

# The Punjab Brewery Rules, 1956

HARYANA

India

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### Rule THE-PUNJAB-BREWERY-RULES-1956 of 1956

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The Punjab Brewery Rules, 1956Re-published vide Punjab Notification No. GSR 249/PA-1/14/Ss 21, 59 and 62 dated 21th October 1962Last Updated 18th May, 2019

#### 1. Short title.

- These Rules may be called the Punjab Brewery Rules, 1956.

#### 2. Definitions.

- In these rules, unless a different intention appears from the subject or context : "Beer" means any liquor prepared from malt or grain, with or without the addition of sugar and hops and includes ale, porter and stout. "Brewery" means a building where beer is manufactured, and includes every place therein where beer is stored or hence it is issued. "Bushel" when used for measuring liquids, means a multiple of 36.40 litres and when used for weighing fruits, shall be construed as a reference to equivalent kilograms according to practice in vogue in Breweries and when used with reference to weighing light or heavy barely, it shall be construed to mean its metric equivalent viz. 21.7 to 33.6 kilograms or 24.5 to 26.3 kilograms according to the practice in vogue in the Breweries. "Cooler" means any vessel into which worts are passed to be cooled and includes a refrigerator. "Cooper" means any vessel in which lither worts or water is boiled or heated in the course of brewing. "Fermenting vessel" means any vessel in which worts are fermented by the action of yeast. "Gravity" means the proportion which the wright of a liquid bears to that of an equal bulk of distilled water the gravity of distilled water at 15.5C(63 F) being taken to be 100. "Hopback" means any vessel into which worts are run after boiling in order to remove the spent hops. "Inspector" means the excise inspector or sub-inspector appointed to hold charge of a brewery. "Licence" means a licence granted for a brewery under Section 21 of the Punjab Excise Act (1 to 1914). "Licensee" means a holder of such licence. "Mastum" means any vessel in which malt or grain is exhausted in the course of brewing. "Racking or settling back" means any vessel into which worts are passed from a fermenting vessel and racked either at once or after a time into store vats or casks. "Sugar" means

any saccharine substance, extract, or syrup and includes any materials capable of being used in brewing, except malt or corn. "Underback" means any vessel into which worts run either from the mashturn or hopback. "Worts" means the liquor obtained by the exhaustion of malt or grain or by the solution of saccharine matter in the process of brewing.

### 3.

Any person desirous of obtaining a licence for a brewery shall apply to the Financial Commissioner. The application shall be accompanied by a full description (hereinafter called the entry) of his premises and utensils plant in which the purpose of, and the distinguishing mark on, each room place and vessel shall be clearly specified. The Collector shall submit the application with his re-part therein for the orders of the Financial Commissioner.

### 4.

The Financial Commissioner has full power to grant or refuse application for licences with reference to the requirement of State.

### 5.

No licence shall be granted unless and until the applicant therefore has-(a)[ deposited a sum of Rs. [Rs. 1,00,00,000] [Legislative Supplement Part III dated 30.3.1994.] in cash as license fee; and](aa)[ deposited as security in cash or in National Savings Certificates for the fulfilment of all the conditions of his licence a sum of be fixed by the Financial Commissioner, which shall not be less than Rs. 2,000/- or more than Rs. 5,000/- in amount the security deposit shall be refunded to the licensee after the expiry of the licence unless it is forfeited for any breach of rules and conditions of the licence or adjusted against any other dues; and] [Substituted vide Haryana Government Notification No. GSR15/PA1/14/S.59/Amd(1)/84 dated 28.2.1984.](b)satisfied the Collector Commissioner that the proposed buildings, plant and apparatus to be used in connection with the business of brewing, storage issue of beer are built in accordance with the prescribed regulations and due precaution has been taken against fire.

### 6.

The licensee shall executed a bond in form B. 3, pledging the premises, stock of beer, all apparatus and utensils employed in the manufacturing and storage of beer for the due discharge of all payments which may become due to Government. The licensee may, however in lieu of executing such a bond, execute a bond in form B 16 and deposit Government promissory notes or in National Savings Certificates of such value as the Financial Commissioner may direct or furnish a guarantee by the State Bank of India in form B.17 to the satisfaction of the Financial Commissioner. A deposit made under this rule will be separate and distinct from the security deposit required by the preceding rule.

**7.**

The licence shall be in Form B. 1 and is not transferable except with the sanction of the Financial Commissioner.

