

**The Andhra Pradesh Distillery (Manufacture of Ready
to Drink Alcoholic Beverages) Rules, 2012 –
Adaptation to the State of Telangana**

[G.O.MS.No. 114, Revenue (Excise-II) Dept., dt. 01-06-2016]

Read the following:

1. G.O.Ms.No.673, Revenue (Ex.III) Dept., 6.12.2012.
2. The Andhra Pradesh Reorganisation Act, 2014 (Central Act No.6 of 2014)
3. G.O.Ms.No.162, Revenue (Ex.II) Dept., dt.10.09.2015
4. From the Commissioner of Prohibition & Excise, Telangana, Hyderabad, Letter Cr.No.561/2016/CPE/TG/E2, dt.18.4.2016

ORDER:

Whereas, by virtue of section 3 of the Andhra Pradesh Reorganization Act, 2014 (Central Act No.6 of 2014), the State of Telangana comprising the territories specified therein has been formed on and from the appointed day i.e., 02.06.2014;

2. And whereas, in section 101 of the Andhra Pradesh Reorganization Act, 2014, a provision has been made for the purpose of facilitating the application of any law (as defined in section 2 (f) of the Act), made before the appointed day, in relation to the State of Andhra Pradesh or the State of Telangana, the appropriate Government may before expiration of two years from 02.06.2014, by order, make such adaptations and modifications of the law, whether by way of repeal or amendment, as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made until altered, repealed or amended by a competent Legislature or other competent authority;

3. And whereas, it has become necessary to adapt and modify the Andhra Pradesh Distillery (Manufacture of Ready to Drink Alcoholic Beverages) Rules, 2012, made under the Andhra Pradesh Excise Act, 1968 (Andhra Pradesh Act No.17 of 1968), which are in force as on 01.06.2014, for the purpose of facilitating its application in relation to the State of Telangana;

4. Now therefore, after careful examination, Government have decided to adapt the Andhra Pradesh Distillery (Manufacture of Ready to Drink Alcoholic Beverages) Rules, 2012.

5. Accordingly, the following Notification shall be published in an Extraordinary Issue of the Telangana State Gazette, dated 01.06.2016.

NOTIFICATION

In exercise of the powers conferred by section 101 of the Andhra Pradesh Reorganization Act, 2014 (Central Act No.6 of 2014), the Government of Telangana hereby makes the following order, namely:-

1. (1) This order may be called “The Andhra Pradesh Distillery (Manufacture of Ready to Drink Alcoholic Beverages) Rules, 2012 (Telangana Adaptation) order, 2016.

(2) It shall be deemed to have come into force with effect from 02.06.2014.

2. In the said rules, for the words “Andhra Pradesh” or “A.P”, occurring throughout the rules otherwise than in a citation or description or in title of other enactments, the word “Telangana” shall be substituted;

3. Throughout the rules, for the words and expression “Andhra Pradesh Excise Act, 1968”, the words “Telangana Excise Act, 1968” shall be substituted;

4. In the said rules,-

(1) In sub-rule (i) of rule 2, for the words “Assistant Commissioner”, the word “Assistant Commissioner of Prohibition & Excise” shall be substituted.

(2) For the words “Andhra Pradesh”, occurring in sub-rule (i) (xvi) of rule 2, sub-rule (4) (vi) of rule 11 and sub-rule (6) of rule 11, the words “Telangana State” shall be substituted.

5. THE TELANGANA DISTILLERY (MANUFACTURE OF READY TO DRINK ALCOHOLIC BEVERAGES) RULES, 2012

[G.O.Ms.No. 673, Revenue (Ex-III), Dept., dated: 06-12-2012]

In exercise of the powers conferred by Section 72 read with Sections 16,17,18,21,23,28 and 29 of the “Telangana” Excise Act, 1968 (Act 17 of 1968), the Government of “Telangana” hereby make the following rules:-

PART-I

PRELIMINARY

1. (1) These Rules may be called The “Telangana” Distillery (Manufacture of Ready to Drink Alcoholic Beverages) Rules, 2012.

(2) They shall extend to all areas where the “Telangana” 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:-

(i) “Act” Means the “Telangana” Excise Act, 1968.

(ii) “Assistant Commissioner of Prohibition & Excise” in relation to these rules, means an officer appointed under Section 5 (1) of the Act.

