	Pints	

Pass the article described above for import into at in the District of
(The full duty Pass fee amounting to Rs..... having been paid at the Treasury/
Sub-Treasury at by Challan No. dt

Date

Signature and designation of the Officer granting it.

Entries to be made in the exporting District

Date of issue	Description of liquor (Label, Brand etc.)	Quantity issue	Strength

Deputy Commissioner of Excise or
Officer-in-Charge of the Bonded Warehouse/Distillery

FORM MLPR - X

[See rule 52(2)]

Pass for the import of liquor into Mizoram for Canteen of defence and paramilitary forces

(TRIPLICATE)

(To be sent to the Deputy Commissioner of the place of export and returned to the Officer granting the pass.)

Pass for the import into Mizoram of Liquor etc. on which full duty/ pass fee has been paid.

Serial no. of permit _____

District of issue _____

Place from which liquor is to be brought _____

Route by which liquor is to be imported _____

Date before which consignment is to be
dispatched to Mizoram _____

Date of issue _____

Validity of the permit _____

Description of liquor (IMFL, beer etc., to be same as in application)	QUANTITY			Equivalent in London proof litre
	In bulk litre or bottle			
	Litre	Quarter	Pints	

Pass the article described above for import into at in the District of
(The full duty Pass fee amounting to Rs..... having been paid at the Treasury/
Sub-Treasury at by Challan No. dt

Date

Signature and designation of the Officer granting it.

Entries to be made in the exporting District

Date of issue	Description of liquor (Label, Brand etc.)	Quantity issue	Strength

Deputy Commissioner of Excise or
Officer-in-Charge of the Bonded Warehouse/Distillery

FORM MLPR - X

[See rule 52(2)]

Pass for the import of liquor into Mizoram for Canteen of defence and paramilitary forces

(QUADRUPPLICATE)

(To be handed over to the person to whom pass is granted to accompany the consignment.)

Pass for the import into Mizoram of Liquor etc. on which full duty/ pass fee has been paid.

Serial no. of permit _____
 District of issue _____
 Place from which liquor is to be brought _____
 Route by which liquor is to be imported _____
 Date before which consignment is to be
 dispatched to Mizoram _____
 Date of issue _____
 Validity of the permit _____

Description of liquor (IMFL, beer etc., to be same as in application)	QUANTITY			Equivalent in London proof litre
	In bulk litre or bottle			
	Litre	Quarter	Pints	

Pass the article described above for import into at in the District of
 (The full duty Pass fee amounting to Rs..... having been paid at the Treasury/
 Sub-Treasury at by Challan No. dt)

Date

Signature and designation of the Officer granting it.

Entries to be made in the exporting District

Date of issue	Description of liquor (Label, Brand etc.)	Quantity issue	Strength

Deputy Commissioner of Excise or
Officer-in-Charge of the Bonded Warehouse/Distillery

FORM MLPR - XI
[See rule 11]

Application form for establishing winery

To,

The Commissioner of Excise & Narcotics,
Mizoram : Aizawl.

Sir,

I/We desire to establish winery and manufacture grape wine and pray for issue of licence to me/us. Necessary particulars in support of my/our application are as follows:-

- 1. Name of applicant
(Names of all partners in case of a Firm or the name of Managing Director/Chairman in case of society or registered company name in case of company)
- 2. Father's name/Spouse' Name
- 3. Age of the applicant
- 4. Nationality
- 5. Occupation
- 6. Address with phone number
- 7. Proposed location (Copy of LSC and plan to be enclosed).....
- 8. Availability of raw material in kgs & variety
- 9. Quantity and kind of grape wine proposed for production.
- 10. Number size & description of vessels & apparatus
- 11. Availability of expert
(if so, name & qualification)

DECLARATION

I/We declare that the particulars mentioned in the application are correct. I/We hereby undertake to abide by the conditions of the licence and provisions of the Mizoram Liquor(Prohibition) Act 2019 and the rules made thereunder.

Name & Signature of the Applicant.
Contact No.

FORM MLPR - XII
[See rule 12]

Licence for establishing of winery
Licence No. _____

Paste passport size photograph of the licenced holder.