**8. [ [Legislative Supplement Part III dated 30.3.1994.]**

(1)A license granted under these rules will be valid for a period of one year from the date of issue unless it is cancelled, determined or surrendered earlier and shall be renewable annually on application on the payment of [one crore] rupees:]Provided that such a license may be cancelled for breach of the terms thereof or may be determined by the Financial Commissioner after giving the license six months' notice.(2)An application for the renewal of the license shall be made at least 60 days before the expiry of the old license :[Provided that if such application is not made within such period, the Financial Commissioner may renew the license on payment of the [renewal fee as specified under sub-rule 1 and such penalty not exceeding Rupees two lakh] [Legislative Supplement Part III dated 24.2.1988.] as he may having regard to the merits of the case deem fit]

**9.**

[Omitted] [Omitted vide Haryana Government Notification No. G.S.R. 36/P.A.1/14/Section 59/96, dated 3.6.1996.]

**10.**

The licensee shall not hypothecate in whole or any part of the licensed premises without the previous written sanction on the Financial Commissioner.

**11.**

The licensee shall maintain a list of all entries referred to in rule 3 above and he shall not make any addition either to buildings or to plant, without the previous consent in writing of the Financial Commissioner. On the completion of any addition, the existing entry in Form B-2 shall be withdrawn and a new entry made, provided that the previous sanction of the Financial Commissioner shall not be required in the case of simple repairs to, or renewals of, existing buildings or plant.

**12.**

The licensee shall at any time permit the Collector the inspector or any officer authorised to inspect breweries to inspect and examine his licensed brewery, the premises, warehouses, and utensils connected therewith any room, place or utensil and the beer made and stored therein, and shall render to the Collector or to the officers aforesaid, all proper assistance in making such inspection and examination.

**13.**

The licensee shall agree to the posting of an excise establishment to his brewery. This establishment shall consist of as many inspectors and peons as the Financial Commissioner may deem sufficient. This staff shall be subject to the inspection, and under the orders and control of the Collector.

**14.**

The licensee shall provide within the brewery enclosure and office for the inspector, as well as quarters, to be approved by the Financial Commissioner, for the inspector and the peons who will be required to remain within the brewery enclosure on night duty.

**15.**

The licensee shall if required by the Financial Commissioner provided residential quarters for the Government excise establishment posted to the brewery.

**16.**

The licensee shall, when required, permit without payment, samples of the material used, of worts in any stage of fermentation of beer prepared in the brewery to be taken for analysis by the Collector or the inspector or by an officer authorised by the Financial Commissioner or Collector to take samples and entry thereof be made in register in Form B. 12.

**17.**

The inspector shall maintain a general register in Form B. 12.

**18.**

The licensee, unless he personally acts as manager shall be bound to appoint a competent manager as his agent.

**19.**

The licensee must provide and maintain sufficient and just scales and other necessary and reasonable appliances to enable the inspector and other officers to take account of or check by weight, guage or measure all materials and liquids produced in brewing and provide sufficient lights, ladders and other conveniences to enable the Excise Staff to perform their duties.

**20.**

The weights, scales, appliances, etc., mentioned in rule 19 shall be provided on the re-question of the inspector subject to an appeal to the Collector whose decision shall be final.

**21.**

The Inspector will be provided by the Financial Commissioner with proper gauging rods and a standard saccharometer and thermometer entries whereof shall be made in register B. 12. If the licensee questions their correctness or the results obtained by the officer, he must make a written protests to the inspector immediately. This will be forwarded, with his remarks by the Inspector to the Collector who after due enquiry will report the matter to the Financial Commissioner.

**22.**

The licensee must cause to be legibly painted with oil colour and keep so painted, on some conspicuous part of every mashtum, underback, 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 and part of his business is to be carried on, the name of the vessel room or place according to the purpose for which it is intended.

**23.**

When more than one vessel, room or place is used for the same purpose, all such vessels, rooms or place must be marked by progressive numbers.

**24.**

All mashtums, underbacks 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 inspector.

**25.**

No vessel which has been altered in shape, position or capacity shall again be taken into use unless it has been regauged by the Inspector and new tables constructed by him if necessary.

**26.**

All mashtums and fermenting vessels shall be gauged jointly by the Inspector, and the licensee, and tables prepared by the Inspector in Form B-4 showing the total capacity of each vessel, in bulk litres (or in the case of mashtums in imperial bushels) and the capacity of each 2.54 millimetres in depth.

**27.**

The tables prepared under the preceding rule shall, before being taken into use, be certified by the licensee or his accredited agent as correct.

**28.**

The Collector shall also certify to the correctness of the tables, and as opportunity affords, check the data on which they are founded.

