

## WHAT YOU NEED TO KNOW

Merely applying for an Excise License or payment of application fees does not guarantee the applicant any claim to the grant of a license. Trade in liquor is *res extra commercium* and not a fundamental right. It is a privilege of the State. Any excise license is granted by the Collector after due enquiry, and subject to the recommendation of the Excise Commissioner and approval of the State Government, and the decision of the State Government is final.

## WHO CAN APPLY

Application for grant of a license at a new site can be made by:-

- a) An individual of or above the age of twenty one years of age who is a citizens of India or a Person of Indian Origin (P.I.O) [*in case of individuals the application can be made by a single individual or multiple individuals jointly*];
- b) A firm as defined in the Indian partnership Act, 1932 (9 of 1932) ;
- c) A company as defined in the Companies Act, 1956 (I of 1956) ;
- d) A society registered under the West Bengal Co-operative Societies Act, 1983 (West Ben. Act XLV of 1983) or the West Bengal Societies Registration Act, 1961 (West Ben. Act XXVI of 1961).

## WHO CANNOT APPLY

No license for the retail sale of liquor or any other intoxicant at a new site shall be granted to -

- a) A person who was convicted by a criminal court of a non-bailable offence;
- b) A former licensee who was found guilty of serious breach of the terms and conditions of his license;
- c) A former licenses who was defaulter in the payment of excise revenue to the State Government;
- d) A person who is interested, either directly or indirectly, in the manufacture or sale of any intoxicant in a foreign territory or any bordering State of West Bengal;

## FOR WHAT CATEGORIES OF LICENSE CAN ONE APPLY

### Temporary License:-

Application for the following categories of temporary retail licenses for a period not exceeding six months can be made *suo motu* by willing applicants,-

- a) Temporary license for the retail sale of foreign liquor for consumption on the premises of any restaurant and attached bar [Restaurant-cum-Bar];
- b) Temporary license for the retail sale of foreign liquor for consumption on the premises of any hotel and restaurant and attached bar [Hotel-cum-Restaurant-cum-Bar];
- c) Temporary license for the retail sale of foreign liquor for consumption on the premises of any hotel and attached bar [Hotel-cum-Bar].

While applying for the above categories of temporary retail licenses the applicant can apply for one or more additional bar licenses at the proposed site apart from the main bar. In such cases the main bar and all additional bar(s) shall be clearly shown in the Site Plan to be submitted at the time of application.

### **Regular License:-**

Application for the following categories of regular retail licenses can be made *suo motu* by willing applicants,-

- a) License for the retail sale of beer, wine and low alcoholic beverage (LAB) for consumption off the premises from existing Departmental Stores with a minimum floor area of one thousand and five hundred square feet, having departments for retail sale of various commodities;
- b) License for the retail sale of foreign liquor for consumption on the premises of any existing theatre, club, canteen, Dak-bungalow, Railway refreshment room, dining car, steamer, customs airport or any place of public resort and entertainment and attached bar. [While applying for this category of retail license the applicant can apply for one or more additional bar licenses at the proposed site apart from the main bar. In such cases the main bar and all additional bar(s) shall be clearly shown in the Site Plan to be submitted at the time of application.]

***Application for the above categories of licenses, temporary or regular, can be made only if the construction of the proposed site premises is complete in accordance with the Site Plan to be submitted at the time of application.***

**Disclaimer:** Application for other categories of retail licenses, apart from those mentioned above, like Country Spirit ðOffö and / or ðOnö Shop, Foreign Liquor ðOffö shop etc., cannot be made until the State Government invites applications against such categories for specified local areas by public notice in newspapers etc. and this online application module is not meant for such categories of licenses.

