

Uttar Pradesh Excise (Movement of Liquor and Power Alcohol) Rules, 2019

UTTAR PRADESH

India

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Rule

UTTAR-PRADESH-EXCISE-MOVEMENT-OF-LIQUOR-AND-POWER-ALCOHOL RULES, 2019

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Uttar Pradesh Excise (Movement of Liquor and Power Alcohol) Rules, 2019 Published vide Notification No. 1865-E-2/XIII-2019-1-2002, dated 12.09.2019 Last Updated 5th March, 2020 In exercise of the powers under Sections 15 and 40 of the United Provinces Excise Act, 1910 (U.P. Act IV of 1910), read with Section 21 of the Uttar Pradesh General Clauses Act, 1904 (U.P. Act 1 of 1904) and in supersession of the Uttar Pradesh Excise (Liquor Transit) Rules, 2003 (2003-LLT-V-49[46]), as amended from time to time, the Governor is pleased to make the following rules.

Chapter 1

Short Title and Definitions

1. Short title and commencement.

(1) These rules may be called the Uttar Pradesh Excise (Movement of Liquor and Power Alcohol) Rules, 2019. (2) They shall come into force from the date of their publication in the Gazette.

2. Definitions.

(1) In these rules, unless there is anything repugnant in the subject or context—(a) "Act" means the United Provinces Excise Act, 1910 (U.P. Act IV of 1910); (b) "Bill/Report" means essential pass for specially notified transportation's by the State Government under Section 15 of the United Provinces Excise Act, 1910; (c) "Conveyance" includes vessels, tankers, aircraft, water vessel and any vehicle

and means;(d)"E-Document" includes written or printed record of any sort and electronic record as defined in clause (t) of Section 2 of the Information Technology Act, 2000;(e)"Electronic Device" includes GPS device, RFID (Radio Frequency Identification Device)/Fast Tag or any electronic device required to be attached to the vehicle during movement of liquor as prescribed by Excise Commissioner from time to time;(f)"Form" means a Form appended to these rules;(g)Import, export and transport shall have the same meaning as defined in United Provinces Excise Act, 1910;(h)"Internal Transportation" means transportation of Liquor and Power Alcohol from one place to another place within the State of Uttar Pradesh;(i)"Liquor" includes Country liquor, foreign liquor, Beer, Rectified Spirit, Denatured Spirit, E.N.A., Absolute Alcohol and all kinds of liquids consisting of or containing alcohol except Power Alcohol;(j)"Movement" means import (from outside the State and other countries), export (outside the State and other countries), transport and transit of alcohol in Uttar Pradesh (within the State of Uttar Pradesh and passing through Uttar Pradesh to other States or international border of country) by means of road, rail, waterways, airways or any other mode of conveyance;(k)"Power Alcohol" means Denatured Absolute Alcohol whose strength is not less than 99.5 v/v which is denatured according to rules before issue to any Petroleum Depot;(l)"Portal" means the electronic platform created specifically for the purpose of uploading information in the prescribed form with regard to the process of manufacturing liquor up to the terminal stage of its distribution, notified for the purpose by the Excise Commission, Uttar Pradesh;(m)"Power Alcohol Movement Report" means downloaded forms under these rules;(n)"Transit" means movement from one State to another State and international border through the borders of Uttar Pradesh, within the territory of India and Nepal;(o)"Website" means notified website for this purpose by Excise Commissioner.(2)Words and expressions not defined but used, in these rules shall have the same meaning as assigned to them in the United Provinces Excise Act, 1910.