**29.**

The licensee shall keep a book in Form B-5 and shall observe the following rules in relation to it and to the entire to be made therein-(1)He shall keep the book in some part of his license premises ready at all times, for the inspection of the Inspector and other officers, and shall permit any Excise Officer who is authorised to inspect the brewery at any time, to inspect the same and make extract therefrom.(2)He shall enter separately in the book the quantity of malt, corn, sugar, hops and hop substitutes which he intends to use in his next brewing, and also the day and hour when such next brewing is intended to take place.(3)He shall make such entry so far as respects the day and hour of brewing, twenty-four hours at the least before he shall begin to mash any malt or corn or dissolve any sugar, and so far as respects the quantity of malt, corn, sugar, hops and hop substitutes two hours at the least before the hour entered for brewing.(4)He shall, two hours at the least before the hour entered for brewing, enter the time when all the worts will be drawn of the grains in the mashtum.(5)He shall within one hour of the worts being collected in the fermenting vessels, or, if the worts be not collected before six in the afternoon, before eight in the forenoon of the following day, enter the dip and gravity of worts produced from each brewing, and also the description and number of the vessels into which the words have been conveyed.(6)He shall, at the time of making any entry insert the date when the entry is made.(7)He shall not cancel, obliterate or alter any entry in the book, or make therein any entry which is untrue in any particular; should it be necessary to correct any entry, a line shall be drawn through the incorrect entry in such a manner as to leave it distinctly visible and the amended entry shall be inserted above it; every correction shall be initialled by the person making it at the time.(8)He shall, if so required by the Financial Commissioner send notice in writing to the Inspector, of his intention to brew forty-eight hours before such brewing is to take place.

**30.**

The licensee shall keep the total produce or brewing separate from the produce of any other brewing for the space of twenty-four hours, unless an account of the first mentioned produce shall have been sooner taken by the Inspector.

**31.**

The licensee shall not mix the produce of one brewing with that of another except in his store vats or casks, unless he shall have given previous notice, in writing, to the Inspector, and he shall specify the quantity and gravity of the worts when mixed.

**32.**

All grains in a mashtum must be kept untouched for a space of one hour after time entered in the book, as the time for the worts to be drawn off, unless the Inspector has attended and taken account of such grains.

**33.**

All worts shall be removed successively and in the customary order of brewing to the underback, coopers, cooler and fermenting vessels, shall not be removed from the last named vessels until an account has been taken by the Inspector or until after the expiration of twenty-four hours from the time at which the worts are collected in these vessels.

**34.**

When worts shall have commenced running into a fermenting vessels, the whole of the produce of the brewing shall be collected within eighteen hours.[35. For the purpose of issue of beer from the brewery and charging duty thereon, the provisions contained in rules 110, 115, 116, 117, 118, 119, 120, 121 and 122 of the Punjab Distillery Rules, 1932, shall apply mutatis mutandis :Provided that if the wastage in any brewery exceeds seven per cent of the total quantity actually brewed as entered in the brewi book by the licensee or as ascertained by the inspector and entered in his survey book in form B-6 which ever is higher, the licensee shall pay duty at the prescribed rates or the excess wastage.] [Substituted by vide Haryana Government Notification No. GSR 2/PA1/14/Ss. 21 and 59 Amd(1)/90 dated 27.3.1991.]

**36. and 37.**

[ - ] [Omitted by vide Haryana Government Notification No. GSR 2/PA1/14/s.21 and 59 Amd(1)/90 dated 27.3.1991.]

**38.**

Licensees shall be bound by all additional rules for the control breweries which may hereafter be prescribed under the existing law, or under any law which may hereafter be enacted and by all special orders issued by the Financial Commissioner with regard to individual breweries; and shall cause all persons employed by them in their breweries to obey all such rules.

**39.**

The license to work a brewery shall carry with it the right to bottle on the premises of the brewery, the beer made therein and the right to store and issue beer in bulk in approved Kegs of [30 and 50] [Substituted by Legislative Supplement Part III dated 17.11.1994.] litres capacity.

**40.**

Beer shall be bottled in bulk or in bottles of any colour or description having a capacity of [330 millilitres and 355 millilitres] [Inserted vide Notification No. G.S.R. 84/3/P.A.1/Ss. 21 and 59/95, dated 20.10.1995.], with necks suitable for sealing with crown corks.

**41.**

Brewery may remain open for work on any day declared as public holiday under the Negotiable Instruments Act, 1881, excluding those specified below, provided twenty four hours notice is given to the Excise Inspector and a fee of Rs. 15 per day or part of a day is paid to the Government. If a Brewery remains open for work even after due notice to the Excise Inspector on any of the holidays specified below, the fee payable to Government for every such holiday shall be double the ordinary fee;

**1. Guru Gobind Singh's Birthday.**

**2. Republic Day.**

**3. Guru Ravi Dass's Birthday.**

**4. Id-ul-Fitr.**

**5. Holi.**

**6. Hola.**

**7. Baisakhi.**

**8. Mahavir Jayanti.**

**9. Bank Holiday.**



**10. Independence Day.**

**11. Janam Ashtami.**

**12. Mahatma Gandhi's Birthday.**

**13. Maharishi Balmiki's Birthday.**

**14. Dusshera (Principal day).**

**15. Diwali.**

**16. Guru Nanak's Birthday.**

**17. Christmas Day.**

Explanation. - "Open for work" shall mean any normal operation connected with the brewing and bottling of beer"