

Andhra Pradesh Brewery Rules, 2006

ANDHRA PRADESH

India

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Rule ANDHRA-PRADESH-BREWERY-RULES-2006 of 2006

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Andhra Pradesh Brewery Rules, 2006Published vide Notification No. G.O. Ms. No. 92, Revenue (Excise-3), dated 27.01.2007Last Updated 25th September, 2019No. G.O. Ms. No. 92. - In exercise of the powers conferred by Section 72 read with Sections 13, 15, 16, 17, 18, 22, 23, 28 and 29 of the Andhra Pradesh Excise Act, 1968 (Andhra Pradesh Act 17 of 1968) and in supersession of all rules on the subject, the Government of Andhra Pradesh hereby make the following rules.Part - I Preliminary

1.

(1)These rules may be called the Andhra Pradesh Brewery Rules, 2006.(2)They shall extend to all the areas where the Andhra Pradesh Excise Act, 1968 is in force.(3)They shall come into force at once.

2. Definitions.

(1)In these rules, unless the context otherwise requires:(a)"Act" means the Andhra Pradesh Excise Act, 1968;(b)"Assistant Commissioner" in relation to these rules, means an officer appointed under Section 5 (1) of the Act;(c)"Beer" includes ale, stout, porter and all other fermented liquors usually made from malt;(d)"Brewery" means a manufactory where beer is manufactured and includes every place where beer is stored or issued;(e)"Brewery Officer" means an Excise Officer appointed by the Commissioner to be in-charge of a Brewery and includes Assistant Brewery Officer so appointed;(f)"Cooler" means any vessel in which worts are passed to be cooled and includes a refrigerator;(g)"Copper" means any vessel in which either worts or water is boiled or heated in the course of brewing;(h)"Draught Beer" means Bulk Beer (filtered and carbonized and ready for bottling) drawn from a vat/ barrel/cask or any other vessel before pasteurization is called Draught Beer;(i)"Excise Supervision" means supervision over operations including manufacture of Beer in a manufactory by the members of the staff of Prohibition and Excise Department appointed in that behalf by the Commissioner or any Excise Officer duly empowered by the State Government or by

the Commissioner in that behalf;(j)"Fermenting Vessel" means any vessel in which worts are fermented by the action of yeast;(k)"Form" means a form appended to these rules:(l)"Gravity" means the proportion which the weight of a liquid bears to that of an equal bulk of distilled water, the gravity of distilled water at 60 F. being taken to be 1,000;(m)"Gauge" means to determine the capacity of any cask or receptacle;(n)"Hop back" means any vessel into which wort is run after boiling in order to remove the spent hops; (o) "Licence" means a licence granted for the construction and working of a brewery under Section 16(1)(c) of the Act;(p)"Licensee" means a holder of such licence;(q)"Mashtum" means any vessel in which malt or grain is exhausted in the course of brewing;(r)"Racking or settling back" means the process by which worts are passed from a fermenting vessel into any other vessel and ratchet either at once or after a time;(s)"Maximum Retail Price" (MRP) means the price to be indicated by the Andhra Pradesh Beverages Corporation Limited or any other agency authorized by the Government for declaration on in each variety of Label by the Brewers as required under Section 39 of the Standards of Weights and Measures Act, 1976 and as defined in clause (r) of Rule (2) of the Standards of Weights and Measures (Packaged Commodities) Rules, 1977;(t)"Sugar" means any saccharine substance, extract or syrup and includes any material capable of being used in brewing, except malt or corn.(u)"Under back" means any vessel into which wort runs either from the mashtum or hop back;(v)"Wort" means the liquor obtained by the exhaustion of malt or grain or by a solution of saccharine matter in the process of brewing.(2)The words and expressions used but not defined in these rules shall have the meanings assigned to them in the Andhra Pradesh Excise Act, 1968 and A.P. Distillery (Manufacture of Spirits) Rules, 2006, and A.P. Distillery (Manufacture of Indian Made Foreign Liquor other than Beer and wine) Rules, 2006.

Part - II Provision Relating to Notification and Grant of License to a Brewery

3.

(1)No letter of intent for establishment of any new Brewery or expansion of the production capacity of an existing Brewery shall be issued without previous notification issued by the Government expressing the intention to grant the same from time to time.(2)A notification shall be issued by the Government separately from time to time for grant of Letter of Intent for establishment of a new Brewery or expansion of production capacity of an existing Brewery.(3)Government may, by notification issued from time to time, withdraw their intention of granting Letter of Intent for establishment of new Brewery or expansion of the production capacity of the existing Brewery for any of the purposes separately.

4.

(1)No licence for Brewery shall be granted unless the same is notified and sanctioned under Sub-rules (1) and (2) of Rule 3 and sanctioned under Rule 4 (2) (c) of these rules.(2)Procedure for Obtaining Sanction of the Government. - (a) On Notification By The Government Under Rule 3(1) And (2), Any Person Intending To Construct And Work Such A Brewery Or Expand The Production Capacity Of The Existing Brewery May Apply In Form - B (1) Along With His Scheme To The Government Through The Commissioner.(b)(i)No application mentioned in Clause (a) above shall be entertained unless a non-refundable and non-adjustable fee as specified below is paid into

Government treasury and the challan in original in support of payment is produced along with the application.

Annual Production capacity of the proposed Brewery	Non-refundable and non-adjustable Fee
Upto 200 Lakh Bulk Litres.	Rupees One Crores.

Above 200 Lakh Bulk Litres.	Rupees One Crore Twenty Five Lakhs.
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(ii) A special fee as specified below shall also be paid into Government treasury and the challan in original in support of payment is produced along with the application.

Annual Production capacity of the proposed Brewery	Special Fee
Upto 200 Lakh Bulk Litres.	Rupees One Crores.

Above 200 Lakh Bulk Litres.	Rupees One Crore Twenty Five Lakhs.
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(iii) The special fee remitted under clause (ii) above shall be adjusted towards future licence fee or Excise Duty or both on commencement of production. (c) When the Government are satisfied of the proposed scheme, they may accord the sanction and communicate it in the form of Letter of Intent in Form-B(S). This Letter of Intent shall be valid for a period of two and half years from the date of issue. (d) The Government have right to accept or reject without assigning any reason any application made for grant of Letter of Intent in pursuance of the notification under Rule 3(1) and (2) of these rules. (e) The holder of the Letter of Intent shall obtain a licence in Form B-2 within six months from the date of issue of Letter of Intent. (f) If the holder of the Letter of Intent fails to obtain a licence within a period of six months from the date of issue of Letter of Intent, he ceases to have any right on the Letter of Intent. (g) If the holder of the Letter of Intent and licence fails to commence production within two and half years from the date of issue of Letter of Intent, he forfeits his right over Letter of Intent and on the licence. (h) The Letter of Intent communicated under Clause (c) shall not confer any right or privilege for grant of a licence and is liable to be revoked or withdrawn by the Government at any time without giving any notice to the holder if the Government so desires. (i) No compensation for damage or loss shall be payable when a Letter of Intent is rejected under clause (d) or revoked or withdrawn under Clause (h).

5. Grant of Licence.

(1) The holder of letter of intent shall obtain licence from the Commissioner within six months from the date of sanction of the Government in the form of Letter of Intent referred to in Rule 4 (2) (c). (2) The holder of letter of intent shall apply in Form-B (1) (A) and the application shall be accompanied by: (a) Copy of the sanction (Letter of Intent) accorded by the Government. (b) Description and plans for the construction of the proposed manufactory. (c) Statement of plant and machinery proposed to be erected. (d) 'No objection certificate' from the local body competent to issue. (e) 'No Objection certificate' from the competent authority under Factories Act, 1948. (f) Clearance certificate from the Andhra Pradesh Pollution Control Board. (g) An undertaking in the prescribed form on a non-judicial stamp paper of the requisite value as per the Indian Stamp Act binding himself that he shall erect the plant and machinery as per the standards, as may be prescribed by the Commissioner from time to time for maintaining the specifications and quality of products. (h) Counterpart agreement in Form-B (1) (C). (3) No licence shall be granted unless the applicant deposits Rs. 5,00,000/- (Rupees Five Lakhs

only) in the shape of a cash deposit or fixed deposit receipt or Bank guarantee from any scheduled bank situated in Andhra Pradesh as a security for fulfillment of all the conditions of licence and enter into a counterpart agreement in Form-B (1)(C).(4)(a)Where the Commissioner is satisfied that the applicant for a new Brewery has fulfilled the conditions specified in subrule (1) to (3) above, he may grant a licence to the applicant in Form B-2.(b)The license fee for a new Brewery shall be Rs. 1,00,000/- (Rupees One Lakh only) per annum till the commencement of production or expiry of two and half years period from the issue of letter of intent which ever is earlier.(c)Where the Commissioner is satisfied that the applicant for expansion of production capacity of an existing Brewery has fulfilled the conditions specified in subrules (1) to (3) above, he may endorse the sanction of expansion on the existing licence.(5)The licensee shall before expiry of two and half years from the date of grant of letter of intent report to the Commissioner, the date on which the construction or expansion of brewery is completed and the date from which its working is commenced.(6)In case the licensee fails to construct or expand and work the brewery before expiry of two and half years from the date of grant of letter of intent, the new licence or the expansion sanctioned under Sub-rule (4) (a) of (4) (c) as the case may be shall be liable for cancellation without compensation for any damage or loss.

