

GOVERNMENT OF JAMMU & KASHMIR
OFFICE OF THE EXCISE COMMISSIONER, J&K

EXCISE AND TAXATION COMPLEX, RAIL HEAD, JAMMU

E-mail: excise.commr@jk.gov.in

Subject: Processing/grant of Type B Category licenses (JKEL-3, JKEL-3A, JKEL-4, JKEL-4C, JKEL-7A & JKEL-7D).

- Reference:**
1. The J&K Excise Policy 2024-25 notified vide S.O 85 Dated 1st of February, 2024.
 2. Deputy Excise Commissioner (Executive) Jammu's Letter No. 4033/Proposal of Bar Licenses/DECEJ/Exc/39 dated 01-04-2023.
 3. Deputy Excise Commissioner (Executive) Kashmir's Letter No. DEC/K/Misc/2022-23/3078 Dated 28.03.2023.

Order No: 268 -EC of 2024

Dated: 08.06.2024

Whereas, for the purpose of the import/ export, transport, manufacture, sale and possession of intoxicating liquor, the Finance Department, the Government of Jammu & Kashmir (GoJK) through various notifications issued from time to time and the annual J&K Excise Policy, has delegated authority to implement various provisions of the J&K Excise Act, 1958 Svt., rules made thereunder and the existing J&K Excise Policy in the UT of J&K; and

Whereas, the GoJK through the notification of its annual J&K Excise Policy, emphasizes aims and objectives of the Government so far as regulation, import/ export, transport, manufacture, sale and possession of intoxicant liquor is concerned wherein various initiatives have been taken to regulate the liquor by encouraging the consumption of low alcoholic beverages against hard drinks besides maximising the potential for revenue generation for the common good; and

Whereas, the J&K Excise Policy 2024-25, notified by the Government vide S.O 85 of 2024 dated 01-02-2024, among other provisions, stipulates its Policy objectives in respect of encouraging low alcoholic beverages and providing of a dignified place for the tourists/public and also tapping full potential of the existing liquor industry in the UT of J&K for generating employment as well as revenue for the Government and the relevant provisions in this regard are reproduced hereunder:

 **Para 1.2 "To encourage transition from high to low alcoholic content beverage;**

Para 1.5 "To provide choice of liquor brands and places for consumption to its customers and a level playing field to all the stakeholders;

Para 1.7 "Tapping of the full Potential of existing liquor industry to promote ancillary industries and raising new avenues of employment:

Whereas, due to increase in the tourist footfall in the UT of J&K in the recent years, there has been demand from tourists/consumers for making available quality liquor at some of the underserved and unserved locations/destinations by opening the retail outlets both *on & off premises* for the tourists so as to provide them with a dignified place to sit, drink and dine; and

Whereas, the off premises outlets in the form of JKEL-2 licenses have been notified and allotted in accordance with the J&K Excise Policy, 2024-25 by way of allotment through e-auction in a transparent way, however, still various places remains underserved/unserved due to coming up of a number of new tourist destinations by way of policy of the Government to promote tourism and making available boarding/lodging in Guest Houses/Camps/Treks/other arrangements at various remote tourist spots which hitherto were unexplored; and

Whereas, various high-end facilities have come up in the UT of J&K especially in the last decade necessitating the Department to introduce progressive initiatives to cater to the demand of the customers in allowing rooftop drink and dine facility to the high-end hotels with necessary modifications in the existing orders which were not in consonance with the current times; and

Whereas, various cases of Bar & Restaurant /Hotels/Banquet Halls have been received in the Department in light of demands of public and it has been observed that many high end Bar applications for hotels/restaurant/Banquet halls needs necessary updation in the existing conditions laid down in Excise Order 414 of 2005 dated 11.10.2005, to address the demand of public/ tourist to avail such facilities within such locations which are of desired standards and well equipped with modern facilities, and;

Whereas, to address the demand of tourist/ public, the Excise Department in the year 2005 i.e 17 years back issued the guidelines /requisite formalities/documents for processing and grant of the cases of Bar & Restaurant /Hotels/Banquet Halls keeping in mind the requirements of those times and many of which have now become redundant/ obsolete and calls for modifications/advancements with new ambience and new concepts of cozy environment for drink and dine; and

