

HOME DEPARTMENT

Mantralaya, Mumbai 400 032, dated the 10th August 2009

NOTIFICATION

BOMBAY PROHIBITION ACT, 1949.

No.BWR.1106/CR-16/MICROBREWERY/EXE-3-In exercise of the powers conferred by sub-sections (I) of section 105 of the Bombay Prohibition Act, 1949 (Bom.XXV of 1949), the Government of Maharashtra is hereby pleased to amend the Government Notification, Home department, No. ARM. 1096/21/2/EXC-3, dated the 13th September 1996 (hereinafter referred to as “the said notification”), as follows, namely :-

In the Schedule appended to the said notification, after entry 1B, the following entry shall be inserted, namely :-

“1C, Beer from Microbrewery Rs. 20.00 per bulk liter.”

By order and in the name of the Governor of Maharashtra,

P. T. GOUD,

Joint Secretary to Government

HOME DEPARTMENT

Mantralaya, Mumbai 400 032, dated the 10th August 2009

NOTIFICATION

BOMBAY PROHIBITION ACT, 1949.

No.BWR.1106/CR-16/MICROBREWERY/EXE-3- Whereas, the Government of Maharashtra considers that the following rules further to amend the Maharashtra Manufacture of Beer and Wine Rules, 1966, should be brought into force at once, and therefore, the rules should be made without previous publication as provided by the proviso to sub-section (3) of section of 143 of the Bombay Prohibition Act, 1949 (Bom. XXV of 1949) ;

Now, therefore, in exercise of the powers conferred by clauses (b), (f), (h) and (k) of sub-section (2) of section 143 of the Bombay Prohibition Act, 1949 (Bom. XXV of 1949), the Government of Maharashtra is hereby pleased to make the following rules further to amend the Maharashtra Manufacture of Beer and Wine Rules, 1966, as follows, namely :-

1. These rules may be called the Maharashtra Manufacture of Beer and Wine (Amendment) Rules, 2009.

2. In Rule 3 of the of Maharashtra Manufacture of Beer and Wine Rules, 1966 (hereinafter referred to as “the principal Rules”), to sub-rule (2), the following proviso shall be added, namely :-

“Provided that, for a microbrewery manufacturing upto two lakh liters of beer per year a license in FORM BRL shall be granted.”

3. In Rule 10 of the principal Rules, to sub-rule (3), the following proviso shall be added, namely :-

“Provided that, for BRL licensee, manufacturing beer upto two lakh liters per year for sale in unbottled and unpackaged form and holding license in Form E under the Special Permits and License Rules, 1952, as soon as a batch of beer is manufactured, shall remove the said beer to the storage room and the quantity of beer thus transferred shall be measured by a flow meter installed between the fermentation tanks and the storage tanks and shall be further validated by calibrated gauges attached to the tanks. The said flow meter shall be under excise lock and the process of transfer of the beer from the fermentation tanks to the storage tanks shall be done under the supervision of the brewery inspector. The quantity of beer thus transferred and measured shall be recorded in form BR-V. The excise duty shall be charged on the quantity thus recorded in form BR-V. The finished products in the storage tanks shall be removed for ‘on-site’ consumption as and when required.”

4. In rule 11 of the principle rule, the following proviso shall be added, namely :-

“Provided that, the BRL licensee manufacturing beer upto two lakh liters per year in a microbrewery, shall be allowed to sell the beer manufactured in an unbottled and unpackaged form in the premises for which License in Form E is granted under the Special Permits and Licenses Rules, 1952 Sub-rules (1), (2), (3), (4), (5) and (6) of Rule 11 of the principal Rules shall not be applicable for such a BRL licensee manufacturing upto two lakh liters of beer per year in microbrewery for sale in unbottled and unpackaged form on the premises having license in Form E under the Special Permission and License Rules, 1952 or license granted under sub-rule (1-B) of Rule 45 of the Bombay Foreign Liquor Rules, 1953.”

5. In Rule 13 of the principle Rules, to sub-rule (1), the following proviso shall be added, namely :-

“Provided that, where the BRL, licensee manufacturing upto two lakh liters of beer per year in microbrewery for sale in unbottled and unpackaged form on the premises licensed under Special Permit and Licenses Rules, 1952, in Form E but in different rooms, for on-site consumption, desires to remove the beer to the storage tanks, shall make an application in Form BR-VIII, the brewery officer along with the challan showing payment of excise duty and transport fee, if any, into a Government Treasury in respect of the beer proposed to be so removed. On receipt of the application under sub-rule (1) in Form BR-VIII, the brewery officer shall after ascertaining that the particulars furnished are correct and there appears to be no objection to allow the beer to be removed from the fermentation tanks to the storage tanks, he shall allow the said licensee to remove the beer from the fermentation tanks to the storage tanks, as per the guidelines provided under the proviso to the rule 10 of the principal rules and the said sub-rules (2), (3) and (4) of this rule shall not be applicable.”

6. In FORM BRL appended to the principal Rules, in condition 15, after the proviso, the following proviso shall be added, namely :-

“Provided further that, the BRL Licensee manufacturing beer upto two lakhs liters per year from microbrewery, who has the license in Form ‘E’ under the Special Permits and Licenses Rules, 1952 or in Form FL III License granted under sub-rule (1-B) of rule 45 of the Bombay Foreign Liquor Rules, 1952, may sell under unbottled and unpackaged.

By order and in the name of the Governor of Maharashtra,

P. T. GOUD,

Joint Secretary to Government