Licence is hereby granted to _____ (hereinafter referred to as “The Licensee”) on payment of a licence fee of Rupees _____ authorising him/her to establish winery under and subject to the provisions of the Mizoram Liquor (Prohibition) Rules, 2022 and orders and Instructions (hereinafter referred to as “the said rules”), situated at _____ for a period of one year from ___day of __20__ to 31st March _____ on the following conditions, namely:-

CONDITIONS

- (1) The licensee shall not produce/store grape wine except at the place mentioned above and under the supervision of the Officer-in-Charge.
- (2) The licensee shall use only materials approved by the Commissioner.
- (3) The licensee shall maintain alcohol content as may be prescribed by the Government from time to time.
- (4) The licensee shall not dilute or adulterate the grape wine, or store any grape wine which he knows to be diluted or adulterated.
- (5) All receptacles shall be so placed and fixed as to facilitate the contents thereof being accurately gauged and measured. Each receptacle shall be gauged by the Officer-in-Charge and shall bear a distinctive serial number and have its capacity distinctly and indelibly marked on it. A table showing the dimensions and capacities of the receptacles shall be maintained by the licensee for reference. Measuring labels shall be affixed to show contents at one centimetre of depth of each receptacle.
- (6) There shall be proper enclosure with strong iron gate which shall be manned by an Excise & Narcotics personnel during working hours who shall ensure that no unauthorized person enter into the plant premises. However, security of such establishment shall be the responsibility of the licensee.
- (7) The licensee shall, besides providing suitable office accommodation with sanitary arrangements for the supervisory staff within the premises, also supply them with such furniture and other articles as the Commissioner or any other officer so authorised may consider necessary.
- (8) The licensee shall not permit or allow any smoking and use of bare light or fires within the premises.
- (9) The licensee shall not discontinue the manufacture unless he has given to the Commissioner or any other officer so authorised three months notice of his intention to do so.
- (10) (a) There shall be only one entrance to the plant and one door to the compartments or rooms.
(b) Every plant shall be locked by two locks; one being supplied by Excise & Narcotics Department and the other supplied by the licensee. The lock used by the Officer-in-Charge shall be a government lock and the key shall remain in his personal custody. At the end of each working day the Officer-in-Charge and the licensee shall close and lock every building, room or compartment therein.

The keys of the lock used by the licensee shall be retained by the licensee or his authorized agent. However, such key shall, on the requisition of the Commissioner or the officer-in-charge or any authorised officer, immediately be available and be open such locks so as to enable inspection.

Either Excise locks or licensee’s locks shall be made in India and approved by the Commissioner or any other officer so authorised.

- (11) The licensee shall keep affixed on the outside of each room or compartment a sign on which should be conspicuously painted in oil colour, the purpose for which the room or compartment is intended to be used and no room or compartment or receptacle intended for a specific purpose shall be used for a different purpose.
- (12) (a) The licensee shall maintain accounts showing a correct account of-
 - (i) the period allowed for fermentation;
 - (ii) the names and quantities of other ingredients, if any, added before, during or after fermentation/blending;
 - (iii) the period allowed for ageing;
 - (iv) quantity manufactured;
 - (v) the quantity issued from the plant with the dates of issue, names of the licensees to whom and the places to which the grape wine has been consigned;
 - (vi) the balance in stock after each transaction; and
 - (vii) the quantity of residue and base and the manner of their disposal.(b) The licensee shall maintain day-to-day accounts showing therein, the stock of grape wine at the end of each day.
 - (c) The entries in the account books should not be erased or overwritten. Should it be necessary to correct any entry it should be rounded in red ink in such manner as to leave it distinctly visible and the correct entry should be inserted above it. Every such correction should be initialled by the Officer-in-Charge.
- (13) The licensee shall issue authorisation signed by himself and countersigned by the Officer-in-Charge to all his agents or servants who are allowed to enter the plant. No person who does not hold an authorisation shall be allowed to enter the plant. It will be open to the Officer-in-Charge to cancel any authorisation countersigned by him.
- (14) Except with the written permission of the Commissioner or any other officer so authorised, the licensee shall not sell, transfer or sub-lease the right of manufacture conferred upon him by this licence, nor shall he, in connection with exercise of the said right, enter into any agreement or arrangement which is in the nature of a sub-lease. If any question arises whether any agreement or arrangement is in the nature of sub-lease, the decision of the Commissioner or any other officer so authorised shall be final and binding on the licensee.
- (15) The licensee shall, on a requisition from the Officer-in-Charge, allow him to take samples of the material used, at any stage and the grape wine stored in the plant, free of cost, whenever required for the purpose of chemical analysis. The Licensee shall pay such fee as may be determined by the Government from time to time for each examination of sample made by the Chemical Analyst.
- (16) The licensee shall allow the Officer-in-Charge or any other Officer duly authorised by the Commissioner to take stock of grape wine stored at the plant at least twice in a year. The licensee shall be required to explain the excess or deficiency in the stock if it exceeds or falls short by one per cent. If the explanation is not satisfactory, the licensee may be required to pay such excise duties as the Commissioner may direct.
- (17) The licensee shall maintain such weights and measures as may be determined by the Officer-in-Charge with the previous approval of the Commissioner.
- (18) The licensee shall provide fire extinguisher and other fire safety equipment within the premises of the plant. The licensee should ensure that the staff working in the plant are trained and capable of effectively handling fire safety equipment.
- (19) The Licensee shall provide for an emergency exits in the premises of the plant.
- (20) No grape wine shall be removed from the plant without payment of duties and fees under the Act, rules and orders and without production of transport permit from the Competent Authority.