[Subs. for “Assistant Commissioner” by G.O.Ms. No. 114, Rev. (Excise-II), dt. 1-6-2016, w.r.e.f 2-6-2014]

(iii) “Bottling” means transfer of manufactured Ready to Drink alcoholic beverages into bottles/cans for final removal from manufactory and includes rebottling and refilling.

(iv) “Bottling Room” means that portion of a manufactory which is set apart for carrying out bottling operations.

(v) “Commissioner” means Commissioner of Prohibition & Excise appointed under Section 3 of the Act.

(vi) “Excise Adhesive label” means the label designed and approved by and printed and supplied under the supervision and control of the Commissioner from time to time in different forms for the purpose of its affixtures to sealed bottles of different varieties and sizes containing Ready to Drink Alcoholic Beverages.

[The word “Telangana” Subs. for “Andhra Pradesh” by G.O.Ms. No. 114, Rev. (Excise-II), dt. 1-6-2016, w.r.e.f 2-6-2014]

- (vii) “*Excise Supervision*” means supervision over operations including manufacture of Ready to Drink Alcoholic Beverages in a manufactory by the members of the staff of the Prohibition & 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.
- (viii) “*Excise Year*” means the Excise year reckoned from 1st April to 31st March of the succeeding year.
- (ix) “*Finished Store Room*” means that portion of a Ready to Drink Alcoholic Beverages manufactory which is set apart for the storage of finished Ready to Drink Alcoholic Beverages in sealed bottles or other receptacles.
- (x) “*Form*” means form appended to these Rules.
- (xi) “*Gauge*” means to determine the quantity of Ready to Drink Alcoholic Beverages contained in or taken from any cask or receptacle or to determine the capacity of any cask or receptacle.
- (xii) “*Hologram*” means a photographic image designed and approved by and printed and supplied under the supervision and control of the Commissioner from time to time in different forms for the purpose of its affixture to the sealed bottles of different sizes containing Ready to Drink Alcoholic Beverages.
- (xiii) “*Licence*” means a Licence granted under these rules.
- (xiv) “*Licensed Premises*” means a manufactory in respect of which a licence is granted under these rules.
- (xv) “*Licensee*” means the holder of licence granted under these rules.
- (xvi) “*Maximum Retail Price (MRP)*” means the price to be indicated by the “Telangana” Beverages Corporation Limited or any other agency authorized by the Government for declaring on each variety of label by the manufacturers of Ready to Drink Alcoholic Beverages 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.
- (xvii) “*Ready to Drink Alcoholic Beverage*” means any low alcoholic beverage made from Spirit or any alcoholic beverage as base with admixture of natural juices and/or artificial flavors, spices, coloring

agents and sugar containing added alcohol of not more than 5% V/v, usually carbonated.

[The word “Telangana” Subs. for “Andhra Pradesh” by G.O.Ms. No. 114, Rev. (Excise-II), dt. 1-6-2016, w.r.e.f. 2-6-2014].

(xviii) “*Spirit room*” means that portion of a Ready to Drink Alcoholic Beverages manufactory which is set apart for storing/finishing Ready to Drink Alcoholic Beverages in vats before bottling.

(2) The words and expressions used but not defined in these rules shall have the meanings assigned to them in the “*Telangana*” Excise Act, 1968 and the “*Telangana*” Distillery (Manufacture of Indian Made Foreign Liquor other than Beer and Wine) Rules, 2006.

[The word “Telangana” Subs. for “Andhra Pradesh” by G.O.Ms. No. 114, Rev. (Excise-II), dt. 1-6-2016, w.r.e.f. 2-6-2014].

PART-II

PROVISION RELATING TO MANUFACTURE OF READY TO DRINK ALCOHOLIC BEVERAGES

3. (1) No person shall be permitted to manufacture Ready to Drink Alcoholic Beverages in the State unless he holds a valid licence in Form DM-2 (MGO) under the “*Telangana*” Distillery (Manufacture of Indian Made Foreign Liquor other than Beer & Wine) Rules, 2006.

[The word “Telangana” Subs. for “Andhra Pradesh” by G.O.Ms. No. 114, Rev. (Excise-II), dt. 1-6-2016, w.r.e.f. 2-6-2014].