### **SITE PLAN: MINIMUM REQUIREMENTS**

Except in case of a retail license for the sale of beer, wine and LAB for consumption off the premises from existing departmental stores; the Site Plan for all other categories of licenses mentioned above should clearly contain the layout of the site, main entrance, seating arrangements, toilets, restrooms, bar counters [main bar and additional bar(s), if any], foreign liquor store / go down, kitchen [if applicable] etc. and the same should be duly signed by the applicant and the landlord / owner of the premises in addition to the approved / qualified surveyor preparing the plan.

### **RESTRICTIONS ON GRANT OF LICENSE AT CERTAIN NEW SITES**

- ✚ No license of the retail sale of liquor of any category shall be granted at a new site which is within the vicinity of 1000 feet measured along the path which an ordinary prudent person normally takes to reach such new site from,-
  - a) An educational institution recognized by the State Government or Central Government, or any college or institution affiliated to any University established by law;
  - b) A traditional place of public worship that is in existence for a period of not less than twenty years, or as per Section 5 of the West Bengal Religious Building and Places Act, 1985 (West Ben. Act XXXII of 1985) has taken prior permission of the Collector of the district if the

- place is outside the jurisdiction of Kolkata, or the Police Commissioner if the place is within the jurisdiction of Kolkata;
- c) A hospital for public use.
- ✚ No license for the retail sale of liquor of any category shall be granted at a new site in a tribal area except when such new site is in a local area within which a tourist lodge/spot is situated or within which the headquarters of a block or a sub-division or a police station is located.
  - ✚ No license for the retail sale of liquor of any category shall be granted at a new site which is situated within 720 feet from any National Highway or State Highway except when the population of the Gram Panchayet, Municipal Corporation, City or Town of Municipality or such other authority, within which such new site is situated, is twenty thousand or more.

However, the above restrictions are not applicable for grant of license at a new site in respect of the following categories of retail licenses,-

- a) License for the retail sale of beer, wine and low alcoholic beverage (LAB) from existing Departmental Stores for consumption off the premises;
- b) Temporary license for the retail sale of foreign liquor for consumption on the premises of any hotel and restaurant of category 3-Star and above;
- c) License for the retail sale of foreign liquor for consumption on the premises of any existing theatre, club, canteen, Dak-bungalow, Railway refreshment room, dining car, steamer, customs airport or any place of public resort and entertainment and attached bar.

**Important:-** *In case any new site is situated within an IT / Electronics Park, such new site should be within 20 % of the total built up area of such IT / Electronics Park meant for support services like eateries etc. as per government norms.*

## **UNDER WHAT CIRCUMSTANCES GRANT OF REGULAR LICENSE MAY BE CONSIDERED TO TEMPORARY LICENSE HOLDERS**

On submission of an application for a temporary license of the categories mentioned above, the Collector causes an enquiry into the same in line with the extant rules, and if the Collector is satisfied after due enquiry that the proposal merits recommendation, he sends the same to the Excise Commissioner, who in turn forwards the same to the State Government along with his own opinion. The State Government finally considers the proposal and the documents and opinions and if it is so satisfied, may approve the same and communicate its decision to the Excise Commissioner. The temporary license, as applied for, for a period not exceeding six months at a time, is granted by the Collector only after the approval of the State Government is communicated by the Excise Commissioner and not otherwise.

Grant of regular license to the holder of temporary Restaurant-cum-Bar license, Hotel-cum-Restaurant-cum-Bar license or Hotel-cum-Bar license may be considered on application being made by the temporary license holder,-

- a) After the holder of such temporary licence has run the same for a period not exceeding six months;
- b) After the Collector is satisfied that the revealed demand justifies the location for the grant of a regular licence [*'revealed demand' means the average monthly sale of foreign liquor, during the previous six months, when the licence was allowed to run on a temporary basis*];
- c) Subject to the Collector's satisfaction that the application merits recommendation.

In such cases the Collector may recommend the proposal for grant of regular license and send it to the Excise Commissioner for approval. If the approval of the Excise Commissioner towards

regularisation is received, the Collector shall grant the regular licence, after realization of requisite fees.

