

Government of Karnataka

STATE EXCISE DEPARTMENT

CITIZEN'S CHARTER

**EXCISE COMMISSIONER IN KARNATAKA, BANGALORE,
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This Charter is a declaration of our vision, mission, objectives to values and standards to achieve excellence in the formulation, regulation and enforcement of State Excise policies.

A. VISION

Optimization of Excise revenue while preventing the use of unsafe liquor and ensure informed consumption in hygienic conditions.

B. MISSION

Implementing State Excise policies and procedures by regulating manufacture, transport, possession, sale and other activities of the trade in spirit, spirituous preparations, potable liquor and other intoxicants and monitoring collection of associated taxes.

C. OBJECTIVES

1. Generate optimal revenue for the State exchequer.
2. Regulate manufacture, transport, possession and sale of all excisable articles.
3. Effective enforcement and inspection to control crime.
4. Impart training for better efficiency and formulate e-governance initiatives.

D. FUNCTIONS

1. Collection of excise revenue.
2. Issue of licences for manufacture, transport, possession and sale of all excisable articles.
3. Conduct inspections of licensed premises, raids and road watches regularly.
4. Review performance at regular intervals.
5. Training of Officers and Staff.
6. Verification of EVCs and permits.
7. Registration, investigation and prosecution of cases.
8. Monitor transaction of all excisable articles.
9. Computerization of departmental activities.

E. OUR COMMITMENT

WE SHALL CARRY OUT OUR TASKS WITH DILIGENCE AS

One of the main objectives of the Excise department is to curb sale, transport and manufacture of spurious/illicit liquor by upstepping enforcement activities like mass raids, surprise inspections conducted at regular intervals and by ensuring effective implementation of excise polices in order to curtail such illegal activities.

We commit to ensure increase in the revenue of the state exchequer by collecting duties levied at various levels, by courtesy and understanding, by objectivity and transparency, and by promptness and efficiency.

F. WE FURTHER COMMIT

- To supply wholesome liquor to the consumer and thereby earn revenue to the State exchequer.
- To initiate penalty proceedings only after investigations and senior officers of the department are satisfied that prima-facie evidence exists.
- To provide full information about appeal procedures and the authorities with whom appeals can be filed.
- To provide the details of all categories of excise licences issued at the district offices for the general information of the public.
- To provide timely publicity of all changes in the law or procedure and to consider all commercial interests while reviewing our policies and procedures.
- To create awareness about the ill-effects of drinking of illicit liquor through various programmes like distribution of pamphlets, appeals through leading newspapers etc. and to attend Grama Sabhas at village level and to appraise the villagers regarding illegal manufacture of liquor and ill effects of consuming illicit liquor with a request to the villagers to intimate any illegal activities in their village to the jurisdictional excise officer immediately.