(2) The Commissioner of Prohibition & Excise shall be competent to permit the holders of DM-2(MGO) licence to manufacture Ready to Drink Alcoholic Beverages.

4. “*Distillery Excise Tax*”:- The “*Distillery Excise Tax*” for the manufacture of Ready Drink Alcoholic Beverages shall be Rs. 1/- per B.L.

[The words “Distillery Excise Tax” subs. for “Licence Fee” by G.O.Ms. No. 151, Rev. (Excise-II), dt. 30-6-2017, w.r.e.f. 2-6-2014].

5. **Excise Duty**:- The Excise Duty shall be paid at such rates as may be specified by the Government from time to time.

PART-III

PROVISION RELATING TO THE BLENDING AND MANUFACTURE OF READY TO DRINK ALCOHOLIC BEVERAGES

6. Raw material store:— There shall be a separate room for the storing of raw materials such as fruits, fruit juices, coloring and flavoring agents, sugar, carbondioxide cylinders, labels and other packaging materials.

7. Blending Tanks:— Separate blending and processing tanks as approved by the Commissioner of Prohibition & Excise shall be provided. The quantity of each batch of Ready to Drink Alcoholic Beverage shall be declared by the licensee in **Form RT D.2 A** before issue for bottling and the Excise Duty shall be payable on the quantity so declared.

8. A wastage not exceeding 2.5% will be allowed during bottling of Ready to Drink Alcoholic Beverage on each day.

9. Chilling and carbonation shall be permitted. Plant and machinery for this purpose shall be approved by the Commissioner of Prohibition & Excise.

PART-IV

PROVISION RELATING TO BOTTLING OF READY TO DRINK ALCOHOLIC BEVERAGES

10. (1) Operations concerned with the filling of bottles with Ready to Drink alcoholic beverage shall be conducted in bond under the supervision of the Distillery Officer in separate room called the bottling room set up for the purpose.

(2) Bottled Ready to Drink Alcoholic Beverage shall be stored in a separate room called the R.T.D. Store set up for the purpose near the bottling rooms.

(3) The bottling rooms and the R.T.D. store rooms shall be secured in such a manner as the Commissioner may approve.

(4) The Ethyl Alcohol content shall be upto 5 percent V/v with a tolerance of + or – 0.5 degrees proof.

(5) Sample from each batch shall be sent to the chemical examiner and it shall be passed by the chemical examiner if the strength is within the tolerance limit. Samples falling beyond the tolerance limit shall not be passed by the chemical examiner.

(6) No bottling shall be allowed unless the sample is passed by the chemical examiner and a report to that effect is issued.

(7) Bottling shall be done during the ordinary working hours of the manufactory.

(8) No bottling shall be allowed except in the joint presence of the Excise Officer and a representative of the licensee.

(9) Bottling shall be done in bottles of such capacity as may be prescribed by the Commissioner from time to time.

(10) Account of Ready to Drink Alcoholic Beverages received and used for bottling shall be maintained in form *RTD-I*.

(11) The Commissioner of Prohibition & Excise shall be competent to prescribe any changes or modifications in the procedures and operations in the manufacture of Ready to Drink alcoholic beverages.

PART-V

PROVISIONS RELATING TO LABELING

11. (1) Approval of Labels:— The licensee shall submit an application in form **RTD-2** to the Commissioner through the Assistant Commissioner (Distilleries) duly affixing the court fee stamp of the requisite value as per the provisions of Indian Stamp Act, 1899 and shall enclose 10 copies of each variety of label sought to be approved.

(2) No application referred to in sub rule (1) shall be entertained unless the licensee remits the label approval fee of Rs 10,000/- (Rupees Ten Thousand only) for each variety of label and the Challan in support of the payment is produced with the application. The approval, if granted by the Commissioner, shall be valid during the Excise year or part of the Excise year for which approval was granted.

(3) The licensee shall also get the label re-approved for each licence year by paying the label fee specified in sub-rule (2).

Provided that if a particular label was approved in a year, for the stocks bearing such label and lying unsold in the warehouse, the licensee need not get such label re-approved for the purpose of their release 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) Proof Strength

- (v) Variety of Ready to Drink alcoholic beverages
- (vi) Maximum Retail Price (MRP) shall be incorporated in the label after the same is indicated by the “*Telangana*” Beverages Corporation Limited
- (vii) Details of manufacturing under tie-up arrangements, if any.
- (viii) Maximum Retail Price (MRP) shall be prominently depicted on separate band on the top of the label.
- (ix) Inscription “Drinking alcohol is harmful/Madhyapanam hanikaram”
- (x) Any other detail as may be specified by the Commissioner.