6. Existing Licenses Under A.P. Brewery Rules 1970.

- Andhra Pradesh Brewery Rules 1970 shall cease to operate on the commencement of these rules and all relevant licences granted under Andhra Pradesh Brewery Rules 1970 shall be deemed to have been granted under these rules.Provided that the licence fee in respect of the existing Breweries shall be paid by the licensees proportionately from the date of commencement of these rules.

7. Licence Fee Structure.

(1)The Government shall fix the Production capacity of the Brewery.(2)The capacity of the equipment and devices for bottling of Beer shall be according to the production capacity as fixed for the Brewery and shall be as per the specifications and norms as may be prescribed by the Commissioner from time to time.(3)The annual licence fee shall be fixed by the Commissioner basing on the prod action capacity in accordance with the licence fee structure prescribed here under.

Annual Production Capacity	Annual Licence Fee
1. Upto 200 lakh Bls:-	Rs. 5,00,000/-
2. For every additional 100 lakh Bis or part there of:-	Rs. 25,00,000/-

Provided that the production capacity once fixed shall not be reduced under any circumstances.Provided further that in case of new licence as granted under Rule 5(4) (a) the licensee commences manufacture from such date specified therein and the licence fee shall be paid as prescribed under sub rule (3) proportionately on the production capacity for the remaining period of licence.Provided also that in case of expansion granted under Rule 5(4) (c) the licensee shall pay the licence fee as prescribed under sub rule (3) proportionately from the date of erection of expanded capacity for the remaining period of licence.(4)Whenever the licensed production capacity

is fully utilised by the licensee before the completion of licensed year and if the licensee desires to have additional production during the remaining part of the licence year, the licensee shall take special permission from the Government for causing additional production over and above the fixed production capacity by submitting the requirement through Commissioner. On grant of such permission, the licensee shall pay the additional licence fee on such additional production at the rate of 0.50 paise (fifty paise only) per bulk liter of additional production. Part - III Common Provisions Relating to Renewal, Sub Leasing, Shifting, Transfer and Merger of Licences

8. Renewal of Licence.

(1) Licence granted under these rules shall come into effect from such date as specified therein. (2) Licence shall ordinarily be for a period of one year. (3) The licensee shall get his licence renewed before the commencement of the Licence year, by paying the licence fee as prescribed in Rule 7, other wise he is either eligible to go into production nor permitted to transact any business. (4) If the licensee fails to apply for renewal by paying the specified fee before the commencement of the licence year, he shall pay the licence fee along with late fee specified below for renewal of his licence.

Period	Late fee
(1) Within six months from the date of commencement of licence year	5% of the Annual Licence Fee
(2) After six months from the date of commencement of Licence year.	10% of the Annual Licence Fee.

Provided, if the licensee does not apply for renewal of licence within the licence year, he shall pay the annual licence fee for the entire period for which he does not have his licence renewed along with the late fee as specified above, subject to the condition laid down in sub-rule (7) of this Rule. (5) Every application for renewal of licence under these rules shall bear a court fee stamp of requisite value as specified in the Indian Stamp Act and shall be addressed to the Commissioner. (6) Where the Commissioner is satisfied that the licensee has fulfilled the conditions specified for renewal and that the manufacturing facilities on ground are not modified in any manner in deviation of the provisions of previous licence, he may renew the licence. (7) The right of the licensee to get his licence renewed stands forfeited if the licence is not renewed continuously for a period of 3 years.

9. Excise Duty.

(1) The Excise duty shall be paid at such rates as may be specified by the Government. (2) The licensee shall execute an agreement binding himself, his heirs, legal representatives and assignees to observe the conditions of licence, hypothecating the buildings, machinery, apparatus together with the stock as security for the payment of money, which may be due to the Government.

10. Sub-Leasing of Brewery.

(1) The Commissioner may, on application made by the holder of a licence issued under these rules, permit sub-leasing the whole of the licensed capacity of such brewery to the proposed sub-lessee. (i) No sub-lease shall be permitted unless: (a) A sub-lease fee of sum equal to 10% (Ten percent) of the annual licence fee is remitted in Government treasury. (b) The licensee keeps a security deposit of an amount equal to 15% (Fifteen percent) of the annual licence fee of the brewery in the shape of Fixed Deposit Receipt or Bank Guarantee issued by any scheduled Bank situated in Andhra Pradesh in the name of the Commissioner. (ii) The proposed sub-lessee referred to in sub-rule (1) shall not be a person disqualified to hold a licence under the A.P. Excise Act, 1968 and the rules made there under. (iii) The sub-lease permitted under sub-rule (i) shall be for a period of one year or part thereof and such sub-lease holder shall not have any claim for renewal of such sublease. (iv) The Commissioner may, for reasons to be recorded in writing, refuse to grant permission for sublease or withdraw the permission granted for sub-lease. (v) The licensee and the sub-lessee shall not have any claim for compensation towards any damage or loss sustained on account of non-sanction or withdrawal of permission for sub-lease. (vi) If the original licence is suspended or cancelled for any reasons, the sub-lease shall also stand automatically suspended or cancelled as the case may be. (vii) An application for grant of permission for sub-lease shall be made in Form-B (SL) and shall be accompanied by: (a) Sub-lease deed between the licensee and the proposed sublessee on a non-judicial stamp paper of the requisite value as per the provisions of the Indian Stamp Act, 1899, which shall be registered within 15 days from the date of grant of permission for sub-lease. (b) Memorandum of Articles of Association/partnership deed, declaration of sole proprietorship, as the case may be, of the licensee and the sub-lessee. (c) Lists of Directors/Partners, as the case may be, of both licensee and sub-lessee. (d) Undertaking in Form-B 1 (SLU) on non-judicial stamp paper worth Rs. 100/- duly signed by the licensee and sub-lessee. (e) Original Challan as proof of having paid ten percent of annual Licence fee of the distillery towards sub-lease fee and fifteen percent of the annual licence fee as security deposit in the shape of Fixed Deposit Receipt or Bank Guarantee issued by a Scheduled Bank situated in Andhra Pradesh in the name of the Commissioner. (viii) The sub-lease granted under subrule (1) is not transferable. (ix) The licensee and sub-lessee shall be jointly and severally responsible for all the acts of omissions and commissions of the sub-lessee. (x) The Sub-lessee shall be responsible for payment of all duties, taxes and fees etc., payable to the Government pertaining to the period of sublease. In case the sub-lessee fails the same shall be recovered from the licensee. (2) The security deposit as contemplated under sub-rule (1) (i) (b) shall be valid for the lease period or till the dues are paid to the Government whichever is later. (3) All the coutstanding duties, taxes, fees or any other dues payable to the Government shall be recovered from the security deposit and the balances if any shall be recovered from the sub-lessee and licensee as if they were arrears of land revenue. (4) The fixed deposit Receipt or the Bank Guarantee produced as security deposit shall be returned to the licensee after the clearance of all the dues to the Government by the sub lessee and licensee.

11. Shifting of Existing Brewery.

(1) Where the management of a Brewery intends to shift the Brewery from the place to another place, it shall notify the same to the Commissioner by an application in Form-B3 after remitting an

amount of Rs.2.00 Lakhs (Rupees two lakhs only) in the Government treasury and enclose the challan in original in support of payment along with the application.(2)On receipt of such an application the Commissioner if satisfied, may obtain such undertaking or Bond and such other material or documents to protect the interest of the Government as he may deem fit, may grant such permission after obtaining the orders from Government for the shifting of the Brewery.