- (21) Every licensee shall, when required by an Excise & Narcotics officer of and above the rank of Sub-Inspector, assist with sufficient number of servants in taking account of his stock.
- (22) The licensee must install Closed Circuit Television in his establishment covering every working room including bars, main doors, main gate and store rooms. Such data stored by the CCTV may be reviewed by the Competent Authority any time.
- (23) The licence may be suspended or cancelled in accordance with the provisions of the Mizoram Liquor (Prohibition) Rules, 2022.

Granted this day of

Round Seal

Commissioner of Excise & Narcotics,
Mizoram, Aizawl.

FORM MLPR - XIII

[See rule 53]

Application for retail vending of grape wine

Attach 2 copies
of recent
passport size
photographs

To,

The Commissioner of Excise & Narcotics,
Mizoram : Aizawl.

Sir,

I have the honour to pray for issue of licence for retail vending of grape wine. Necessary particulars in support of my application are as follows :-

- 1. Name and address of applicant :
- 2. Gender :
- 3. Date of birth :
- 4. Father's Name :
- 5. Mother's Name :
- 6. Nationality :
- 7. Proposed location for shop :
- 8. List of Enclosure :

- 1) Up-to-date tax clearance certificate
- 2) Certified copy of aadhaar card
- 3) Certified copy of Residential Certificate

DECLARATION

I/We declare that the particulars mentioned in the application are correct. I/We hereby undertake to abide by the conditions of the licence and provisions of the Mizoram Liquor (Prohibition) Act, 2019, the

Mizoram Liquor (Prohibition) Rules, 2022, Orders and Instructions therein.

Name & Signature of the Applicant.

Contact No.

FORM MLPR - XIV

[See rule 54]

Licence for retail vending of grape wine

Licence No. _____

Paste passport size photograph of the licenced holder.

Permission is hereby granted to on payment of fee of ₹ (Rupees) to sale by retail, grape wine from his/her shop located at under and subject to the provisions of Mizoram Liquor (Prohibition) Act, 2019 and the Mizoram Liquor (Prohibition) Rules, 2022, orders and instructions made thereunder. Breach of conditions shall entail prosecution, suspension, cancellation of licence or fine.

The Holder of this permit shall sale/sell grape wine only for consumption 'OFF' the premises.

Dated

Round Seal

Commissioner of Excise & Narcotics,
Mizoram, Aizawl.

FORM MLPR - XV

[See rule 17(7)]

Details of grape wine manufactured etc in a winery

Serial Number	Date on which grape is issued for crushing	Kind of grape wine	Batch number	Manufacturing Room						Total quantity under manufacture in litres	Date on which grape wine is issued for filtration	Filtration Room				Date on which filtration was completed and the grape wine was put into cask for ageing	Date on which grape wine was removed from cask for bottling
				Vat number	Quantity of Fresh Grapes	Quantity of other materials, if any	Quantity of Sugar or Natural Spirit	Quantity of Water	Total contents of in the Vat in litres			Quantity received from the manufacturing room	Quantity received after filtration	Quantity of residue or base	Date on which the residue or base is destroyed		
1	2	3	4	5						6	7	8				9	10

Bottling Room										Store Room				Initial of the officer-in-charge		Remarks				
Qty. received	Qty. bottled	Qty. in litres	Qty. in ml.	Qty. in ml.	Qty. in ml.	Qty. in ml.	Qty. in ml.	Qty. in ml.	Qty. in ml.	“Quantity transferred to general store room	Balance in stock in bottling Room	Quantity received	Quantity issued under bond	Permit No. and date	Quantity issued after clearance of duty	Challan number and date	Permit number and date	Balance stock	Initial of the officer-in-charge	Remarks
A	B	C								D		A	B	C	D	E	F	G		
11										12							13	14		

Verified by:

Name & Signature
of the Licensee

Signature

Name

Officer-in-charge, winery

[Seal]

FORM MLPR - XVI

[See rule 17(8)]

Register of transactions of extra neutral alcohol or rectified spirit etc. stores at the winery of

Month and date	In hand					Received		Proof
	Qty.	Strength	Proof	Source of supply	Permit No. and date	Qty.	Strength	
1	2					3		4

Total in hand and received (Columns 2 and 3)				Expanded		Remarks
Application No. and date	Quantity	Strength	Proof	Tank No. to which added	Batch No.	
5				6		7

Verified by:

Name & Signature
of the Licensee

Signature
Name
Officer-in-charge, winery

[Seal]

FORM MLPR - XVII
[See rule 28(2)]

Application for fortification of grape wine

Bonded / Manufacture of

Indent No

Date

To,

The Commissioner of Excise & Narcotics,
Mizoram, Aizawl.