Chapter 2

Movement Of Liquor

3. Document for movement of liquor.

(1)No liquor exceeding such quantity as the State Government may prescribe by notification either generally for whole of Uttar Pradesh or for any local area comprised therein, shall be moved except under an "E-Document" as specified in these rules:Provided that no such document shall be required where the quantity of liquor moved does not exceed the quantity of liquor as specified in Schedule A and Schedule B.(2)It shall be compulsory for each Distillery and Transporter to seek registration on the portal in order to download the document under sub-rule (1). Every application for registration shall be made online in E-document registration form.(3)It shall be mandatory to make declaration on the portal for generating each "E-Document". It shall be essential to fill the details of distiller/export/import/transport permit or passes issued by competent authority of the exporting/importing and transporting State along with online application.(4)Each conveyance shall, necessarily, be accompanied by the online generated E-Document during movement of liquor within the territorial limit of Uttar Pradesh and which shall have to be produced on being asked for by the intercepting/inspecting authority.(5)In case of any accident or defect in conveyance or due to any

other unavoidable reasons, if exigency arises to tranship the consignment after having transferred it into any other conveyance inside the State of Uttar Pradesh, transporter or conveyance operator shall immediately inform the concerned police station and Excise Inspector of the area. The Excise Inspector of the area shall ensure the loading of the consignment in another conveyance made available by the transport or conveyance operator after making physical verification of the consignment and endorse the verification report on export pass. At the same time, the Excise Inspector of the area through the District Excise Officer shall upload the description in "Changed Conveyance Movement Form" on the webpage made for this purpose on the portal.(6)All distilleries/breweries of the State of Uttar Pradesh and those situated outside the territory of Uttar Pradesh shall send their consignments of liquor mandatorily by conveyance embedded with electronic device (RFID/Fast Tag, etc.) as prescribed by Excise Commissioner from time to time. The distilleries/breweries shall setup control room for monitoring the conveyance, carrying consignment of liquor and shall stream the details to the Excise Department of Uttar Pradesh on its Portal.(7)Validity of E-document within the territorial limit of State of Uttar Pradesh shall be as mentioned in the table below-

SI. No.	Distance between entry/starting point of State and exit/destination point of the State	Validity period of E-Document
1.	0-300 km	1 Day (24 hrs)
2.	301-500 km	2 Days
3.	501-1000 km	4 Days
4.	1000-1500 km	6 Days
5.	1500-2000 km	8 Days
6.	More than 2000	km 10 Days

On account of any exigency, if the validity period, as mentioned above in any slab, expires after entering of conveyance into the territorial limit of the State but before going out of the State or conveyance in question fails to reach the exit place within the stipulated time owing to the remaining insufficient validity period after having entered the territory of the State, then under such circumstances, transporter shall submit an application, in written and also through SMS regarding extension of validity period, before the District Excise Officer of the district which falls on the route, describing the reason for expiry of validity period along with the evidence. The concerning District Excise Officer, after having made scrutiny of the application on the day of its submission or the following day, shall, under every condition, extend the validity period on the E-Document up to the extent as contemplated by the slab of aforesaid table in which the distance of exit place from entry place is enumerated. The reason of such extension shall be recorded on the aforesaid E-Document and shall also be registered on the portal relating to the concerning description of E-Document.(8)Liquor in transit E-Document shall not be sold in whole or part in the State of Uttar Pradesh under any circumstances. Selling liquor in movement or changing vehicle number plates will result in confiscation of vehicle and blacklisting of transport vehicle owner.(9)The entire quantity of liquor shall be moved in one consignment and shall not be broken during the movement and the movement of consignment shall not deviate from the route specified in the E-Document, the infraction of which shall entail action under the prevailing rules.(10)Anyone found to be involved in the deceptive and the fraudulent use of E-Document for movement of consignment more than once,

shall be liable for penal action under the prevailing rules.(11)The quantity of liquor in movement shall be according to the provisions of Transport Department of Uttar Pradesh, as prescribed from time to time.

4. Grant of Document.

- E-Document as prescribed in these rules and which is downloaded as per rule from the portal, notified by the Excise Commissioner shall be deemed to be valid.

5. Format of Document.

- E-Document and Changed Conveyance Movement Form as prescribed shall be LM-1 and LM-2 respectively.