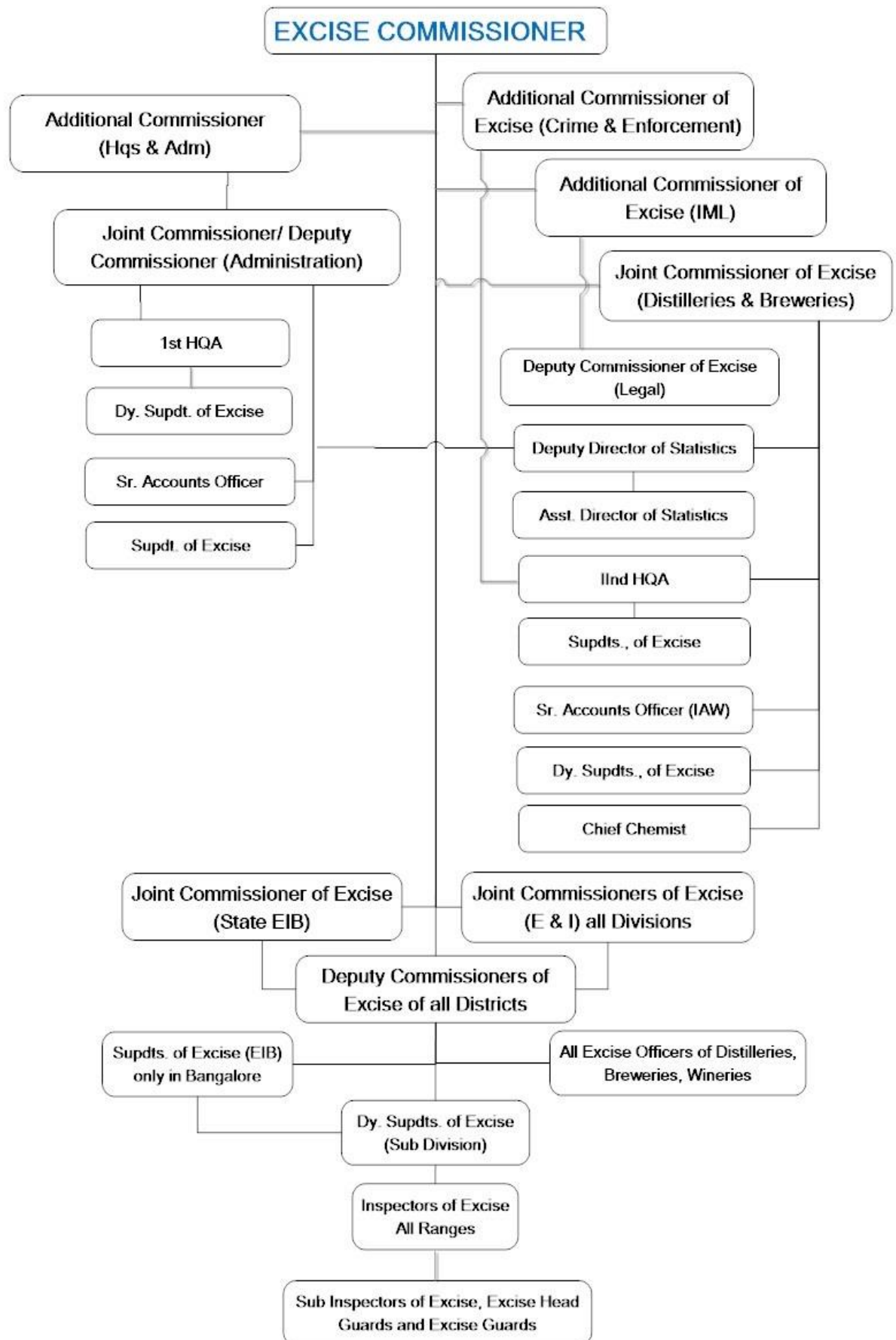
Organisational Structure of State Excise Department:

The Department is headed by the Excise Commissioner who belongs to the IAS Cadre (Super time Scale / HAC), with Head Quarters at Bangalore. The Joint Commissioner of Excise heading the State Excise Intelligence Bureau (S.E.I.B), with headquarters in Bangalore having jurisdiction throughout the state works under the direct control of the Excise Commissioner. For administrative efficiency, the State is divided into six Administrative Divisions, each headed by a Joint Commissioner of Excise. The Jurisdiction of each Division explained in the following chart.

Sl. No.	Name of the Division	Districts coming under Jurisdiction
1.	Bengaluru Division	Bengaluru (U), Bengaluru (R), Kolar, Tumkuru, Ramanagara and Chikkaballapura.
2.	Belgavi Division	Belgavi, Vijayapura, Dharwad, Bagalkote and Haveri.
3.	Kalburagi Division	Bidar, Kalburagi, Raichur and Yadagiri
4.	Hospet Division	Bellary, Chitrdurga, Davangere, Koppal and Gadag.
5.	Mangaluru Division	D. Kannada, U.Kannada, Udupi, Kodagu and Shivamogga.
6.	Mysuru Division	Mysuru, Mandya, Hassan, Chickmagalur and Chamarajanagara

There are 33 Excise Districts in the State each headed by the Deputy Commissioner of Excise who works under the supervision of Deputy Commissioner of the District. There are 63 Sub-Divisions in the State each headed by the Deputy Superintendent of Excise. There are 224 Ranges in the State each headed by the Inspector of Excise.