Once a proposal for grant of regular license to a temporary license holder is recommended and sent by the Collector to the Excise Commissioner, further temporary licenses for periods not exceeding six months are continued to be granted by the Collector on realisation of requisite temporary license fees until the order of approval or rejection for grant of regular license is communicated by the Excise Commissioner.

## WHEN AND WHAT CATEGORIES OF FEES ARE TO BE PAID

Fees in respect of Excise Licenses are generally paid in four stages, viz.,-

- a) **Non-Refundable Application Fee:** To be paid at the time of applying for a new Excise License, regular or temporary, including new additional bar license(s) if any.
- b) **Monthly non-refundable fee for temporary bar license:** To be paid in advance for the whole period, not exceeding six months at a time, during which such temporary bar license is granted. [*This fee is applicable only for temporary licenses as mentioned above*]
- c) **Initial Grant Fee and Security Deposit:** To be paid at the time of grant of regular license. [*This fee is not applicable for grant of temporary licenses*]
- d) **Fee for grant of license for the next period of settlement:** To be paid at the time of grant of license for the next period of settlement, i.e., for the next financial year following the financial year in which the license was granted. [*This fee is applicable only for regular licenses. "Period of Settlement" means the period from the 1st day of April of a year to the 31st March of the following year or such shorter period within the said limits as the Collector may fix*]

## LICENSE CATEGORY WISE AND SITE LOCATION WISE EXISTING RATES OF FEES

### Restaurant-cum-Bar License:

Location of the Site	Non-refundable application fee	Monthly non-refundable fee for temporary bar license	Initial Grant Fee	Security Deposit (1/3 <sup>rd</sup> of Initial Grant Fee)	Fee for Grant of License for the Next period of settlement
Panchayat Area	Rs. 8,000/-	Rs. 5,000/-	Rs. 3,00,000/-	Rs. 1,00,000/-	Rs. 20,000/-
Municipal / Notified Area	Rs. 12,000/-	Rs. 10,000/-	Rs. 4,50,000/-	Rs. 1,50,000/-	Rs. 40,000/-
Municipal Corporation Area	Rs. 25,000/-	Rs. 20,000/-	Rs. 6,00,000/-	Rs. 2,00,000/-	Rs. 50,000/-

One or more additional bars (*in addition to the main bar for which fees are mentioned above*) may be granted by the Collector to the holder of a temporary or regular Restaurant-cum-Bar license at the existing site subject to the realization of the following fees for each such additional bar license:

Location of the Site	Non-refundable application fee	Monthly non-refundable fee for temporary bar license	Initial Grant Fee	Security Deposit (1/3 <sup>rd</sup> of Initial Grant Fee)	Fee for Grant of License for the Next period of settlement
Panchayat Area	Rs. 5,000/-	Rs. 3,000/-	Rs. 1,00,000/-	Rs. 33,334/-	Rs. 10,000/-
Municipal / Notified Area	Rs. 8,000/-	Rs. 8,000/-	Rs. 1,50,000/-	Rs. 50,000/-	Rs. 20,000/-
Municipal Corporation Area	Rs. 10,000/-	Rs. 15,000/-	Rs. 2,00,000/-	Rs. 66,667/-	Rs. 30,000/-

In case the application for additional bar(s) is made simultaneously at the time of applying for the main bar, the requisite non-refundable application fee for each such additional bar, as applied for, shall be paid at the time of making such application, in addition to the fee for main bar.