12. Change or Alteration of Licence.

- (1) Transfer of Licence:(i)No licensee shall except with the sanction of the Commissioner transfer his license to any other person. The Commissioner may allow such transfer of license on payment of prescribed fee and on production of certificate to the effect that no cases involving contravention of Excise Act and Rules framed there under are pending against him and also on production of Sales Tax and Income Tax clearance certificates.(ii)When there are only two partners in the firm holding the licence and one of them withdraws or expire the entity of firm changes from partnership to proprietary and it amounts to transfer of licence.(iii)Conversion of a proprietary concern into a firm or a company or a firm into a company and vice versa shall amount to transfer of licence.(iv)The Commissioner on payment of a fee of Rupees Two lakhs and on obtaining such undertaking or Bond and such other material or documents to protect the interest of the Government as he may deem fit, may grant such permission for the transfer of the licence in the cases referred in clause (ii) and (iii) above.(v)Where there is a change of 50% or more partners, it shall be construed as complete change in the ownership, a fee amounting to 10% of the licence fee shall be paid.(2)Inclusion or exclusion of partners. - No licensee shall except prior permission of the licensing authority get any person included as a partner to his business or get an existing partner excluded.(3)Death of licensee or incapability of the licensee. - A licence issued under these rules shall be only to the person named there in and on his death the legal heirs may apply for continuance of the licence in their name to the Commissioner within thirty days of death of the licensee. If the Commissioner is satisfied he may permit the legal heir to continue the licence in his name.(4)Merger of licence. - (i) When licensees of two or more existing Breweries subject to provisions of sub-rule (1) desire to merge into one Brewery may apply to the Commissioner in Form-B3 (M) along with a challan for Rupees Two lakhs.(ii)On receipt of such an application the Commissioner if satisfied, may obtain such undertaking or Bond and such other material or documents to protect the interest of the Government as he may deem fit, may grant such permission after obtaining the orders from the Government for the merger of the Breweries.Part - IV Provision Relating to Bottling of Beer and Labelling

13. Bottling of Beer.

(1)Operations connected with the filling of bottles with beer for issue, shall be conducted in bond under the supervision of the Brewery Officer in a separate room called the bottling room for beer set apart for the purpose, within the Brewery' premises near the finished stores. Bottled beer shall be stored in a separate room called the 'Bottle beer store' set apart for the purpose, within the Brewery' premises near the bottling rooms.(2)The bottling rooms and the bottled Beer store-rooms shall be secured in such manner as the Commissioner may approve.(3)Beer shall be bottled at the strength specified by the Commissioner from time to time.(4)Sample from each batch shall be sent to the

Chemical Examiner and it shall be passed by the Chemical Examiner.(5)Bottling shall be done during the ordinary working hours of the Brewery.(6)No bottling shall be allowed except in the joint presence of the Excise Officer and a representative of the licensee.(7)Beer required for bottling shall be measured out and brought into the bottling room by a permanently fixed pipe or such other means as may be approved by the Commissioner(8)Bottling shall be done in bottles of the capacity' as may be prescribed by the Commissioner from time to time.(9)The bottles mentioned in sub-rule (8) shall be standard pattern and shall bear the following specifications molded on the glass:'(a)The figures and words of the capacity.(b)A line across the neck up to which the bottle shall be Filled in order to contain the proper quantity.(10)The licensee shall not use bottles bearing the name or trade mark of any other bottle or any other Brewery.(11)The Bottles shall be properly sealed with gas-tight crown caps.(12)The licensee shall not keep the beer in tanks for more than three months without bottling.

14. Labelling of Beer Bottles.

(1)The licensee shall label each bottle after bottling with a label printed in English or Telugu language showing the name of the licensed Brewery and the place where the bottling is done.(2)The labels shall be affixed to the liquor bottles only after such labels are approved by the Commissioner.

15. Approval of Labels.

(1)The licensee shall submit an application in Form-B4 to the Commissioner through the Assistant Commissioner (Distilleries) duly affixed with Court fee stamp of requisite value as per the provisions of Indian Stamp Act, 1899 and shall enclose with ten copies of each variety of label sought to be approved.(2)No application referred in subrule (1) shall be entertained unless the licensee remits the label approval fee of Rs. 2,00,000/- (Rupees two lakhs only) and the challan in support of the payment is produced with the application.(3)The licensee shall also get the label re-approved for each licensed year by paying the label fee specified in subrule (2).Provided that if a particular label was approved in a year, the stocks bearing such label are laying unsold in the warehouse, the licensee need not get such label re-approved for the purpose of their release of such stock in the subsequent year.(4)The format of the label shall contain the following:-(i)Name and address of the manufacturer.(ii)Batch Number, Month and Year of Manufacture(iii)Net contents(iv)Strength(v)Kind of Beer(vi)Maximum Retail Price. (M.R.P.) shall be incorporated in the label after the same is indicated by the Andhra Pradesh Beverages Corporation Limited.)(vii)Details of manufacturing under Sub-lease arrangements.(viii)Maximum Retail Price (MRP) shall be prominently depicted on a separate band on the top of the label.(ix)Inscription "Consumption of liquor is injurious to health".(5)In case of supply of Beer to Canteen Stores Department, each variety of labels shall be approved separately after collecting a non-refundable fee of Rs. 2,00,000/-. The Label shall be re-approved for each Excise year after collecting the same fee applicable for approval.(6)The label fee once remitted and the label was duly approved it shall not be refunded or adjusted for any reason including withdrawal or cancellation of rate contract by the Andhra Pradesh Beverages Corporation Limited or non-issue of purchase orders.(7)The manner and the contents of the label shall be in the form as may be specified by the Commissioner from time to time.

Part - V
Provision Relating to Regulation and Supervision

16.

On granting a licence under these rules, the licensee shall furnish a duplicate copy to the Asst. Commissioner concerned of the descriptions, plans and statements as approved by the Commissioner.

17.

Every licensee shall exhibit his licence or a copy of the Licence and an approved copy of the plant in a conspicuous part of the licensed premises.

18.

The licensee shall not hypothecate the whole or any part of the licensed premises without the prior written sanction of the Commissioner.

19.

The licensee shall extend full assistance to any Excise Officer authorized by the Commissioner to inspect the distillery at any time.

20.

The licensee shall provide accommodation for the office of the Brewery officer and his staff within the licensed premises and extend required assistance to the Excise Officer in carrying out his duties.

21.

The licensee shall conduct his business either personally or by an agent authorized by him in this behalf and the information of such authorization shall be intimated to the Brewery Officer, Assistant Commissioner and the Commissioner.

22.

The licensee shall maintain the registers which are required under these rules and shall submit them for inspection by Excise Officers concerned as and when required.

23.

The licensee shall provide with sacchrometer and thermometer, other appliances and measures as are necessary and as specified by the Commissioner.

24.

The buildings, plant and machinery specified in the licence, shall be maintained properly and cleanly to the satisfaction of the Commissioner. No alterations or additions shall be made without prior sanction of the Commissioner.

25.

Every process connected with the manufacture, issue of Beer shall be conducted within the licensed premises.

26.

Every person leaving the Brewery shall be liable to be searched under the orders of Excise Officer in-charge of the unit. The Excise officer shall use these powers with discretion. No respectable person shall be subjected to search except on valid grounds. All cases of search of persons other than the workers shall be recorded by the Excise officer in his diary and shall report the matter to the Assistant Commissioner immediately.

27.

Where the Commissioner is not satisfied as to the maintenance of the building plant and machinery including the measures and other appliances he may require the licensee to stop working of the Brewery and direct to rectify the defects within one week.