ORGANISATION CHART OF STATE EXCISE DEPARTMENT



DEPARTMENT ENFORCES THE FOLLOWING ACTS, RULES AND STATUTORY GOVERNMENT ORDERS:-

a) STATE ACTS & RULES:-

- The Karnataka Excise Act, 1965.
- The Karnataka Prohibition Act, 1961.
- The Rules framed under the above Acts.
- The Narcotic Drugs and Psychotropic Substances (Karnataka) Rules 1985.
- Karnataka Prevention of Dangerous Activities of Bootleggers, Drug offenders Gamblers, Goondas, Immoral Traffic offenders and Slum Grabbers Act 1985.

b) CENTRAL ACTS & RULES:-

- The Medicinal and Toilet Preparations (Excise Duties) Act 1955, and Rules 1956.
- Narcotic Drugs and Psychotropic Substances Act 1985 (Central Act No.61 of 1985).

H. GENERAL POLICIES:-

Under Rule 3 of the Karnataka Excise(Sale of Indian and Foreign liquors) Rules, 1968 licences for vend of Indian liquor or Foreign liquor or both are issued under the following sub-rules.

- a. Rule 3(2) :- Retail off shop licence for vend of Indian liquor or Foreign or both not to be drunk on the premises issued in Form CL-2.
- b. Rule 3(4) :- Person interested with the management of the business of the club may obtain licences in Form CL-4.
- c. Rule 3(5) :- Occasion licences in Form CL-5 are issued for the sale of Indian liquor at the refreshment stalls in public gatherings to be drunk on the premises.
- d. Rule 3(6) :- Special licences in Form CL-6 is issued when the circumstances are such as not to allow of the issue of licences of any of the above descriptions,

- e. Rule 3(7):- Licence in Form CL-7 is issued for sale of Indian liquor to hotel and boarding house having a minimum of 30 double rooms in corporation areas and 20 double rooms in other areas.
- f. Rule 3(7A):- Licence in Form CL-14 is issued to sell Indian liquor for supply to resident of tourist hotels situated in places other than cities and managed by State or Central tourist development corporation.
- g. Rule 3(7B):- Licence in Form CL-15 is issued to sell Beer for supply to resident of tourist hotels situated in places other than cities and managed by State or Central tourist development corporation.
- h. Rule 3(7C):- Licence in Form CL-7C is issued for sale of Indian liquor for supply to travelers travelling in trains run by State of Central Tourist Department Corporation.
- i. Rule 3 (7-D) Hotel and Boarding House Licences owned by persons belonging to Scheduled Castes of Scheduled Tribes with a minimum of 15 double rooms in corporation areas and 10 double rooms in other areas.
- j. Rule 3(8) :- Licence in Form CL-8 is issued to the Military Canteen for sale of Indian liquor to the members of the armed forces for their use only.
- k. Rule 3(8A):- Licence in Form CL-8A is issued to Military Canteen Stores Bonded Warehouse to supply Indian liquor to other Military Canteens having CL-8 licence.
- l. Rule 3(8B):- Licence in Form CL-8 is issued to the Military Canteen for sale of Indian liquor to the members of BSF and Para Military units.
- m. Rule 3(9):- Licence in Form CL-9 is issued to refreshment room (bar) for sale of Indian liquor combined with the supply of meals or eatables.

- n. Rule 3(11):- Licence in Form CL-11 is issued to Beverages Corporation to establish depots in different parts of the State for distribution of products of distilleries, breweries, wineries and for imported liquor.
- o. Rule 3 (11C):- Licence in Form CL-11C is issued to Government Companies (MSIL) for sale of liquor in retail shops.
- p. Rule 3(14):- Licence in Form CL-16 is issued for retail sale of duty free Foreign liquor to bonafide international air passengers in international airport.
- q. Rule 3(15):- Licence in Form CL-17 is issued for sale of liquor combined with meals for domestic and international air passengers and in Form CL-18 for exclusively international air Passengers.

1. Restriction in respect of location of shops:- Government has laid down certain restrictions under Rule(5) of Karnataka Excise (General Conditions) Rules 1967. No shops are allowed within a distance of 100 mts. from educational institutions, religious places hospitals, Government offices and is a residential locality where inhabitants are predominantly belonging to scheduled castes or scheduled tribes or within a distance of 220 mts. from National or State Highways, with certain exceptions.

2. Quantities of liquor that can be possessed without licence: - Individuals are allowed to possess the following quantites of liquor without licence under Rule 21 of Karnataka Excise (Possession Transport etc) Rules 1967.