**🚩 Hotel-cum-Restaurant-cum-Bar License (below 3-Star category Hotel):**

Location of the Site	Non-refundable application fee	Monthly non-refundable fee for temporary bar license	Initial Grant Fee	Security Deposit (1/3 <sup>rd</sup> of Initial Grant Fee)	Fee for Grant of License for the Next period of settlement
Panchayat Area	Rs. 8,000/-	Rs. 5,000/-	Rs. 6,00,000/-	Rs. 2,00,000/-	Rs. 30,000/-
Municipal / Notified Area	Rs. 12,000/-	Rs. 10,000/-	Rs. 8,00,000/-	Rs. 2,66,667/-	Rs. 50,000/-
Municipal Corporation Area	Rs. 25,000/-	Rs. 20,000/-	Rs. 10,00,000/-	Rs. 3,33,334/-	Rs. 70,000/-

One or more additional bars (*in addition to the main bar for which fees are mentioned above*) may be granted by the Collector to the holder of a temporary or regular Hotel-cum-Restaurant-cum-Bar license (below 3-Star category Hotel) at the existing site subject to the realization of the following fees for each such additional bar license:

Location of the Site	Non-refundable application fee	Monthly non-refundable fee for temporary bar license	Initial Grant Fee	Security Deposit (1/3 <sup>rd</sup> of Initial Grant Fee)	Fee for Grant of License for the Next period of settlement
Panchayat Area	Rs. 5,000/-	Rs. 3,000/-	Rs. 1,50,000/-	Rs. 50,000/-	Rs. 15,000/-
Municipal / Notified Area	Rs. 8,000/-	Rs. 8,000/-	Rs. 2,50,000/-	Rs. 83,334/-	Rs. 30,000/-
Municipal Corporation Area	Rs. 10,000/-	Rs. 15,000/-	Rs. 3,50,000/-	Rs. 1,16,667/-	Rs. 40,000/-

In case the application for additional bar(s) is made simultaneously at the time of applying for the main bar, the requisite non-refundable application fee for each such additional bar, as applied for, shall be paid at the time of making such application, in addition to the fee for main bar.

**🚩 Hotel-cum-Restaurant-cum-Bar License (3-Star or 4-Star category Hotel):**

Location of the Site	Non-refundable application fee	Monthly non-refundable fee for temporary bar license	Initial Grant Fee	Security Deposit (1/3 <sup>rd</sup> of Initial Grant Fee)	Fee for Grant of License for the Next period of settlement
Panchayat Area	Rs. 8,000/-	Rs. 5,000/-	Rs. 12,50,000/-	Rs. 4,16,667/-	Rs. 50,000/-
Municipal / Notified Area	Rs. 12,000/-	Rs. 10,000/-	Rs. 15,00,000/-	Rs. 5,00,000/-	Rs. 80,000/-
Municipal Corporation Area	Rs. 25,000/-	Rs. 20,000/-	Rs. 18,00,000/-	Rs. 6,00,000/-	Rs. 1,00,000/-

One or more additional bars (*in addition to the main bar for which fees are mentioned above*) may be granted by the Collector to the holder of a temporary or regular Hotel-cum-Restaurant-cum-Bar license (3-Star or 4-Star category Hotel) at the existing site subject to the realization of the following fees for each such additional bar license:

Location of the Site	Non-refundable application fee	Monthly non-refundable fee for temporary bar license	Initial Grant Fee	Security Deposit (1/3 <sup>rd</sup> of Initial Grant Fee)	Fee for Grant of License for the Next period of settlement
Panchayat Area	Rs. 5,000/-	Rs. 3,000/-	Rs. 2,50,000/-	Rs. 83,334/-	Rs. 25,000/-
Municipal / Notified Area	Rs. 8,000/-	Rs. 8,000/-	Rs. 3,50,000/-	Rs. 1,16,667/-	Rs. 30,000/-
Municipal Corporation Area	Rs. 10,000/-	Rs. 15,000/-	Rs. 5,00,000/-	Rs. 1,66,667/-	Rs. 50,000/-

In case the application for additional bar(s) is made simultaneously at the time of applying for the main bar, the requisite non-refundable application fee for each such additional bar, as applied for, shall be paid at the time of making such application, in addition to the fee for main bar.