28. Requirements within the Brewery.

(1)The licensee shall erect as number of tanks and vessels as required as per the licensed production capacity of the Brewery.(2)The Brewery premises shall be closed by a compound wall with sufficient protection to prevent undue access into the licensed premises from outside.(3)Naked lights of any description shall not be used within the Brewery. All electrical fittings shall be maintained and fitted with flame proof equipment.(4)Fire extinguishers shall be installed at suitable places as to enable easy handling in case of an emergency.(5)All pipes from sinks and wash basins inside the Brewery shall discharge into closed drains forming part of the general drainage system of the premises.(6)The licensee shall maintain a laboratory with required infrastructure to formalize the working of the Brewery with regard to quality of Beers manufactured.(7)The licensee shall provide and maintain sufficient and accurate measures, scales and weights and other necessary and reasonable appliances to enable the Brewery Officer and other officers to take account of or check by weight, gauge or measure all materials and liquids used or produced in brewing and provide sufficient lights, ladders and other convenience to enable the Excise staff to perform their duties(8)The licensee shall cause to be legibly painted with oil colour and keep so painted, on some conspicuous part of every mashtum, under back, copper, heating tank, cooler, fermenting vessel and settling back intended to be used by him in his business and on the outside of the door of every room

and place wherein any part of his business is to be carried on, the name of vessel, room or place according to the purpose for which it is intended.(9)Where more than one vessel, room or place is used for the same purpose, all such vessels, rooms or places shall be marked by progressive numbers.(10)All mushtums, under backs, coolers, fermenting vessels and settling backs shall be so placed and fixed as to admit of the contents being accurately ascertained by gauge or measure and shall not be altered in shape, position or capacity without two days notice in writing to the Brewery Officer.(11)All mushtums and fermenting vessels shall be gauged jointly by the Brewery Officer and the licensee, and the Brewery Officer shall prepare tables showing the total capacity of each vessel in litres and capacity of the contents in each to the tenth of centimeter in depth.(12)No vessel which has been altered in shape, position or capacity shall again be taken into use unless it has been re-gauged by the Brewery Officer and new tables prepared by him if necessary.(13)The tables prepared under Rule 12 and 13 shall before being taken into use be certified by the licensee or his accredited agent as correct.(14)The Brewery officer shall also certify as to the correctness of the tables and check from time to time the data, based on which they are prepared.(15)The licensee shall:(i)Keep a book in Form B-5 in the licensed premises and make it available at all times, for the inspection by the other Excise Officers who is authorized to inspect the brewery and for making extracts there from:(ii)make entry in the book in accordance with such instructions as may be given by the Commissioner or Brewery Officer from time to time; and(iii)send notice in writing to the I Brewery Officer of his intention to brew forty eight hours, before such brewing takes place if so required * by the Commissioner.(16)The licensee shall allow the Brewery Officer to take account of the worts or grains or cereals mixed during the, process of brewing whenever such | accounting becomes necessary.

29. Brewing Process.

(1)Beer shall be brewed from good j materials and its quality shall be such as to satisfy the Commissioner. Wort shall not be brewed of a higher gravity than 1073°. Nothing shall be added to beer after it has been rocked and removed to a beer store, except findings or other material approved by the Commissioner in such proportions as fixed by him. Beer in the store must not be diluted and any beer found in store which has been either diluted or in any way adulterated will be liable to confiscation. The confiscation of the beer will not exonerate the licensee from any penal action under the Act.(2)No material other than malt, grain, cereals, sugar, glucose or hops shall be used in brewing and nothing other than fining may be added to beer in store, without previous sanction of the Commissioner. The use of the following materials is permitted.(A)In Brewing:(1)Burtan Crystals(2)Caramel(3)Corpulos(4)Maltose(5)porterine(6)Ibrite(7)Hop substitute(8)Optanis(9)Zumsite(10)Gypsum(11)American flour(12)Septose(13)Klearwort(14)Pure cell acid(15)Cheratta(16)Malt flour(17)Standard salt(18) Un-fermentable syrup(19)Diastagic mart syrup(20)Sulphosite(B)In Beer store(1)Bisulphite of Lime(2)Calcium Meta Sulphite(3)Phylax(4)Beer Neutralizer(5)Hop Oil(6)Un-fermentable Syrup.(3)No ingredients, noxious to health shall be used. Should the licensee intend to use any material not previously approved for use, he shall apply to the Commissioner for necessary sanction through the Brewery Officer, with a sample of material detailing the purpose for which it is to be used. The Brewery Officer shall submit such application through the Assistant Commissioner of Distilleries to the Commissioner.(4)The storage of either malt or unmalted corn is not controlled. The room, in which

malt is ground in having internal communication with any room or place of the bonded premises of the brewery, shall be included into the bonded premises of the brewery as shown in the approved plant.(5)All sugar shall be stored in a room specially set apart for that purpose to be shown as a Sugar-store. Sugar shall not be removed from the store into any other part of the brewery except in pursuance of an entry in the book for use in brewing.(6)(a)Hops or Hop substitutes shall be stored in a room specially indicated in the bonded premises of the brewery for such purpose.(b)Other approved brewing materials shall be stored either in the hop store or in a room specially set apart and called "Brewing Specialty Room"(7)Potassium Meta-sulphate and Burtom crystals may be stored at the discretion of the licensee.(8)When the licensee intends to use a sugar solution for priming beer prior to issue, he shall obtain prior permission from the Commissioner to do so. He shall provide a separate cask or vat, which shall be used for the purpose of dissolving sugar only and shall be distinctly marked 'Priming Vessel'.When a sugar solution is to be used for priming beer prior to issue the licensee shall intimate to the Brewery Officer, the above fact in writing at least 6 hours before making the solution, declaring the quantity of sugar to be used in making the solution and the hour at which he proposes to make the solution.The quantity of sugar to be used in making the solution and the hour of dissolving the sugar shall be entered in the proper columns in Brewing Book at least six hours before making the solution. The gravity of the solution shall not exceed 1073°. When the solution is complete the licensee shall enter its dip and gravity in the Brewing Book and shall not remove any portion of it unless the Brewery Officer or some superior officer had checked the entry. The quantity declared by the licensee or found by the officer whichever is greater shall be taken into account for charging duty.Priming solution may be concentrated by boiling to density not more than 1050° after the charge has been taken by the Brewery Officer provided the licensee gives notice to concentrate the solution in the Brewing Book. Such an entry shall be made in red ink. The Brewery Officer shall immediately make a survey record it red ink and note in the remarks column of the surveying book, the survey in which the charge for duty has been taken.Before removal of solution the licensee shall note in the remarks column of the Brewing Book the quantity to be removed, the hour of removal and the number of casks to which the solution is to be added. No greater quantity than 4'/ Litres shall be added to each hogs head of beer and proportionately for small casks. The Brewery Officer shall check the addition as often as possible.(9)The licensee shall obtain prior permission from the Commissioner, for the use of hops and hop substitutes and the proportion in which they are to be used.(10)The licensee shall not use palmyrah Sugar in the manufacture of beer or as an addition to finished beer.(11)Casks may be used for making and storing solutions of . Caramel, Corpulose. Maltose or Porterine. Every such cask shall be given a number and entered in the survey book as a collecting vessel with a note of the material for which it is intended to be used.(12)The licensee shall enter in the Brewing Book the date and hour of making the Caramel solution and the material to be used and on conclusion of the operation shall enter at once the quantity and gravity of the solution. The gravity shall not exceed 1073°. The licensee shall note in the remarks column of the Brewery Book each removal from the cask, specifying the quantity removed and the vessel to which it has been added. The Brewery Officer shall show the condition of the cask upon each complete survey.(13)Yeast may be added at any stage of collection of wort in the fermenting vessel, but if it is added so early before the complete collection of wort that fermentation has commenced the licensee must declare the original gravity of the wort before fermentation commenced.(14)The licensee shall enter in the brewing book the quantity and gravity of the expressed wort and the name and the number of the vessel to which it is

to be added. When expressed wort is added to beer in store, it shall be added to beer irrespective of the nature of the brewing from which expressed but wort filtered without pressure may be added to beer of the same denomination as itself.(15)Vessels used for yeast culture shall be duly entered and brought under survey. They may be placed in any suitable room in the brewery. They shall be gauged to the nearest litre per centimeter of depth so that the quantity may be verified or cross checked if necessary by Excise Officers. Vessels said to contain yeast shall be examined so as to satisfy that uncharged wort is not being fermented. After the first change is taken in a yeast culture vessel the surface shall not be broken unless fraud is suspected. The entry in the survey book in such surveys shall be the word 'growing' (16) Small unfixed casks may be used as fermenting vessels to take any unexpected excess of wort produced in brewing, the quantity of which is too small to permit efficient fermentation in a fixed fermenting vessel. The licensee shall inform the officer in writing the said fact and shall declare the quantity of the wort contained in the cask originally. Permission for the use of such casks may be withdrawn whenever it is found that they are employed as a matter of course and continuously.(17)(a) The duty on Beer, at specified rates shall be charged on the total quantity of beer pumped to the Bright Beer Tanks less an allowance of 3% for wastage towards bottling. For this purpose the licensee shall maintain an account of beer pumped to the Bright Beer Tanks (Tank-wise account) after due maturation and carbonated. This account shall show the daily final production of Beer which shall be issued as draught beer or for bottling.(b) The duty on beer shall become due immediately after the account of beer as specified under Clause (a) above has been taken by the Brewery officer or at the end of each month whichever is later and the time for its payment shall not be later than fifteenth day of the succeeding month in which the duty was charged provided that no stock of beer shall be removed from the Brewery except on payment of duty specified in Rule 9.(c) If the duty payable by the licensee remains unpaid beyond the period specified in this regard, the Commissioner may forfeit to Government, the sum guaranteed by the Bank and either the whole or part of the security deposit furnished by the licensee under these rules.(d) The Brewery Officer shall maintain an account of Beer pumped in Bright Beer Tanks (Tank-wise) and issues made from the Bright Beer Tanks in Form B-6.