Sl.No	Item	Limits
1	IMFL	4.6 litres
2	Beer	18.2 litres
3	Wine	9.0 litres
4	Toddy	2.5 litres
5	FMFL	9.1 litres

3. Under Rule 10A of Karnataka Excise licences (General Conditions) Rules 1967 all liquor shops are closed on second October every year (Gandhi Jayanthi).

4. **Dry Days:-** Under 10B of Karnataka Excise licences (General Conditions) Rules 1967 liquor shops are closed during following days.
 - a. The day of poll and day before poll. (48 hours before the Conclusion of polls.
 - b. The day of counting.
5. **(1) Penalties:-** Whoever, in contravention of Excise Act imports, exports, manufactures, collects or possesses any intoxicants shall be punished under the provisions of section 32 and 34 of Karnataka Excise Act 1965. Punishments under above sections are rigorous imprisonment up to 5 years and fine amount to the extent of Rs. 20,000/-.
 - (2) **Penalties for licensees:** License holders are punished under section 36 of Karnataka Excise Act 1965 for breach of licence conditions. These are compoundable offences. These offences are compounded under section 45 of Karnataka Excise Act with a fine ranging from Rs. 5,000/- to Rs.50,000/-.
 - (3) **Penalties for Vehicle Owners:** Under Rule 43 of Karnataka Excise Act 1965 any vehicle or receptacle, or package or covering used for transporting any unlawful intoxicant is liable for confiscation. Any liquor lawfully permitted is also liable to be confiscated if found with any liquor which was not legally permitted
6. **Licence to Distilleries:** Under Rule 4 of Karnataka Excise (Distillery and Warehouse) Rules 1967, The Excise Commissioner is empowered to sanction distillery licence with the previous sanction of state Government.
7. **Licence to Breweries:** Under Rule 3(1) of Karnataka Excise (Brewery) Rules 1967. The Excise Commissioner is empowered to sanction brewery licence with the previous sanction of state Government.
8. **Licence to Microbreweries:** Licence to Microbreweries is granted by Excise Commissioner under Rule 27-A of Karnataka Excise (Brewery) Rules 1967. While granting Microbrewery licence restrictions specified under Rule 5 of Karnataka Excise Licences

(General Conditions) Rules 1967 are observed. Minimum area required for establishing microbreweries is 10,000 sq. buildup area with spacious dining hall and parking facility.

9. Standards of Services:-

- I. Time frame fixed for various officers while renewing licence under Rule 5 (A) of Karnataka Excise (Sale of Indian and Foreign Liquors) Rules 1968 are as follows

Sl. No.	Name of the Officer	Time Frame
1.	Range Inspectors	1 week after receipt of application along with licence fee and all other enclosures.
2.	Deputy Superintendent of Excise Sub-Division.	4 days after receipt of proposal from range offices.
3.	Deputy Commissioner of Excise of the District.	10 Days after the receipt of Proposals from Sub-Division Offices.
4.	Deputy Commissioner of the District.	1 week after the receipt of recommendation from the Deputy Commissioner of Excise of the District.

II Time frame fixed for issuing occasional Licences (CL-5)

Sl. No.	Name of the Officer	Time Frame
1.	Range Inspectors	1 day after receipt of application along with licence fee and all other enclosures
2.	Deputy Superintendent of Excise Sub-Division	1 day after receipt of proposal from range offices
3.	Deputy Commissioner of Excise of the District	1 day after the receipt of recommendation from Sub-Division Offices

In any case the process of issuing occasional licences should not be delayed by more than 3 days after receipt of application along with licence fee and no objection from concerned Police authorities.

- III. Time for grant of various licences, permits, NOCs:- We promise to give the final response to applicants within the time frame provided below:

Sl. No.	Name of Licence/ Permit	Licencing/Permit Giving Authority	Time Frame
1	Issue of NOC for import/export of spirit etc.	Excise Commissioner	1 week (subject to submission of all the required documents)
2	Renewal of Label Registration requests	Excise Commissioner	1 week (subject to submission of all the required documents)
3	New label registration	Excise Commissioner	5 weeks
4	Request for other new licences (DL3, RS2)	Excise Commissioner	1 Month (subject to submission of all requisite documents & approval of high power Committee).
5	Renewal of L1, L2 etc.	Excise Commissioner	1 week (subject to submission of all requisite documents & approval of high power committee).
6	Permission for alteration, renovation of licensed premises	Deputy Commissioner of Excise	Not exceeding 1 month from the date of receipt of application with full enclosures.
7	Transfer of Licences	Deputy Commissioner of Excise Excise Commissioner's Office	Not exceeding 15 days from the date of receipt of application with full enclosures. Not exceeding 7 working days from the date of receipt of application with full enclosures.
8	Submission of Excise Verification Certificates 1. KSBCL Depot to Range Offices. 2. From Range Offices to DC Offices. 3. For Civil Permits within the State 4. For Civil Permits outside the State.	KSBCL Depot Range Office	Within 1 week Within 1 week