Chapter 3

Movement Of Power Alcohol

6. Arrangement for Import, export and internal transportation of Power Alcohol.

(1)For generating every Power Alcohol Movement Report, it is essential to upload declaration and relevant documents on website in Form PAMR-1 and shall be signed digitally by the Distillers.(2)Any import, export and internal transportation of Power Alcohol shall not take place unless the purpose is specified in Power Alcohol Movement Report in Form PAMR-1 to be downloaded from the website. Power Alcohol Movement Report in form will be compulsory with every consignment of Power Alcohol.(3)In the matter of import/export, it will be compulsory to fill the details of import/export transpiration bill or passes or permit or any other authorisation letter issued by competent authority of the State making import/export with online application. If there is no provision of any such authority letter in the importing/exporting State or Union Territory, the applicant must give undertaking therefor.(4)if requirement arises to transfer the consignment to another vehicle due to any accident, breakdown of vehicle or any other unavoidable reason, the Transporter or Driver or representative of the Distillery shall inform the Circle Excise Inspector or District Excise Officer immediately through SMS/e-mail and if required, any other suitable means. On getting such information the Circle Excise Inspector or District Excise Officer as the case may be, shall verify the incident and the quantity of Power Alcohol within 12 hours of getting such information and upload a physical verification report in Form P.A.M.R.-3 on the portal. The Distillery shall generate a digitally signed Power Alcohol Movement Amendment Report in Form PAMR-2 after uploading such physical verification report.(5)The consignor shall possess online generated Power Alcohol Movement Report in duration of Power Alcohol transportation within Uttar Pradesh and shall produce on demand of competent authority.(6)Import, export and internal transportation of Power Alcohol will only be done by "Electronic Device" enabled vehicles of registered transporters. The "Electronic Device" system related data shall be made available to the

Excise Department.(7)All the Distilleries situated in Uttar Pradesh will establish control room for observation of "Electronic Device System" for supervision of Vehicles carrying consignment of Power Alcohol. "Electronic Device" enabled Vehicles will be observed by Distillers continuously from start to the end of consignment reaching the destination. In the situation of changing the route of any consignment. It is necessary to inform the Assistant Excise Commissioner/Excise Inspector of Distillery and to the District Excise Officer of the District where consignment is then located, through E-mail, SMS, telephone and if required, any other suitable means, in the duration as fixed by the Excise Commissioner. All the Distilleries will preserve the data related to movement of vehicles in control room for a minimum period of one year and will produce it to the competent authority on demand.(8)(a)Duration of validity of Power Movement Report shall be as mentioned in the table below-

SI. No.	Distance between entry/starting point of State and exit/destination point of the State	Validity period of E-Document
1.	0-300 km	1 Day (24 hrs)
2.	301-500 km	2 Days
3.	501-1000 km	4 Days
4.	1000-1500 km	6 Days
5.	1500-2000 km	8 Days
6.	More than 2000	km 10 Days

(b)If as a result of any unavoidable circumstances, the validity of any movement report expires within the territory of Uttar Pradesh before reaching the destination, then in such circumstances Distiller shall upload an application on the website before District Excise Officer of the District of the route for extending the validity given reason, with evidence, for expiry of validity. After examining it, the concerned District Excise Officer shall extend the validity according to the limit given in the application. The District Excise Officer shall extend the validity according to the limit given in the slab of above table for estimated remaining distance within 12 hours of presenting the application. The District Excise Officer shall enter the detail and reason of extending validity on website. The Distiller shall generate Power Alcohol Movement Amendment Report in Form PAMR-2 on the basis of online report of the District Excise Officer, which will be kept with consignment. If the District Excise Officer does not upload his report online within 12 hours of presenting the application, the Distiller may generate Power Alcohol Management Amendment Report in Form PAMR-2 extending validity according to remaining distance on the basis of self-declaration.(9)Power Alcohol consigned under Power Alcohol Movement Report will not be unloaded at any place other than the destination. After receiving consignment of Power Alcohol, the receiver must verify receipt of the consignment at the portal within 24 hrs.(10)The entire quantity of Power Alcohol will be consigned into and it will not be opened during transportation. It will not deviate from the route fixed in the Power Alcohol Movement Report or Power Alcohol Movement Amendment Report. Action will be taken according to related rules in case of their violation. If Power Alcohol Movement Report is used more than once, strict penal action will be taken for such fraud according to related rules.