Whereas, the hospitality industry (Hotels/restaurants/banquet) have grown manyfold and the UT of Jammu & Kashmir being hub of Tourism has been witnessing inflow of tourists from across the nation and abroad, and non-availability of liquor at such locations is keeping away full potential of these high-end tourist destinations so far as fun and leisure is concerned;

Whereas, the existing Excise Policy 2024-25, caters to many such demands of the tourists/public taking into account the progressive development in the hospitality/liquor industry by making their presence in different tourist spots of the J&K; and

Whereas, it is necessary to fix some criteria/norms for the restaurants and hotels in consonance with the burgeoning tourist industry in the UT of J&K for the grant of bar license under Ease of Doing Business (issued vide 127-EC of 2022 dated 23-07-2022); and

Whereas, in view of the above circumstances, Deputy Excise Commissioner (Executive) Jammu and Kashmir vide letter Nos. 4033/Proposal of Bar Licenses/DECEJ/Exc/39 dated 01-04-2023 and No. DEC/K/Misc/2022-23/3078 dated 28-03-2023 have made suggestions/recommendations for consideration so as to bring the said procedure for Processing/grant of license in Bar & Restaurant /Hotels/Banquet Halls, etc. in consonance with the requirement of the hospitality industry alongwith facilitating Tourism ancillary industry for drink and dine; and

NOW THEREFORE, in view of afore-referent recommendations and to implement various provisions of the J&K Excise Policy 2024-25 and to address to the changes/requirements of the hospitality industry, following norms are hereby fixed for the processing and grant of the cases of Bar & Restaurant /Hotels/Banquet Halls in supersession of the previous orders in regard to grant of on-premises Type retail licenses (**JKEL-3, JKEL-3A, JKEL-4, JKEL-4C, JKEL-7A & JKEL-7D**).:

License in form JKEL-3 (Bar with Hotel)

Areas under Municipal Corporation, Municipal Council, Municipal Committee, Cantonment Board, Development Authorities and other Local Bodies of Union Territory of Jammu & Kashmir.

1. Hotels means a boarding and lodging unit having **ten** rooms with fully furnished beds in double or single rooms each attached with sanitary fitted toilets and bathrooms, with adequate reception and parking area.
2. The bar counter shall be in the restaurant/dining hall and having accommodation for a minimum of **40** customers properly seated. There shall be a Liquor Store, separate kitchen, toilet facilities with modern equipment and good hygienic conditions.
3. The restaurant premises, as per requirement of place/location in the UT of J&K, should have facilities for cooling/heating arrangements by way of installation of Air conditioner/Heating appliances during summers/winters as the case may be. Further, in case of rooftop restaurant, sufficient arrangements for cooling of the place shall be put in place by using mist fans or other appliances.
4. The Unit shall have to be registered with the Tourism Department.
5. Must be fully complying with relevant provisions of the existing J&K Excise Policy

In Muffassil Areas

1. Hotel means a boarding and lodging unit having ten rooms with fully furnished beds in double or single rooms each attached with sanitary fitted hygienic toilets and bathrooms, with adequate reception and parking area in Tourist Spots/Tourism Development Authority and in non-tourist areas with minimum of 15 rooms with similar facilities.
2. The bar counter shall be in the restaurant/dining hall having accommodation of a minimum of 30 customers properly seated. There shall be a Liquor Store, separate kitchen, toilet facilities with modern equipment and in a good hygienic condition.
3. The restaurant premises, as per requirement of place/location in the UT of J&K, should have facilities for cooling/heating arrangements by way of installation of Air conditioner/Heating appliances during summers/winters as the case may be.
4. Unit has to be registered with the Tourism Department.

License in the form JKEL-3A (Bar in a Hotel with Banquet)

The procedure shall be the same as provided in JKEL-3 License (Hotel with Bar) in respect of area falling in Municipal Corporation, Municipal Council, Municipal Committee, Cantonment Board, Development Authorities and other Local Bodies of Jammu & Kashmir.

Insertion of Rooftop/Terrace/Balcony as liquor serving area in the licensed premises of JKEL-3 & JKEL-3A at locations falling within JMC and SMC in terms of the J&K Excise Policy from time to time: -

Must be fully complying with relevant provisions of the existing J&K Excise Policy.