5. For Defence Permits within State		
6. For Defence Permits outside State		

IV. Follow up of complaints at District Level Offices: -

The following time schedule will be kept for registration of complaints and follow up action on complaints.

Sl. No	Action	By whom	Time Frame
1	Acknowledgment of the complaint	By the recipient	The same day
2	Forwarding for action to the concerned field officer	The recipient officer	Within 2 working days
3	Inquiry, action and report back	The field officer	Within 3 weeks
4	Communication of action taken if asked for	The recipient officer	Within 1 week of completion of enquiry

V. Follow-up of complaints at Excise Commissioner's Office:

Sl. No	Action	Time Frame
1	Acknowledgment of the complaint	The same day
2	Forwarding for action to the concerned District Officer	Within 10 working days
3	Inquiry, action and report back	Within 1 month after receipt of Communication from this office
4	Communication of action taken if asked for	Within 1 week after receipt of communication by District Offices.

VI. Follow-up of Excise cases:

Sl. No	Action	Time Frame
1.	Filing of FIR	At the earliest and not later than 24 hours
2.	Production of accused before the magistrate	Earliest, but not later than 24 hours
4.	Completion of Investigation	Within 2 months after filing FIR
5.	Submission of the final report Charge sheet	Within 2 months after filing FIR

VII. Disposal of Confiscated Vehicles / Articles:-

Sl. No	Action	By whom	Time Frame
1	Notice to the RC Owner, hearing, examination of witnesses / publication of Notice in newspapers in case RC Owner is not found	Deputy Commissioner of Excise	Within 2 months from seizure if vehicle belongs to Karnataka. Within 3 months of seizure if vehicle belongs to other states. After taking over of seized vehicle from other agencies
2	Completion of confiscation proceedings	Authorised Officer	Within 6 months from seizure
3	Publication for auction of confiscated vehicle.	Deputy Commissioner of Excise	2 months
4	Confirmation of sale after auction	Deputy Commissioner of Excise	2 Weeks
5	Transfer of vehicle to the successful bidder	Deputy Commissioner of Excise	2 Weeks

VIII. Disposal of seized Spirit / IMFL / Arrack:

Sl. No	Action	By whom	Time schedule
1	Sending for Chemical analysis	Detecting Officer	Within a week of Seizure
2	Receipt of Chemical Examiner's Report	Chemical Examiner	1 week
3	Application for pretrial disposal, if trial not completed or final orders not passed by the Court.	Investigating Officer	Within 3 weeks from the date of seizure.
4	Placing of proposal before Disposal Committee	Deputy Commissioner of Excise	Within 6 months

5	Disposal / Destroyal of the Confiscated articles as approved by the Disposal Committee or as directed by the Committee.	Deputy Commissioner of Excise	Within one month of the approval
8	Maximum time taken for disposal	Deputy Commissioner of Excise	7 Months

10. Redressal of Complaints against delay or non-performance:-

1. Except in cases where there is already a provision in law for appeal / revision, complaint about unlawful denial or delay in the grant of any of the permits/license or in the sending of reports by any of the officers other than the Excise Commissioner can be filed before the Excise Commissioner. The Excise Commissioner will take action on such complaints within 15 days and inform the complainant about the action taken within a fortnight.
2. Complaint about any such delay against the Excise Commissioner may be filed before the Principal Secretary to Government, Finance Department, Vidhana Soudha, Bangalore.

11. COMPLAINTS & GRIEVANCES

Any aggrieved public, licensee, manufacturer or transporter shall with their grievances approach the concerned authority starting from range inspector at taluka / range level, Deputy Commissioner of Excise at district level and Joint Commissioner of Excise at divisional level or to the Excise Commissioner (Head of the Department) for redressal of their complaints.

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EXCISE COMMISSIONER