

EXC/1810/18-XC2

Commissionerate of Excise,  
Thiruvananthapuram,  
Dated. 24.04.2018  
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**CIRCULAR**

I visited a couple of distilleries/blending units. The following urgent instructions are issued with regard to the functioning of distilleries and blending units in Kerala for Strict compliance.

1. All consignments of spirits obtained by a licensee shall be verified by volume and strength Jointly by the officer in charge and the licensee on his authorised agent. The net quantity will be taken into account and verification report should be sent to Asst.Excise Commissioner. It should be ascertained that whether the seal of the containers are tampered or not. If it is tampered or excess wastage if found matter should be reported forthwith to the Controlling Officer. All the above proceedings should be transparent and adequate entry in this regard are to be made in the General Diary and concerned registers forthwith and a true narration of proceeding should be put into writing by preparing a Mehassar in this regard.
2. All sample taken for analysis should be taken strictly in accordance with rules and particulars should be entered into the sample register. The nature of disposal should clearly be noted in the register with the authentications of the Controlling Officer.
3. No spirit or liquor compounded or blended shall be issued for further operation until a chemical analysis certificate is received. In the case of compounding colouring or flavouring substance if any intended to be used in compounding shall also be submitted for analysis. All the particular should be noted in the registers and GD concerned then and there.
4. The officer in charge of a distillery or warehouse will take stock of all spirits on the last day of March, June, September, December in each year or on the previous day if the last day is a holiday. In the case of wastage (taken in PL) is in excess shall be treated as ordinary wastage and Excise

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Duty at the prevailing tariff rate shall be charged there on. This stock should be verified by the superior Officer (Deputy Excise Commissioner) and any serious discrepancy between the quantity shown in any vat and actually found should be enquired into and the explanation of the officer responsible should be attained and submitted with the report.

5. The claim of overtime fees should strictly be in accordance with rules. On every day on which an officer is required to work over time the distiller must apply in writing and it should bear a court fee stamp of the value prescribed by law. The items of overtime work to be done should be specified in the application. At the end of every month a distiller shall credit into treasury the amount of over time fees accruing to the officers and a treasury receipt thereof to the officer in charge so as to reach him on or before the tenth of succeeding month.
6. Register of employees of distillery should be maintained and entry, exit etc should strictly be restricted to persons who has business within the premise and shall be liable to search, on their quitting the premise at the discretion of officer and all such searches should be subject to the provisions of Rules 37 Part II of Kerala Distillery and warehouse rules.
7. All Wastages should be calculated in proof literes and duty there of shall be remitted as early as possible in order to avoid erosion of Government Money. In the routine inspection a separate para in this behalf should be maintained and the Controlling Officer should watch proper remittances in time. In case of any lapse, the officer and Controlling Officer should be personally held responsible for laxity. As per rule 55(4) any duty levied in excess or not leviable in accordance with rule will be refunded by Excise Commissioner. Hence the distillery officer should not make delay for the collection of duty on any ground and review if any will be made by the Excise Commissioner.
8. The Bonds shall be released only after satisfactory proof has been advanced to the effect that the liquor has reached the destination or exported out of India. If there is any deficiency, Excise duty on differential item shall be realised. If satisfactory evidence for the receipt of the liquor at the place of destination or the bill of lading and customs and shipping documents are not produced within 30 days Excise duty shall be realised for full quantity. Subsequent correspondences for granting import export permit should bear a certificate in this regard by the officer in charge and for every shortage in collection he will be personally held responsible.

9. Every warehouse shall ordinarily be supervised by an officer and he should be there at the whole time of operation and shall be devoted there to. All transmission of spirit/liquor, from distillery, blending units should strictly be supervised by the officer concerned and for any lapse detected further shall be answered by the officer there to.
10. The Officer in-charge shall maintain a diary in Form D 21 of Distillery and Warehouse Rule Form 10 Kerala Foreign Liquor blending and bottling Rules as the case may be in which he shall record at the time in ink the exact hours of-
- (i) his arrival at and departure from the licensed premises:-
  - (ii) his opening and closing the spirit store, compounding & blending room, bottling room and finished products room;
  - (iii) the storage of spirits and removal of finished products;
  - (iv) the receipt of application for release of finished products;
  - (v) the putting and taking away of lock tickets; and
  - (vi) his night visits and all other actions taken by him in reference to his duties.

Sd/-  
Excise Commissioner

True Copy

Copy To

- 1) Joint Excise Commissioner (All)
- 2) Deputy Excise commissioner (All)