**🚩 Hotel-cum-Restaurant-cum-Bar License (5-Star or above category Hotel):**

Location of the Site	Non-refundable application fee	Monthly non-refundable fee for temporary bar license	Initial Grant Fee	Security Deposit (1/3 <sup>rd</sup> of Initial Grant Fee)	Fee for Grant of License for the Next period of settlement
Panchayat Area	Rs. 8,000/-	Rs. 5,000/-	Rs. 15,00,000/-	Rs. 5,00,000/-	Rs. 15,00,000/-
Municipal / Notified Area	Rs. 12,000/-	Rs. 10,000/-	Rs. 20,00,000/-	Rs. 6,66,667/-	Rs. 15,00,000/-
Municipal Corporation Area	Rs. 25,000/-	Rs. 20,000/-	Rs. 25,00,000/-	Rs. 8,33,334/-	Rs. 15,00,000/-

One or more additional bars (*in addition to the main bar for which fees are mentioned above*) may be granted by the Collector to the holder of a temporary or regular Hotel-cum-Restaurant-cum-Bar license (5-Star or above category Hotel) at the existing site subject to the realization of the following fees for each such additional bar license:

Location of the Site	Non-refundable application fee	Monthly non-refundable fee for temporary bar license	Initial Grant Fee	Security Deposit (1/3 <sup>rd</sup> of Initial Grant Fee)	Fee for Grant of License for the Next period of settlement
Panchayat Area	Rs. 5,000/-	Rs. 3,000/-	Rs. 5,00,000/-	Rs. 1,66,667/-	Rs. 2,50,000/-
Municipal / Notified Area	Rs. 8,000/-	Rs. 8,000/-	Rs. 7,00,000/-	Rs. 2,33,334/-	Rs. 2,50,000/-
Municipal Corporation Area	Rs. 10,000/-	Rs. 15,000/-	Rs. 8,50,000/-	Rs. 2,83,334/-	Rs. 2,50,000/-

In case the application for additional bar(s) is made simultaneously at the time of applying for the main bar, the requisite non-refundable application fee for each such additional bar, as applied for, shall be paid at the time of making such application, in addition to the fee for main bar.

**🚩 Hotel-cum-Bar License:**

Location of the Site	Non-refundable application fee	Monthly non-refundable fee for temporary bar license	Initial Grant Fee	Security Deposit (1/3 <sup>rd</sup> of Initial Grant Fee)	Fee for Grant of License for the Next period of settlement
Panchayat Area	Rs. 8,000/-	Rs. 5,000/-	Rs. 6,00,000/-	Rs. 2,00,000/-	Rs. 30,000/-
Municipal / Notified Area	Rs. 12,000/-	Rs. 10,000/-	Rs. 8,00,000/-	Rs. 2,66,667/-	Rs. 50,000/-
Municipal Corporation Area	Rs. 25,000/-	Rs. 20,000/-	Rs. 10,00,000/-	Rs. 3,33,334/-	Rs. 70,000/-

One or more additional bars (*in addition to the main bar for which fees are mentioned above*) may be granted by the Collector to the holder of a temporary or regular Hotel-cum-Bar license at the existing site subject to the realization of the following fees for each such additional bar license:

Location of the Site	Non-refundable application fee	Monthly non-refundable fee for temporary bar license	Initial Grant Fee	Security Deposit (1/3 <sup>rd</sup> of Initial Grant Fee)	Fee for Grant of License for the Next period of settlement
Panchayat Area	Rs. 5,000/-	Rs. 3,000/-	Rs. 1,50,000/-	Rs. 50,000/-	Rs. 15,000/-
Municipal / Notified Area	Rs. 8,000/-	Rs. 8,000/-	Rs. 2,50,000/-	Rs. 83,334/-	Rs. 30,000/-
Municipal Corporation Area	Rs. 10,000/-	Rs. 15,000/-	Rs. 3,50,000/-	Rs. 1,16,667/-	Rs. 40,000/-

In case the application for additional bar(s) is made simultaneously at the time of applying for the main bar, the requisite non-refundable application fee for each such additional bar, as applied for, shall be paid at the time of making such application, in addition to the fee for main bar.