30. Draught Beer.

(1) The licensee shall be allowed to issue Beer straight from Bright Beer Tank without subjecting the Beer to pasteurization as 'Draught Beer'.(2) The following precautionary measures shall be taken while issuing Draught Beer as the shelf life of the Beer is only 36 hours.(a) Draught Beer shall be issued from the brewery in Aluminium Alloy Kegs having a capacity of 30 litres or 50 litres specially designed for the purpose.(b) On receiving the Keg, the brewery shall thoroughly sterilize the keg using either hot water or steam.(c) After sterilization the keg shall be allowed to cool for a few minutes in B.B.T. Room.(d) The filling valve and filling tank shall also be sterilized.(e) Before filling the keg, the beer drawn from Bright Beer Tank shall be filtered by means of Sterile Filtration.(f) During filling the keg with beer a counter pressure of 1.5 to 2 kg/ cms shall be maintained.(g) After the keg is filled with beer, it shall be weighed to ensure that the required quantity is filled up in the keg.(h) The temperature of the keg shall be maintained below 5°C.(i) Transportation of Draught beer in kegs from the brewery to the destination shall be made in specially designed vehicle having ice and thermostat arrangements.

31. Working Conditions of the Brewery.

(1) Except as provided herein the Brewery shall be kept open during the ordinary working hours. (2) No Brewery shall be open for work on a Sunday or other public holiday except with the sanction of the Commissioner which may be given at least one day in advance. (3) If the manufactory works on Sunday or other public holiday, Excise Officer shall be present and shall make adequate arrangements for regulating the entry or exit of persons at fixed hours in connection with the working of the manufactory. (4) Where the Brewery is to be worked at hours other than the ordinary working hours, the licensee may do so only on obtaining permission from the Commissioner. Provided that if the total extra hours to be sanctioned on any day is more than the normal working hours i.e., eight hours, it shall be sanctioned with the prior approval of the Government.

32. Drawl of Samples.

- The licensee shall, when required permit samples of the material used or Beer manufactured to be taken for analysis under the orders of the Commissioner or by any officer authorized by him to take samples. Each sample shall be taken in three 750 ml. bottles or when the material cannot be placed in bottles, in three parcels, in the presence of a representative of the licensee; each bottle or parcel shall be immediately and securely sealed in the presence of the Excise Officer and the licensee's representative. One bottle or parcel shall then be made over to the licensee's representative, the second shall be sent for analysis and the third be kept by the Excise Officer, pending disposal of the case.

33. Removal of Beer.

(1) No Beer manufactured or stored otherwise than that under bond shall be removed unless the Excise duty as specified in Rule 9 (a) (if not reduced or exempted by an order of competent authority) as specified by Commissioner from time to time has been paid by the Licensee before such removal. (2) No Beer shall be issued in quantities of less than 30 litres. (3) No bottled Beer shall be removed unless it is properly packed to withstand a road journey. (4) On payment of Excise Duty, a transport permit for removal of Beer shall be issued by the Excise Officer In-charge of the unit in favour of the following persons only: (i) The Andhra Pradesh Beverages Corporation depots located in the State as per the purchase orders given by the corporation. (ii) Persons holding a licence in any other State for sale of Beer by whole sale or retail on production of valid permit issued by the Commissioner. (iii) Persons holding a licence in Form - CS.3 under Andhra Pradesh Excise (Grant of licence of selling by In-house and conditions of Licence) Rules, 2005. (5) Every application for a Transport permit for the removal of Beer, shall be made in writing in Form - B7 to the Excise Officer and shall be accompanied by a challan in original in support of payment of Excise duty therefor and the certificate or permit required under the foregoing rules, such certificate or permit being either a general or a special one for the purpose of a single removal. (6) The licensee shall present the treasury receipt in token of his having paid the Excise duty to the Excise Officer. (7) The licensee shall be responsible for the correct and full payment of the Excise duty due on the Beer to be removed. But if he is in doubt as to the amount of such Excise duty, he may, prior to its payment in the

treasury, apply to the excise officer for a revision of calculation.(8)If the Brewery Officer is satisfied that the applicant is entitled under these rules to remove Beer and that the Excise duty has been paid, he shall issue Beer under a permit in Form-B-8 sending a copy to the concerned Prohibition and Excise Superintendent of destination.

34. Issue of Beer for Laboratory Purpose.

(1)If the licensee requires Beer for the use in the laboratory attached to the brewery, he shall be entitled to remove it to the laboratory without payment of any excise duty, to the extent of 5 Liters (five liters only) per month.(2)The spirit so removed under subrule (1) shall not be used in the laboratory otherwise than for experimental work connected with the manufactory operations.(3)An application for every quantity of Beer required under this rule shall be made in writing to the Excise officer, who shall record thereon, the quantity of the Beer taken and record the same in the relevant registers of the distillery.(4)The licensee shall keep a regular account of Beer taken under this rule which shall be subject to the examination of the Excise officer.

35. Registers to be Maintained.

- The following registers shall be maintained in a Brewery

- 1. Raw material Stock registers.**
- 2. Brew Account Register.**
- 3. Bright Beer Stock Account (Tank-wise)**
- 4. Bottling operations Register.**
- 5. Brand wise stock Register.**
- 6. Consolidated stock Register of finished stock.**
- 7. Issues Register.**
- 8. Draught Beer issue Register.**
- 9. Sample Register.**
- 10. Purchase order Register.**

11. Brewery Gate pass Register.

12. Excise duty Register.

13. Reconciliation of remittances Register.

The licensee shall also maintain the registers prescribed by the Commissioner from time to time. Part - VI Provision Relating to Hygienic Conditions and Quality of Beers

36. The licensee shall maintain the following hygienic conditions in the Brewery.

(1) The structure of the building of the Brewery shall be of permanent nature and shall be designed as to provide sufficient space for equipment and material storage and facilitate carrying out process operations in hygienic manner. (2) No portion of the Brewery building shall be used for domestic purposes or other food preparations. (3) All equipments shall be cleaned regularly to prevent contamination. (4) The materials used shall be free from contamination. (5) Proper care must be taken to cover the vats and vessels. (6) Tanks in the storage room for Brew should be of stainless steel material. They should be cleaned and maintained in such a way as to prevent corrosion. (7) Quality of de-mineralized water plant should be properly maintained with anionic, cationic and mixed beds for proper treatment of water. (8) The tanks and pipe lines shall be constructed with stainless steel material. The pumps shall be flame proof. Tanks and pipe lines shall be earmarked for a particular product to prevent contamination from one product to another. Pipes and fittings shall be leak proof. Motors shall be placed to prevent dripping oil into the tanks. (9) All bottles shall be thoroughly cleaned immediately before filling by automatic washing machines. Washing shall be accomplished by pre-rinse and final rinse. For final rinse de-chlorinated potable water shall be used. Bottles should be thoroughly drained after rinse so that quality of Beer is not affected after filling. Water jets in the washing machine should be so designed that the jet pressure so maintained as to thoroughly rinse the whole internal and external surface area of the bottles. Wash water in the bottle washer should be thoroughly drained and changed frequently to prevent algal growth. (10) Whenever second hand bottles are being used, all the bottles should be pre-washed prior to feeding to the bottle washer. This should be done in the following manner: a. Pre-rinse first soaking in a tank to remove labels and other extraneous matter. b. Rinse in the second tank with hot water around 60°C and 3% caustic solution at 60°C using brushes to clean the interior and exterior of bottles thoroughly. c. Final rinse in the third tank with potable water; and then d. Feed the bottles to the bottle washer. (11) Filler nozzles shall be of stainless steel material with poly liners or PVC to prevent chipping of bottles. Filler bungs above the nozzles shall be cleaned every day and periodically replaced to prevent particular matter settling into liquor. Filling of the product into bottles can be automatic fillers. Liquor falling on line due to breakage of bottles should be immediately cleaned and broken glass taken off to prevent contamination. (12) The licensee shall erect the plant and machinery as per the standards, as may be prescribed by the Commissioner from time to time for maintaining the specifications and quality of products.