Sir,

Please issue litre of Extra Neutral Spirit (ENA), Rectified Spirit from the
Store for use in the fortification of grape wine in Tank No. Batch No

Yours faithfully,

Signature of the Licensee
Name of the Licensee (.....)

Details of issuance

Date and time of issue	Quantity issued			Signatures of Officer-in-Charge	Signature of the licensee for receipt
	Quantity	Strength	Proof litres		
1	2	3	4	5	6

Name & Signature of
Officer-in-Charge
Winery :

MANUFACTURED:

Description of Grape Wine / Name of label	Quantity			Bulk litre	Proof litre	Remarks
	Qty in bottle					
	750ml	375ml	___ml			

Yours faithfully,

Name & Signature of

Officer-in-Charge

Winery :

FORM MLPR - XX

[See rule 46]

Monthly statement showing details of stock of grape wine for the month of _____

ORIGINAL

To

The Commissioner of Excise & Narcotics,
Mizoram, Aizawl.

Through:

The Assistant Commissioner of Excise & Narcotics,
_____ District, _____

Sl. No.	Particulars of Account	Qty in bottle			Qty in	
		750ml	375ml	___ml	bulk litre	proof litre
1	Opening Balance					
2	Receipt (+)					
3	Transit loss (-)					
4	Total ((1+2)-(3))					
5	Issue					
6	Breakage					
7	Closing Balance ((4-(5+6))					

Yours faithfully,

Name & Signature of

Officer-in-Charge

Winery :

FORM MLPR - XX

[See rule 46]

Monthly statement showing details of stock of grape wine for the month of _____

DUPLICATE

[To be retained by the Assistant Commissioner of Excise & Narcotics concerned]

To

The Commissioner of Excise & Narcotics,
Mizoram, Aizawl.

Through: The Assistant Commissioner of Excise & Narcotics,
_____ District, _____

Sl. No.	Particulars of Account	Qty in bottle			Qty in	
		750ml	375ml	___ml	bulk litre	proof litre
1	Opening Balance					
2	Receipt (+)					
3	Transit loss (-)					
4	Total ((1+2)-(3))					
5	Issue					
6	Breakage					
7	Closing Balance ((4-(5+6))					

Yours faithfully,

Name & Signature of

Officer-in-Charge

Winery :

PRESCRIBED REGISTER-I
[See rule 44]
Transaction register
Receipt / issue of grape wine or liquor

RECEIPT

Sl. No.	Date of Receipt	Name of grape wine label	Quantity received					Particulars of Receipt		
			750ml	375ml	___ml	in bulk litre	in proof litre	Name of Distillery	Permit No.	Pass No & Date
1										
2										
3										
4										
5										

ISSUE

Sl. No.	Date of issued	Name of grape wine label	Quantity issued					Particulars of issued		
			750ml	375ml	___ml	in bulk litre	in proof litre	Name of Distillery	Permit No.	Pass No & Date
1										
2										
3										
4										
5										

Sl. No.	Particulars of Account	Name of label of grape wine	Qty in bottle			Qty in	
			750ml	375ml	___ml	bulk litre	proof litre
1	Opening Balance						
2	Receipt (+)						
3	Transit loss (-)						
4	Total ((1+2)-(3))						
5	Issue						
6	Breakage						
7	Closing Balance ((4-(5+6))						

Inspected by:

Accounts kept by:

Signature
Name
Officer-in-charge, winery

Name & Signature
of the Licensee

[Seal]

PRESCRIBED REGISTER-II

[See rule 54]

Proforma for maintaining daily account in the Excise & Narcotics register by the winery / retail shop

NAME OF THE LICENSEE: _____

DATE: _____

Sl. No.	Particular of Liquor	Opening Balance	(IN BOTTLE)		Issues	Closing Balance	Remarks
			Receipt	Total			
1	[Grape wine label 1]						
	750 ml						
	375 ml						
2	[Grape wine label 2]						
	750 ml						
	375 ml						
3	[Grape wine label 3]						
	750 ml						
	375 ml						
4	[Grape wine label 4]						
	750 ml						
	375 ml						
	180 ml						

Inspected by:

Accounts kept by:

Signature
Name
Officer-in-charge, winery

Name & Signature
of the Licensee

[Seal]