**📌 Retail beer, wine and low alcoholic beverage (LAB) license for consumption off the premises from existing Departmental Stores:**

Location of the Site	Non-refundable application fee	Monthly non-refundable fee for temporary bar license	Initial Grant Fee	Security Deposit (1/3 <sup>rd</sup> of Initial Grant Fee)	Fee for Grant of License for the Next period of settlement
Panchayat Area	Rs. 8,000/-	N.A	Rs. 40,000/-	Rs. 13,334/-	Rs. 15,000/-
Municipal / Notified Area	Rs. 12,000/-	N.A	Rs. 60,000/-	Rs. 20,000/-	Rs. 30,000/-
Municipal Corporation of Siliguri, Kolkata and Howrah Area	Rs. 25,000/-	N.A	Rs. 1,50,000/-	Rs. 50,000/-	Rs. 60,000/-
Other Municipal Corporation Area	Rs. 25,000/-	N.A	Rs. 1,20,000/-	Rs. 40,000/-	Rs. 40,000/-

**📌 Retail foreign liquor license for consumption on the premises of any existing theatre, club, canteen (except canteen for Defence Personnel & BSF), Dak-bungalow, Railway refreshment room, dining car, steamer, customs airport or any place of public resort and entertainment and attached bar:**

Location of the Site	Non-refundable application fee	Monthly non-refundable fee for temporary bar license	Initial Grant Fee	Security Deposit (1/3 <sup>rd</sup> of Initial Grant Fee)	Fee for Grant of License for the Next period of settlement
Panchayat Area	Rs. 8,000/-	N.A	Rs. 3,00,000/-	Rs. 1,00,000/-	Rs. 20,000/-
Municipal / Notified Area	Rs. 12,000/-	N.A	Rs. 4,50,000/-	Rs. 1,50,000/-	Rs. 40,000/-
Municipal Corporation Area	Rs. 25,000/-	N.A	Rs. 6,00,000/-	Rs. 2,00,000/-	Rs. 50,000/-

One or more additional bars (*in addition to the main bar for which fees are mentioned above*) may be granted by the Collector to the holder of a Theatre, Club, Canteen etc. license as stated above at the existing site subject to the realization of the following fees for each such additional bar license:

Location of the Site	Non-refundable application fee	Monthly non-refundable fee for temporary bar license	Initial Grant Fee	Security Deposit (1/3 <sup>rd</sup> of Initial Grant Fee)	Fee for Grant of License for the Next period of settlement
Panchayat Area	Rs. 5,000/-	N.A	Rs. 1,00,000/-	Rs. 33,334/-	Rs. 10,000/-
Municipal / Notified Area	Rs. 8,000/-	N.A	Rs. 1,50,000/-	Rs. 50,000/-	Rs. 20,000/-
Municipal Corporation Area	Rs. 10,000/-	N.A	Rs. 2,00,000/-	Rs. 66,667/-	Rs. 30,000/-

In case the application for additional bar(s) is made simultaneously at the time of applying for the main bar, the requisite non-refundable application fee for each such additional bar, as applied for, shall be paid at the time of making such application, in addition to the fee for main bar.

**Payment for each category of fee should be made online and through separate e-Transactions using the GRIPS portal available at [www.wbexcise.gov.in](http://www.wbexcise.gov.in) or [www.wbfin.nic.in](http://www.wbfin.nic.in)**

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- ⊙ **I have read and understood the processes and procedures for grant of excise licenses at new sites as stated above and I am willing to proceed to make an application for a new license. My application shall be subject to the extant rules and provisions and in case of any change of the existing provisions during the pendency of my application the same shall be subject to such changes.**

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