37.

The Brewery licensed under these rules shall maintain the quality of Beer as specified hereunder:-Specifications for Beer:(1)Ethyl Alcohol content at 15°C. percent (v/v)(a)Light Beer0.5 to below 4.0(b)Standard Beer4.0 to below 5.0(c)Extra Strong Beer5.0 to below 6.0(d)Super Strong Beerabove 6.00(2)pH4.2 to 4.6(3)Carbon dioxide, percent (v/v) Minimum: 2.5 Vol.(4)Beer shall be free from any other ingredient injurious to health.(5)Beer shall be free from any added colouring matter except caramel produced from sugar. The caramel shall be in conformity of Bureau of Indian Standards.(6)Bottled Beer or caned Beer shall be effectively pasteurized.(7)Beer shall be free from coliform Bacteria and other pathogenic microorganisms.

Form -B(1)(See Rule-4 (2)(a))Application for Issue of Letter of IntentToThe Principal Secretary to GovernmentRevenue (Excise) DepartmentHyderabad.Through the Commissioner of Prohibition and ExciseSir,In pursuance of the notification issued by the Government vide I / We..... R/o.....I/We intend to establish a Brewery for manufacture of Beer/ expand the production capacity of the existing Brewery as detailed in the following scheme atof.....District of A.P. State. I/We, therefore request that the scheme may kindly be examined and necessary sanction accorded as required under Rule 4(2)(c) of Andhra Pradesh Brewery Rules 2006.Scheme

1. (a) Name and address:

(b)Name and address of the undertaking:(c)Whether Public/Private Ltd., or Partnership/Proprietary' concern:

2. Location where the applicant intends to establish the Brewery:

3.

(1)Nature of manufactory:(a)* Whether it is a new Brewery?(b)* Whether it is the expansion of existing Brewery? If so(i)Existing licence held by the applicant:(ii)Nature of activity:(iii)Existing production capacity:(iv)Production capacity proposed to be increased:

4. Whether the applicant owns sufficient land at the proposed site: If so the details thereof:

5. Whether the applicant has remitted the non-refundable and non-adjustable fee & Special fee as specified in Rule 4.(2) (b) (i) & (ii).

(a)If so:(i)Amount remitted: Rs.(ii)Challan No. & Date:(iii)Name of the Treasury at which the amount remitted:(b)Whether original Challan is enclosed to this application:

6. Proposed Investment Details:

(a)Capital investment:(b)Borrowings:(c)Investment on Land:(d)Investment on Buildings:(e)Investment on Plant and Machinery:(f)Working Capital:

7. Whether sufficient water is available at the proposed place:

8. Whether proper power supply is available at proposed place to meet the requirements of the unit:

9. Details of the raw materials:

(a)Quantity and value of raw materials to be imported or of imported origin per year.(b)Quantity and value of raw materials if indigenous origin per year:

10. Whether the applicant is able to secure the raw material without the aid of the Government:

11. Whether the plant and machinery to be installed is of imported or indigenous and its details:

12. Details Of the Beer Proposed to be Manufactured:

(a)Name(s) of the Beer proposed to manufactured:(b)Standards of the product(s) proposed to manufacture:(c)Brief process of manufacture:

13. Estimated annual production of Beer in bulk litres:

14. Whether the proposed unit will have any buyback arrangement? If so the details thereof:

15. (a) Time required to secure land:

(b)Time required for erecting plant and machinery:

16. Employment potential of the proposed unit: (Indicate category-wise)

Enclosures:

1.

2.

3.

Date:Place:Signature of the applicant.Address for
correspondence:Sri.....M/s.....[*Strike out, which is not applicable]Form -
B(S)(See Rule 4(2) (c))Letter of IntentGovernment of Andhra PradeshRevenue (Excise) Department

Lr. No..... Dated:

FromThe Principal Secretary to Government (Rev. (Excise) Department)A.P.

Hyderabad.ToM/s.....SirSub:-Prohibition and Excise - Establishment of Brewery - Sanction
accorded for establishment and working for manufacture of Beer orders issued. Read:(l) Govt, of
A.P. Notification dated.....(2)Sri/M/s..... Application
dated.....(3)Commissioner of Prohibition and Excise reference in CR. No dated-----.

1. In response to the notification issued in the reference 1st cited, Sri/M/s. has/ have submitted an application in the reference 2nd cited for sanction of the Government for establishment and working of a Brewery or expand the production capacity of the existing unit as required under Rule 4 (2) (a) of Andhra Pradesh Brewery Rules 2006 for Manufacture of Beer. The applicant proposes to establish the Unit or expand the production capacity of the unit at of-----District of Andhra Pradesh.

2. In the reference 3rd cited, the Commissioner of Prohibition and Excise, Hyderabad has recommended the proposal.

3. The Government have examined the request of the applicant and the recommendation of the Commissioner. The Government hereby accord sanction for construction and work a Brewery or expansion of the production capacity of the existing unit under Rule 4(2) (c) of Andhra Pradesh Brewery Rules, 2006 subject to the following conditions:

(a)The quantity of Beer permitted for manufacture per annum shall be -Lakh bulk Liters only.(c)This sanction is accorded without any commitment for allowing import of any machinery or supply of raw materials.(d)This letter of Intent is valid for a period of two and half years from the date of issue, subject to the condition that the holder shall obtain a licence from the Commissioner of Prohibition and Excise within Six months duly fulfilling the formalities as required under A.P. Brewery Rules, 2006.(e)The holder of this Letter of Intent shall fulfill the formalities laid down in the Andhra Pradesh Distillery (Manufacture of Indian Made Foreign Liquors other than Beer and

Wine) Rules, 2006.(f)This Letter of Intent shall not, however confer any right or privilege for the grant of a licence and is liable to be cancelled or withdrawn at any time and in such an event, no compensation or damages whatever shall be payable.Principal Secretary to GovernmentToM/s.....Copy to:The Commissioner of Prohibition and Excise, A.P. HyderabadThe Commissioner of Industries, A.P. Hyderabad.Form - B(1)(A)(See Rule - 5(2))Application for Grant of Licence for Brewery or Expansion of the Production Capacity of Existing BreweryToThe Commissioner of Prohibition and Excise,A.P. Hyderabad.Sir,Sub:- Excise-Establishment of Brewery for manufacture of Beer-Scheme approved by the Government - Certain request for grant of licence-Regarding.Ref:- Lt. No..... Dated.....Kindly peruse the reference cited wherein the Government of Andhra Pradesh accorded sanction for establishment of a Brewery for manufacture of Beer or expansion of production capacity of existing Brewery at_____.As per the orders of the Government as contemplated in the Letter of Intent, we are approaching your good self with the following necessary documents with a request to grant new licence or accord sanction for expansion of production capacity of existing Brewery : _____. under A.P. Brewery Rules, 2006.

- 1. Copy of the Letter of Intent.**
- 2. Particulars of land with relevant documents.**
- 3. Blue print of the proposed Brewery.**
- 4. Remittance particulars of initial licence fee under Rule 5 (4) (b) (Original challan enclosed)**
- 5. Remittance particulars security deposit under Rule 5 (3).**
- 6. No objection certificate obtained from the competent local authority.**
- 7. No objection certificate obtained from the A.P. Pollution Control Board.**
- 8. Undertaking as required under Rule 5 (2) (g).**
- 9. Counterpart agreement in form B(I) (c) as required under Rule 5 (3).**

I/We undertake

- 1. to furnish any further plans, estimates or information as required.**

2. that in the event of a Licence being granted, we commence/working of the Brewery within the period limit prescribed and inform the date by which the plant commences commercial production.

3. to comply in all respects with the provisions of the A.P. Brewery Rules, 2006 and the conditions of the License.

4. to pay the licence fee at the rates specified in Rule 7(a) from the date of commencement of commercial production.