7. Other Instructions.

(1) Excise Commissioner may issue suitable instructions on matters related to import, export, transit and internal transport of Power Alcohol and compliance of such instructions will be mandatory. (2) Continuous monitoring of Power Alcohol Movement Report and Power Alcohol Movement Amendment Report will be done by Assistant Excise Commissioner of the Distillery and Deputy Excise Commissioner of the Charge. (3) In case of any conflict between earlier rules or order or any provision related with import, export, transit and internal transportation of Power Alcohol, the provision of these rules shall prevail.

A

Liquor Meant for Sale outside Uttar Pradesh

Kind of intoxicants	Quantity	Country
Liquor (Spiced)	One	Open bottle of any one of the intoxicants
Country Liquor (Plain)		
Foreign Liquor		
Beer		
Wine		

This restriction shall not prevail upon the persons of following categories entering the State-

1. International passengers carrying imported foreign liquor (BIO) as per Central Excise and Custom Act and rules.

2. Officers and personnel s of Indian Army (including Air Force and Navy) and Armed Forces of Union carrying liquor in prescribed limit under relevant rules.

The persons of above categories have to produce relevant documents/certificates before the competent officers.

B

Limit of liquor sale by retail in Uttar Pradesh

Kind of intoxicants	Limit of sale by retail
1. Country Liquor	
(i) (Spiced)	1.5 litres separately of each strength.
(ii) (Plain)	1.5 litres separately of each strength.
2. Foreign Liquor	

(a) Bottled in India (BII)/IMFL Indian Made Foreign Liquor	6 litres [whisky. Brandy, Rum (including WhiteRum), Gin and Vodka],
(b) Bottled in Origin (BIO)/Imported Foreign Liquor(Overseas)	6 litres [whisky. Brandy, Rum (including WhiteRum), Gin and Vodka].
(c) Wine	
(i) Bottled in India (BII)	3 litres
(ii) Bottled in Origin (BIO)	3 litres
(d) Beer	
(i) Bottled in India (BII)	7.8 litres
(ii) Bottled in Origin (BIO)	7.8 litres
(e) Other Kind of Indian/Imported liquor	2 litres
(f) Low Alcoholic Beverages	6 litres

Excise Department, Uttar PradeshE-Document-[LM-1][See Rule 3(4)]

No. Validity from date.....to.....

SI. No.	Item	Description
1.	Name of Distillery/Exporter/(Consignor) Name of Unit	PAN Number
2.	Address of Exporter/(Consignor)	
3.	District/State of Exporter/(Consignor)	
4.	Name of Importer/Consignee	PAN Number
5.	Address of importer/(Consignee)	
6.	District/State of Importer/(Consignee)	
7.	Name of the place of origin of the conveyance	
8.	Name of the destination point	
9.	Conveyance Number	
10.	Chassis number of conveyance	
11.	Engine number of conveyance	
12.	Name, address, Registration No. and PAN No. of transporter	
13.	Name and address of conveyance owner	
14.	Details of route inside the State	
	1. Entry point of State	
	2. Name of three important places in the middle of route	
	3. Exit point of State	
15.	Expected date of entry inside the State	
16.	Expected date of exit outside the State	
17.	Kind of liquor (country liquor, foreign liquor, beer, rectified spirit, ENA, absolute spirit, denatured spirit)	
18.	Description of total cases of liquor	

19. Total quantity in bulk litre
20. Total quantity in alcohol litre
21. Export pass number and validity period-/Form date
.....to
22. Import permit no./validity period of import pass-/Form date
.....to
23. Transportation pass no./validity (For within State)-/Form date
.....to