(5) In case of supply of Ready to Drink Alcoholic Beverages to canteen stores department, the licensee shall get each variety of label approved separately by paying the label fee as specified in sub-rule(2).

(6) Once the label fee, is remitted and the label is duly approved, it shall not be refunded or adjusted for any reason including withdrawal or cancellation of rate contract agreement by the “*Telangana*” Beverages Corporation Limited or non issue of purchase orders.

[The word “Telangana” Subs. for “Andhra Pradesh” by G.O.Ms. No. 114, Rev. (Excise-II), dt. 1-6-2016, w.r.e.f. 2-6-2014].

(7) The manner and the contents of the labels shall be in the form as may be specified by the Commissioner from time to time.

12. Affixture of Excise Adhesive Labels/ Hologram:—(1) The licensee shall affix each sealed bottle of Ready to Drink alcoholic beverage with the Excise Adhesive label/hologram supplied by the Excise Officer. The Excise Adhesive Label shall be affixed over the cap of the sealed bottle in such a way as to make it impossible to remove the label without damaging it or to remove the cap without damaging the label. The Excise Adhesive Label shall be affixed during the ordinary working hours of the distillery in the joint presence of the Excise Officer and a representative of the licensee. No bottle containing Ready to Drink Alcoholic Beverages without the Excise Adhesive label shall be issued from the manufactory.

(2) The Excise Officer shall issue only such number of adhesive labels as are required for affixture on the bottles of Ready to Drink Alcoholic Beverages produced every day.

(3) The Excise Officer shall maintain an account of Excise Adhesive labels in such form as may be prescribed by the Commissioner from time to time.

Form-RTD-2

Application for Approval of Brand Label

1. Name of the applicant :
2. Full Address :
3. Details of license held :
4. Brand name for which approval of label sought for :
5. Size of the brand :
6. Details of payment of Label approval fee :
 - (a) Amount remitted : Rs.
 - (b) Challan No. & Date :
 - (c) Name of Treasury :
7. Whether the same label has been approved in the previous year, if so the details of reference No. & Date :

Signature of the applicant

Form-RTD-2A

Declaration

[See Rule 7]

Date	Vessel No	Quantity of Spirit used in PLs	Quantity of RTD declared in BLs	Initial of the DO

Signature of the Distiller

Form-RTD-3

Transport Permit for Removal and Transportation of Ready to Drink Alcoholic Beverages from the Manufactory. Ready to Drink Alcoholic Beverages

T.P.NO: _____ DATE _____

1. Name of the Distillery (Consignor):
2. Name of the IML Depot (Consignee)
3. Purchase order No. & Date:
4. Details of RTD dispatched:

Brand Name	Batch No.	Size 275 ML	No. of cases	Bulk Lts.	Excise

5. Date and Time of dispatch:
6. Validity period: From (Date & Time) Upto (Date & Time):
7. Vehicle No:
8. Route (Names of all important towns & villages to be mentioned):
9. Excise Duty remittance details:
Challan No & Date
Amount Rs:
Treasury/Bank
10. Cost of EAL remittance details:
Challan No & Date
Amount Rs:
Treasury/Bank
11. Details of EALs affixed on the bottles:

Brand Name	Batch No.	Strength	No. of Cases				
				Code No.	Series No.	Serial No. from	Serial No. To

Signature of the applicant

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- Original copy to be retained with the Excise Officer of the Distillery.
- Duplicate copy to be dispatched to the Excise Officer in-charge of IML depot (Consignee)
- Triplicate copy to be dispatched to the Excise Superintendent concerned where IML depot is situated.
- Quadruplicate copy to accompany the consignment during transit.
- Quintuplicate copy to be dispatched to the Asst. Commissioner (Enft) concerned to the destination point.
- Sixth copy to be dispatched to the Director of Proh. & Excise (Enft) "Telangana" Hyderabad.

[Subs. for "A.P." by G.O.Ms. No. 114, Rev. (Excise-II), dt. 1-6-2016, w.r.e.f. 2-6-2014]