This application is within the specified time mentioned in the Letter of Intent. Enclosures: Signature of the applicant. Form - B-1(C) (See Rule 5(3)) Counterpart Agreement This agreement is made and executed as required under Andhra Pradesh Brewery Rules, 2006 issued under Andhra Pradesh Excise Act, 1968 this day of 20 between Sri (herein after called the Licensee' which expression shall include his heirs, representatives, successors and assignees) on the one part and the Governor of Andhra Pradesh (herein after called the Government which expression shall include his successors in office) on the other part. Whereas the licensee has applied for a licence for manufacture of Beer: And whereas the Commissioner of Prohibition and Excise by virtue of the powers conferred upon him under Rule 5(4)(a) of A.P. Brewery Rules, 2006 granted a licence in FORM B-2 for manufacture of Beer, and whereas the licensee hereby agrees to the same and covenants with the Government as follows: Now This Indenture Witnessed:

1. The licensee shall during the subsistence of the licence comply with the conditions of licence and the provisions of Andhra Pradesh Excise Act, 1968 and rules framed there under and any notifications and orders of the Government and Commissioner issued there under.

2. The licensee shall also be bound by the rules that may be made further and other conditions that may be imposed from time to time during the currency of the licence.

3. The licensee shall keep intact a security deposit of Rs Lakhs as laid down in Rule 5(3) for due performance of this agreement.

4. In case of the breach of the terms and conditions of this agreement including the conditions of licence it shall be lawful for the Government to cancel the agreement and to forfeit the security deposit without prejudice to any other action that may be taken against the licensee under the Act, and the rules framed there under and also to recover all dues payable as arrears of land revenue under Andhra Pradesh Revenue Recovery Act, 1864 or any

other law for the time being in force in that behalf.

5. The agreement shall commence from the date of sanction or renewal of the licence and shall remain in force till end of the currency of licence.

In witness whereof said Sri for and on behalf of the licensee and the Commissioner of Prohibition and Excise, Andhra Pradesh Hyderabad for and on behalf of Governor of Andhra Pradesh have signed this agreement on the date and year herein above written in the presence of the following witness: Witness: Signature of the Licensee.

1.

2.

Signature of the Commissioner for and on behalf of the Governor of Andhra Pradesh. Form - B2 (See Rule-5(4)(a)) Licence for Manufacture of Beer

Licence No: Issued On:

I, Sri..... Commissioner of Prohibition and Excise under the provisions of Andhra Pradesh Brewery Rules, 2006 and in pursuance of the Letter of Intent bearing No dated Issued by the Government of Andhra Pradesh and on payment of annual the licence fee of Rs. (Rupees only) Licence you Sri/Ms. hereinafter called the 'Licensee' to manufacture Beer.

Sl. No.	Names of the Beers licensed for manufacture	Quantity permitted for manufacture per annum in bulk liters
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12

This licence is issued subject to the following conditions:

1. The Licensee shall abide by the provisions of the Andhra Pradesh Excise Act, 1968 and A.P. Brewery Rules, 2006 and all Rules made under any other law, for the time being in force applicable to the manufacture, storage, issue and sale of Beer.

2. This licence shall stand revoked in case the licensee fails to erect the Brewery within a period of two and half years from the date of issue of Letter of Intent.

3. The terms and conditions of this licence may be modified at any time during the currency of this licence.

4. The licensee shall pay the differential license fee from the date of commencement of commercial production proportionately as per the rates specified under Rule 7(a)

5. A statement showing the number, size, description and capacity of the Vats, tanks, bottling lines which the licensee may erect or maintain under this licence and the plans and statement of the premises and buildings to be used as Brewery, storage purpose and for other purposes relating to the Brewery as approved by the Commissioner shall be annexed to this licence.

6. The licensee, without prior sanction-permission of the Commissioner, shall not:- (a) Erect any other Vats, Tanks, Bottling lines, equipment, and machinery other than those approved by the Commissioner.

(b)Alter, modify or make additions to the building and plant in deviation to the plans approved by the Commissioner.

7. The Licensee shall at all times maintain the efficiency of the plant to the satisfaction of the Commissioner.

8. The licensee shall maintain the registers and furnish the statements and other information as may be required by the Commissioner in the manner specified.

9. The licensee shall comply with the directions of the Commissioner regarding quality, strength and purity of the Beer licensed for manufacture.

10. The licensee shall comply with the directions of the Commissioner regarding usage of ingredients of high quality, stocks materials to be maintained in day to day functioning of the Brewery.

11. The licensee shall not discontinue working of the Brewery (except in case of closure for cleaning or repairs) without giving six months notice in writing to the Commissioner of his intention to cease the work. He shall continue to fulfill the conditions of this licence during the currency of the notice.

12. The licensee for any reason becomes incapable of carrying on with the operations of the business or dies or becomes insolvent, the Commissioner may either cancel the licence or continue it in the name of the legal heir as the case may be.

13. Upon revocation or cancellation of licence under the preceding conditions, the licensee shall forthwith cease Brewing and shall cease to use the building and the plant for the purpose for which they were licensed. Neither the licensee nor any other person shall be entitled to any compensation or damage whatsoever, in respect of revocation or cancellation of the licence.

14. If the licensee infringes or cause or permit any person to infringe any of the conditions of this licence, the Commissioner shall have the power to suspend or cancel this licence forthwith.

15. No Beer shall be removed from the Brewery without valid permit issued by the competent authority.

16. The licensee shall have no right to claim any supply of raw materials produced in the State of Andhra Pradesh for manufacture of Beer.

17. The licensee shall not act in any manner prejudicial to the interest of the revenues of the Government.

18. The licensee shall not advertise his products by extolling their merits or in any other objectionable manner.

Commissioner of Prohibition and Excise Andhra Pradesh, Hyderabad. Form - B1 (SL) (See Rule 10 (vii)) Application for Grant of Permission for Sub-Lease of the Brewery To The Commissioner of Prohibition Excise, Andhra Pradesh, Hyderabad. Date..... at..... Application of M/s. for grant of permission for sub-lease in favour of M/s. _____ for carrying out Manufacture of Beer.

1. The undersigned Licensee M/s. _____ beg to apply for permission for sub-lease of M/s _____ to Sri/M/s. _____ in whole of the licensed capacity under Rule 10 of A.P. Distillery Brewery Rules, 2006.

2. The proposed sub-lessee desired to manufacture Beer as per the licensed capacity granted to M/s._____

3. In the event of grant of sub-lease being granted, the sub-lease holder proposes to commence working at the Brewery on-----.

4. In the event of grant of sub-lease to the proposed sub-lessee, he undertakes to comply in all respects with (a) the provisions of the rules applicable to the Brewery', its working and (b) the conditions which are entered in the licence.

5. The following documents are furnished:

(a)The sub-lease deed between the licensee and the proposed sub-lessee on a nonjudicial stamp paper of the requisite value as per the provisions of the Indian Stamp Act, 1899.(b)Memorandum of Articles of Association/partnership deed/declaration of sole proprietorship of licensee and sub-lessee.(c)List of Directors/Partners of licensee and sub-lessee with their dated signatures.(d)Undertaking in Form B (1) (SLU) on a non-judicial stamp paper of requisite value duly signed by the licensee and sub-lessee.(e)Original challan as a proof of having paid 10% of Licence fee.(f)F.D.R./B.G for an amount equal to 15% of the annual licence fee towards security deposit.

6. The applicants undertake to furnish duly registered lease deed within 15 days from the date of grant of permission of sub-lease.

7. The applicant licensee and the proposed sub-lessee severally and jointly undertake to be bound by the A.P. Excise Act, 1968 and A.P. Brewery Rules, 2006 and other rules under any law for the time being in force applicable to the manufacture, storage, issue and sale of Beer.

