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Government of Tripura
Revenue Department

No.F.I-1(6)-EX/93/12,104

Dated, Agartala, the 25th September, 1 96.

NOTIFICATION

In exercise of the powers conferred by Section 36 and Clause (XXIX) of sub-section (2) of Section 88 of the Tripura Excise Act, 1987 (Tripura Act, No. 12 of 1987) the State Government hereby makes the following Rules, namely :—

1. Short Title and commencement—
 - (1) These Rules may be called “ The Tripura Excise (Registration of Brand names, Labels and Capsules) Rules, 1996. ”
 - (2) They shall come into force on the date of their publication in the official Gazette.
2.
 - (1) No brandy, whisky, rum vodka, gin or beer shall be sold or offered for sale in bottles in Tripura unless and until the brand name under which and the label with which it is to be sold have been registered with the Excise Commissioner, Tripura and a permit has been granted by him, authorising sale under such brand name and with such label. The price of the brand shall be inserted on the labels.
 - (2) No liquor mentioned in sub-rule (1) shall be sold or offered for sale in bottles in Tripura unless and until the bottles have been properly capsuled and the capsules, bear inscriptions showing either the name of distiller, compounder, blender, bottler or brewer of the liquor, as the case may be, or the brand name or both and no other inscription.
3. Registration shall be for a period not exceeding one year from the 1st April to the 31st March following. A fee of Rs. 10,000/— (ten thousand) shall be charged for grant of permit on the first registration and fee of Rs. 5000/— (five thousand) shall be charged for grant of permit on each renewal of registration.

Provided that when the brand name of any of the liquors mentioned in sub-rule (1) of rule 2 which has been brought into India from Bhutan or any foreign country has been registered in the Country of its origin and its registration has been proved to the satisfaction of the Excise Commissioner, registration may be allowed for five years at a time in Tripura at the time of the first registration and a permit may be granted for that period on payment of a fee of Rs. 30,000/— (thirty thousand).

- 4 (1) Application for registration of a new brand name for a liquor mentioned in sub-rule (1) of rule 2 and the label corresponding to it shall be made on behalf of the Distilleries/Manufacturers in case of India Made Foreign Liquor and Beer and the Distributors in the case of Foreign Liquor to the Excise Commissioner through the concerned Collector of Excise at least two months prior to its sale or offer for sale.

Application for renewal of registration of existing brands and labels shall be made to the Excise Commissioner through the concerned Collector of Excise within the last day of the month of February each year.

- (2) All the applications submitted under sub-rule (1) shall contain the following particulars, namely :—
- (a) The brand name under which, the alcoholic strength at which, and the measure in litres and/or millilitres in which and the retail price at which liquor is proposed to be sold;
 - (b) The country of origin of the liquor; and
 - (c) The name and address of the distiller, Compounder, blender or brewer, as the case may be, and, in respect of foreign liquor bottled in India, the name address of the bottler; and

[they shall be accompanied by two copies of the label corresponding to the brand and containing inscriptions showing the particulars mentioned above. Both copies of the label shall be authenticated by the applicant with his dated signature in full.]

5. (1) A correct and upto date record of all brands and labels which are registered or whose registration is renewed from time to time shall be maintained by the Excise Commissioner and supplied to the Collectors of Excise.
- (2) A list of brands which are registered by the Excise Commissioner upto 28th February of every year shall be published by him within the 31st March following and offered for sale in Tripura.

6. (1) The Excise Commissioner may refuse registration if he is not satisfied.

(a) in the case of any foreign liquor brought in bottles into India from Bhutan or any foreign country, that the distiller, compounder, blender or brewer whose name is stated in the application, holds a valid license or permit or certificate of registration from the Government of the country of origin of the said liquor to distil, compound or blend spirits or brew beer ;

(b) in the case of foreign liquor brought into India from Bhutan or any foreign country or manufactured in India that the brand name under which or the label with which it is proposed to be sold is distinguishable from other brand names or labels which have already been registered or whose registration has already been applied for ; and

(c) in the case of foreign liquor bottled in India, that the bottler whose name is stated in the application holds a valid license from the Government of any State or Union territory in India to distil, compound, blend or bottle spirits or brew beer.

(2) The Excise Commissioner may refuse registration of any label if he is satisfied that the label is such that it is likely to tend or has the potential for inducing children, adolescents or women to consume liquor of the contents or the label are of an obscene nature or likely to lower the dignity of women ;

Provided further that no application for registration of labels shall be rejected unless the applicant has been given a reasonable opportunity of being heard by the Excise Commissioner.

7. (1) The labels on the bottles of foreign liquor to be sold under a permit granted under sub-rule (1) of rule 2 shall conform to the labels registered by the Excise Commissioner, and shall contain the particulars mentioned in sub-rule

(2) of rule 4 and such other particulars as may be required under any other rule for the time being in force :

Provided that the labels on the bottles of foreign liquor on which duty or fee has not been paid or is not liable to be paid to the credit of the Government of Tripura or on which duty or fee has been paid or is liable to be paid at a concessional rate shall contain such further particulars as the Excise Commissioner may prescribe from time to time, by an order in writing

(2) Subject to the provisions of the foregoing rules the capsules and labels on the bottles of foreign liquor liable to be sold under a permit granted under sub-rule (1) of rule 2 shall contain no inscriptions or particulars which, in the opinion of the Collector of Excise concerned are inaccurate or inappropriate.

By order of the Governor

Anil Misra

Commissioner-cum-Secretary
to the Govt. of Tripura.

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