License in form JKEL-4 (Bar with Restaurant)

Areas under Municipal Corporation, Municipal Council, Municipal Committee, Cantonment Board, Development Authorities and other Urban Local Bodies of Jammu & Kashmir.

1. Restaurant means an eating place provided with good quality chairs, tables, crockery, cutlery and linen to accommodate a minimum of 40 customers properly seated at a given time where 'A-LA-CARTE' and/or **BUFFET** meals are served. The restaurant must have a separate **Liquor Store**, hygienically maintained kitchen with modern equipment, a separate toilet & **adequate parking area**.
2. The restaurant premises, as per requirement of place/location in the UT of J&K, should have facilities for cooling/heating arrangements by way of installation of Air conditioner/Heating appliances during summers/winters as the case may

- be. Further, in case of rooftop restaurant, sufficient arrangements for cooling of the place shall be put in place by using mist fans or other appliances.
3. Must be fully complying with relevant provisions of the existing J&K Excise Policy

In Muffassil Areas

1. In Muffassil Areas the bar with restaurant licenses in form JKEL-4 shall be granted at Tourist Spot/Tourism Development Authority.
2. In these areas the restaurant means an eating place provided with chairs, tables, crockery, cutlery and linen to accommodate a minimum of 30 customers properly seated at a given time where 'A-LA-CARTE' and/or 'BUFFET' meals are served. The restaurant must have a separate Liquor Store, hygienically maintained kitchen with modern equipment, a separate toilet, & adequate parking area.
3. The restaurant premises, as per requirement of place/location in the UT of J&K, should have facilities for cooling/heating arrangements by way of installation of Air conditioner/Heating appliances during summers/winters as the case may be.
4. Must be fully complying with relevant provisions of the existing J&K Excise Policy

Insertion of Rooftop/Terrace/Balcony as liquor serving area in the licensed premises of JKEL-4 at locations falling within JMC and SMC in terms of the J&K Excise Policy from time to time: -

Must be fully complying with relevant provisions of the existing J&K Excise Policy

License in form JKEL-4C (Bar with Banquet Hall)

The procedure shall be the same as mentioned in the JKEL-4 License (Bar with Restaurant) in respect of areas under Municipal Corporation, Municipal Council, Municipal Committee, Cantonment Board, Development Authorities and other Local Bodies of Jammu & Srinagar.

Note: The Liquor would be served in the arranged parties/ceremonies/functions only and not to regular/casual customers like that of a Bar with Restaurant, Bar with Hotel Licenses (Provision shall be subject to the relevant provision in the Excise Policy for the respective years).

Besides, in order that the existing license holder (Type-B) do not undergo hassles/quagmires in arranging for similar set of documents/clearances/NoCs again from same agencies/departments for grant of liquor license within same location/premises or contiguous premises which otherwise are not debarred under Rule 18 and 19 of J&K Liquor License & Sales Rules, 1984, following procedure shall be followed for processing the case for grant of license;

1. On the request, the existing licensee having license of Beer Bar with Microbrewery (JKEL-7D), can also apply for JKEL-4 license which shall be given within the same premises on remittance of applicable license fee and other duties only.
2. Type-B licensee, if otherwise, not debarred under Rule 18 and 19 of J&K Liquor License & Sales Rules, 1984, can apply for any other on-premises retail license which shall be given within the same/contiguous premises on remittance of applicable fee/duties subject to furnishing of additional documents and NOC's which had not been part of his/her existing license;

All cases for grant of new license in any category shall be submitted through online mode on e-Abgari Portal with deposition of requisite processing fee as per the existing Excise Policy in advance.

All the prescribed procedure as per J&K Excise Act and Rules framed thereunder and J&K Excise Policy applicable during the period shall be strictly followed for the issuance of license in Bar & Restaurant /Hotels/Banquet Halls, etc.



08.06.24.

(Pankaj Kumar Sharma) JKAS
Excise Commissioner, J&K

No: EC/Exc/24-C-XI/1299-1303

Date: 08-06-2024

Copy to the:

1. Deputy Excise Commissioner (Executive), Jammu/Kashmir.
2. Private Secretary to the Principal Secretary to the Government, Finance Department, Civil Secretariat, J&K Srinagar for information of the Principal Secretary.
3. Programmer, Excise Department, J&K.
4. All Excise and Taxation Officer(s), Jammu/Kashmir.
5. Order file/concerned file.