Signature of the Applicant (Licensee)Signature of the proposed sub-lessee.Form - B 1 (SLU)(See Rule - 10(1)(vii)(d))Sub-Lease Undertaking(Non-Judicial Stamp Paper Worth Rupees One Hundred)ToThe Commissioner of Prohibition &Excise, Andhra Pradesh,Hyderabad.Sir,I/We_____S/o_____holder of B-2 License of M/s_____Distillery, aged about_____years, resident of_____and Sri_____S/o_____proposed sub-lease holder of M/s_____Brewery, hereby undertake:

- 1. That the sub-lease will be effective from the of-----month-----year.**
- 2. The licensed capacity of the Licensee per annum is BLs. The Licensee has agreed to lease out.**
- 3. That we shall be severally and jointly responsible to abide by the terms and conditions of the licence as laid down in the licence in Form B-2 dated and the provisions of A.P. Brewery Rules, 2006.**
- 4. That we shall jointly and severally abide by the provisions of A.P. Excise Act 1968 and the rules made there under from time to time.**
- 5. That we shall be bound to pay any enhanced licence fee, excise duty, security deposit . and any other fee or taxes to be levied from time to time.**
- 6. That, we shall be bound to pay any penalties levied from time to time.**
- 7. That, we hereby agree that the licence is liable to be cancelled on the basis of any adverse report of investigation for any lapse which amounts to contravention of any rule or any conditions of licence or any other provisions of Law and also for any conviction in any criminal case at any time.**
- 8. That the licensee or sub-lease holder will not have any right or claim for continuation or renewal of sub-lease in dependent of the B-2 licence and in case the licence is cancelled or suspended or any other action taken under excise law, it will automatically attract the sub-lease also.**
- 9. If the licence/sub-lease is surrendered or cancelled in the middle of the licence period, we shall not be eligible for refund of Licence Fee.**
- 10. That, if we fail to pay the Excise Duty, Penalties etc., if any due to Government on time, the licence is liable to be canceled and the entire amount so due, without prejudice to any other mode of recovery, may be recovered from the security deposit and also by way of restraining our movable and immovable property whatsoever we possess and selling the said properties under the Andhra Pradesh Revenue Recovery Act.**

11. We declare that we have not been convicted of any offence under A.P. Excise Act.

12. That we shall maintain all the registers of accounting etc., as required under Andhra Pradesh Brewery Rules, 2006.

13. We shall not have any claim for any increase in the licensed capacity on account of permission granted for sub-lease.

14. We shall be responsible for utilization/disposal as per Andhra Pradesh Brewery Rules, 2006 of the balance stock of all the raw materials and the Beer that remain at the end of the lease period.

Place : Signature of Licensee

Date : Proposed Sub-lease holder.

Form - B3(See Rule 11(1))Application for Shifting of the Existing Brewery

1. (a) Name of the Brewery:

(b)Name(s) & address (s)s of the Partner/Board Directors:(c)Whether Public/Private Ltd., or Proprietary concern:

2. (a) Details of existing premises with Survey No. etc.:

(b)Details of total existing area and constructed area:(c)Details of existing man power:(i)Office Staff:(ii)Technical Staff:(iii)Supervisory Staff:(iv)Permanent workers:(v)Temporary workers:

3. Details of Existing plant and Machinery:

(a)Existing Machinery:(b)Capacity of Machinery:(c)Existing Production capacity:

4. Reasons for shifting:

5. Details of proposed premises:

(a)Address with Survey No.(b)Details of availability of water and power requirement.(c)Details of man power requirement at new site and availability

6. Details of clearance from the following Government institutions:

(a)Competent Local authorities:(b)A.P. Pollution Control Board:(c)Competent authority under Factories Act:

7. Details of Plant and Machinery to be shifted to new premises:

8. Details of shifting Fee remitted:

Signature of the applicant with dateForm - B3 (M)(See Rule - 12(4)(i))Application for Merger of two Breweries

1. Name and address of the Brewery proposed for merger:

2. Whether Proprietary/ Partnership concern/Limited Company:

3. Nature of Licence held:

4. Whether the licence is in force:

5. No. of bottling lines existing (Specify the details lines):

6. Production capacity of the Brewery as fixed by the Commissioner:

7. Annual Licence fee:

8. Reasons for merger:

9. Name and address of the taking over Brewery:

10. Whether proprietary/Partnership concern/Limited Company:

11. Nature of licence held by the taking over Brewery

12. Whether the licence is in force:

13. No. of bottling lines existing (Specify the details)

14. production capacity of the taking over Brewery as fixed by the Commissioner:

15. Annual Licence fee:

16. Whether the licensee of the Brewery proposed for merger continue as a partner/ Director even after merger:

17. Cumulative production capacity after merger:

18. Cumulative Licence fee of both the Breweries:

19. Licence fee payable according to the cumulative production capacity:

20. Whether the taking over distillery is willing for the liabilities of the distillery proposed for merger:

Signature of the licensee of Brewery proposed for merger. the Signature of the licensee of the Taking over Brewery.

Form B - 4(See Rule 15(1))Application for Approval of Label to be Pasted on the Stocks of Beer

1. Name of the applicant:

2. Full address:

3. Details of licence held:

4. If the applicant is a partnership firm or company, the details thereof:

5. Full address of Brewery:

6. Details of Brand label for which approval sought:

(a)Name of the Brand:(b)Size of the bottles:

7. Details of payment of Label approval fee:

(a)Amount remitted: Rs.(b)Name of the treasury in which amount remitted:(c)Challan No. & Date:

8. Previous approval of same label by the Commissioner of Excise with reference number and date (when submitted for re-approval)

9. No. of sample labels enclosed:

Signature of the applicant. Form B - 5 (See Rule 28 (15) (i)) Brew Book

No:..... Brewery:

Quarter ending..... Examined Folios: Officers name: Rank: Date:

Checked: Brewery Officer.

Brewery Book	Brewery	Quantity to be used of							
Date and hour of		Hops							
Date and hour of entry	Mashing malt or corn	Dissolving sugar	Malt	Un-malted Corn	Sugar	Glucose	Fresh	Partly spent	Hops Substitutes
(1)	Kg(2)	Kg(3)	Kg(4)	Kg(5)	Kg(6)	Kg(7)	Kg(8)	Kg(9)	Kg(10)
Date and hour when wort will be drained	Worts collected	Date and hour of mixing	Date of Brewing	Mixing worts					
Date and hour when collected	Vessels	Vessels from which taken							
Number	Name	Dip	Gravity	Number	Name				
(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)

Worts maixed Initials Remarks

Vessels Brewers Officers

Number Name Dip Gravity

(21) (22) (23) (24) (25) (26) (27)

Form B-6 (See Rule 29(17)(d)) Bright Beer Stock Account (To be maintained Tank-wise)

Tank No..... Alcoholic percentage:..... %

(v/v)

Date	Opening Balance of Beer in the BBT (B.Ls)	Receipt of Beer in the BBT (B.Ls)	Total Beer in the BBT (B.Ls.)	Issued towards Draught Beer (B.Ls)	Issue for Bottling (B.Ls.)	Total issues from the BBT (5+6)	Closing Balance of Beer in the BBT (B.Ls) 4-7)
1	2	3	4	5	6	7	8

Quantity of Beer actually bottled and transferred to ware house	Quantity of Beer actually issued and duty realized (B.Ls)	No. of Bottles	Size	Qty. in B.Ls	Total issues accounted for in B.Ls(9+12)	Wastage(in B.Ls Col.7-13)	Percentage for wastage Col. 13x100 : Col.7	Signature of the Brewery Officer
9	10	11	12	13	14	15	16	

Form B - 7(See Rule 33 (e))Permit for Removal of BeerNo:.....Date:.....

1. Name and address of the Brewery:

2. Licence No. & Date:

3. Particulars of Beer to be removed:

(Batch No. & Description of packing)

4. Quantity in Litres:

5. Rate of duty:

6. Amount of duty paid:

7. Name of the Treasury, challan No. & date:

(Challan shall be enclosed in original)

8. Consignees address and licence No:

9. Remarks:

Signature of the Licensee or his authorized agent. Checked and found to be correct the consignment for which duty has been paid. Indent passed and stock issued. Officer In-charge.....Brewery. Form B - 8(See Rule 33 (8))Brewery Permit

No:..... Date:.....

(1)Name and address of the Brewery:(2)Licence No. & Date:(3)Particulars of Beer to be removed:(Brand, Batch No. & Description of packing)(4)Quantity Issued:(a)No. of cases:(b)Size of the Bottles:(c)Quantity in terms of bulk Litres:(d)Alcoholic percentage:(5)consignees address & Licence No:(6)Vehicle No:(7)Time of dispatch:(8)Route:Checked the consignment for which duty has been paid and found correct. Indent accepted and the stock released. This permit is valid for_____Hours/days.Brewery Officer(1)Original Brewery permit with the Brewery Officer.(2)Duplicate to Asst. Commissioner for Distilleries, having jurisdiction.(3)Triplicate to the Excise Superintendent under whom the consignment goes.(4)Quadruplicate with consignment.(5)Quintuplicate to Asst, Commissioner concerned to Brewery.(6)Sixth copy to the Director of Enforcement, Hyderabad.