This E-Document is valid under and subject to the provisions of the United Provinces Excise Act, 1910 and rules thereunder. Movement of liquor through the State of Uttar Pradesh shall be subject to the following conditions, namely-(1)The consignment of liquor shall be accompanied by this E-Document.(2)In case of transport (within State) by distillery/brewery/unit of State of Uttar Pradesh the word export shall have the meaning of consignor and importer shall have the meaning of consignee.(3)Kindly write NA if any information is not related.(4)The entire quantity of liquor conveyed by this E-Document shall be transported in one consignment and shall not be broken in movement.(5)The liquor Transited under this E-Document shall not be sold in the State of U.P.(6)The movement of consignment shall not deviate from the route specified in the E-Document.(7)Validity of E-Document shall be in force for the period as stipulated in Rule 3(7) of Uttar Pradesh Excise (Movement of Liquor and Power Alcohol) Rules, 2019.DeclarationThis declaration is to the best of my knowledge.And in case of deviation found in the declaration,I may be penalised as per U.P. State Excise Rules.Signature of authorised representative of concerning unit (Designation)Excise Department, Uttar Pradesh Change of ConveyanceChanged Conveyance Movement Form [LM-2][See Rule 3(5)](Only in exceptional circumstances)Conveyance, Owner and Transporter Information

Conveyance Number: { |

| Conveyance Owner's Name and PAN No.:| { | - | } | - | Engine Number:| { | - | } | Conveyance Owner's Address:| { | - | } | - | Chasis Number:| { | - | } | Owned Form (Date/Year)| { | - | } | - | Liquor MovementInformation| - | E-Document Number:| { | - | } | - | Transporter's Name and PANNo.:| { | - | } | Transporter's Address:| { | - | } | - | Departure State:| { | - | } | Destination State:| { | - | } | - | Departure District:| { | - | } | Destination District:| { | - | } | - | Departure Place:| { | - | } | Destination Place:| { | - | } | - | Entry Location:| { | - | } | Exit Location:| { | - | } | - | Entry Date:| { | - | } | Approx. Exit Date:| { | - | } | - | Description of Liquor:| { | - | } | Volume of Liquor:| { | - | } | }
{ |

Submit

|| { | - | Cancel| } || } Form P.A.M.R.-I Uttar Pradesh Excise Department Power Alcohol Movement Report[See Rule 7(1)]Verify and return immediately

1. Report No.: Date: Valid up to:

- 1. This report is a valid document to cover the transport of power alcohol.**
- 2. This report has been digitally generated and needs no signature.**

Form P.A.M.R.-2Uttar Pradesh Excise DepartmentPower Alcohol Movement Amendment Report[See Rules 7(4) and 7(8)]Verify and return immediately

- 1. Amendment Report No.: Date: Extended validity up to:**
- 2. Changed Vehicle No. (if any):**
- 3. District where amendment made:**
- 4. Reason for amendment:**

- 5. Name and address of consignor:**

Licence No.: PAN No.:

- 6. Name and address of consignee:**

Licence No.: PAN No.:

- 7. Description of Spirit: Power Alcohol (Denatured Absolute Alcohol)**

- 8. Indent No. (in case of transport within U.P.): Indent Date:**

OrImport Permit No. (in case of export from U.P.): Indent Permit Date:OrExport Order No. (in case of import into U.P.): Export Order Date:OrIn case, no authority letter is required by the importer/exporter:(a)Purchase Order No. and date (issued by consignee)-(b)Sale Order No. and date (issued by consignor)-

- 9. Fee Paid (in Rs):**

- 10. Under Bond: Yes/No**

- 11. Vehicle No.**

- 12. Route Detail:**

13. Alcohol Meter Indication: Temperature: Strength:

14. Gross Weight: Tare Weight: Net Weight:

15. Details of dispatch:

Chamber No./Casks Dip BL AL

Digital Signature of the authorised person of the Distillery with Designation and Date

16. Date and time of arrival:

17. Details of quantity received:

Alcohol meter Indication: Temperature: Strength:Received Power Alcohol in Litre: BL/ ALDigital
Signature of Recipient with Designation and Date

1. This report is a valid document to cover the transport of power alcohol.

2. This report has been digitally generated and needs no signature.

Form P.A.M.R.-3Uttar Pradesh Excise DepartmentPower Alcohol Physical Verification Report[See
Rule 7(4)]

1. Verification Report No.: Date:

2. Changed Vehicle No. (if any):

3. District where verification made:

4. Reason for verification:

5. Name and address of consignor:

Licence No.: PAN No.:

6. Name and address of consignee:

Licence No.: PAN No.:

7. Description of Spirit: Power Alcohol (Denatured Absolute Alcohol)