

**URGENT  
ASSEMBLY MATTER**

**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI  
OFFICE OF THE COMMISSIONER OF EXCISE, ENTT. AND LUXURY  
TAX L & N BLOCK, VIKAS BHAWAN, I.P. ESTATE, NEW DELHI-110002**

F.No.Ex./IMFL/A.Q./2023/ 6767

Dated: 13/12/2023

To,

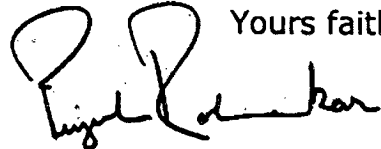
✓ Deputy Secretary (Question Branch)  
Delhi Vidhan Sabha Secretariat,  
Govt. of NCT of Delhi, Old Secretariat,  
Delhi-110054.

**Sub: Reply of Un-Starred Question No.66 for 15.12.2023, raised by  
Sh. Jitender Mahajan, Hon'ble Member.**

Sir,

Please find enclosed herewith reply of Un-Starred Question No.66  
raised by **Sh. Jitender Mahajan, Hon'ble Member** alongwith its  
enclosure for taking necessary action at your end.

Encl. As above (100 copies).

Yours faithfully,  
  
Assistant Commissioner (P.Q)

Copy to: Director DIP, Old Secy, Block-9, Delhi-54.

राष्ट्रीय राजधानी क्षेत्र दिल्ली  
आबकारी, मनोरंजन एवं विलासिता कर विभाग  
एल-ब्लॉक: विकास भवन: आई.पी.एस्टेट, नई दिल्ली-110002

अतारांकित प्रश्न संख्या:-66

दिनांक:- 15.12.2023

प्रश्नकर्ता का नाम: श्री जितेन्द्र महाजन

क्या माननीय वित्तमंत्री यह बताने की कृपा करेंगे कि:

प्रश्न	उत्तर															
क) किसी क्षेत्र में शराब की दुकान खोलने पर किन किन बिंदुओं का ध्यान रखा जाता है;	शराब की दुकान खोलने के लिए मानक संचालन प्रक्रिया की प्रतिलिपी अनुलग्नक (क) पर उपलब्ध है															
ख) किसी क्षेत्र में शराब की दुकान खोलने के लिये संबंधित आरडब्ल्यूए, मोहल्ला कमेटी, स्थानीय विधायक, स्थानीय निगम पार्षद की राय ली जाती है अथवा नहीं;	ऐसा कोई प्रावधान दिल्ली आबकारी अधिनियम, 2009 और उसके अंतर्गत निर्मित दिल्ली आबकारी नियम, 2010 में नहीं है।															
ग) क्या आबकारी विभाग द्वारा खोली गयी शराब की दुकान को मोहल्ला कमेटी, महिला संगठन, आरडब्ल्यूए एवं मार्केट एसोसिएशन के विरोध में प्रस्ताव पारित करके बंद करवाया जा सकता है;	ऐसा कोई प्रावधान दिल्ली आबकारी अधिनियम, 2009 और उसके अंतर्गत निर्मित दिल्ली आबकारी नियम, 2010 में नहीं है।															
घ) दिल्ली में वर्तमान में कुल सरकारी शराब की दुकानों की संख्या बताई जाये;	दिल्ली में वर्तमान में कुल सरकारी शराब की दुकानों की संख्या 734 है। <table><tr><th>क्रमसंख्या</th><th>प्रकार</th><th>संख्या</th></tr><tr><td>१</td><td>एल-६</td><td>६४०</td></tr><tr><td>२</td><td>एल-८</td><td>८३</td></tr><tr><td>३</td><td>एल-१०</td><td>११</td></tr><tr><td></td><td>कुल योग</td><td>७३४</td></tr></table>	क्रमसंख्या	प्रकार	संख्या	१	एल-६	६४०	२	एल-८	८३	३	एल-१०	११		कुल योग	७३४
क्रमसंख्या	प्रकार	संख्या														
१	एल-६	६४०														
२	एल-८	८३														
३	एल-१०	११														
	कुल योग	७३४														
ड.) आबकारी विभाग द्वारा दिल्ली में कितनी शराब की दुकानें खोलने का लक्ष्य है; और	01.09.2022 से उत्पाद शुल्क आधारित व्यवस्था में परिवर्तन के लिए गठित समिति की बैठक के कार्यवृत्त के अनुसार आबकारी विभाग का दिल्ली में न्यूनतम 700 IMFL शराब की दुकानें खोलने का लक्ष्य है। देशी शराब की दुकानें इस संख्या में सम्मिलित नहीं हैं।															
च) क्या मिक्स लैंड यूज की सड़क पर शराब की दुकान खोली जा सकती है अथवा नहीं?	दिल्ली विकास प्राधिकरण के पत्र संख्या दिनांक 16.11.2021 के तहत शराब की दुकानों को मिक्स लैंड यूज में नहीं खोलने का प्रावधान सूचित किया गया है। पत्र दिनांक 16.11.2021 की प्रति अनुलग्नक (ख) में संलग्न है।															

हस्ताक्षर  
**कृष्ण मोहन**  
(आबकारी आयुक्त)

727/21-00 7130-12 541C

**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI  
OFFICE OF THE COMMISSIONER OF EXCISE, ENT. & LUXURY TAX  
L- BLOCK, VIKAS BHAWAN, NEW DELHI**

**Standard operating procedure for inspection of Govt. retail vends**

1. The inspection team has to see whether the proposed premises is a pucca structure.
2. The inspection team will see whether the proposed vend is vacant or not. If not vacant, the nature of the present business being run from the said premises.
3. The inspection team will take measurement of the proposed premises to ascertain its compliance to requirement of minimum 300 sq. Ft. for a liquor vend. A rough sketch of the premises be prepared.
4. The inspection team has to ascertain with regard to compliance of the proposed premises with Rule 51(1) of the Delhi Excise Rules, 2010, which is reproduced as under:

*"Conditions dealing with licensed premises.- (1) No retail vend of Indian Liquor, Foreign Liquor or Country Liquor shall be located within one hundred meters from the following, namely:-*

*(a) major educational institutions;*

*(b) religious places.;*

*(c) hospitals with fifty beds and above:*

*Provided that the condition mentioned in clause (c) above shall not apply for retail vend of liquor for consumption "on" the premises:*

*Provided further that the condition of hundred meters shall apply for the licences granted after the commencement of these rules.*

*Provided also that if any major educational institution, religious place or hospital with fifty beds or above comes in to existence subsequent to the establishment of the retail vend of Indian Liquor, Foreign Liquor or Country Liquor, the aforesaid distance restrictions shall not apply.*

*Explanation I- For the purpose of clause (a) above major educational institutions would mean middle and higher secondary schools, colleges and other institutions of higher learning recognized by the Government.*

*Explanation II - For the purpose of clause (b) above, a religious place would imply a religious place having a pucca structure with a covered area of more than 400 square feet.*

*Explanation III - The measurement of distance shall be the shortest traversable distance, from the mid point of the actual main entrance/door of the premises proposed for licence to mid point of the actual main door/entrance of the building of the places mentioned in clauses (a) (b) and (c) above."*

5. The inspection team has to ascertain whether the proposed premises is situated in a Local Shopping Centre(LSC)/ commercial premises.
6. The inspection team has to report about the nearest residential colonies in and around the proposed liquor vend with distance.

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7. The inspection team is required to report number of liquor vends in and around the proposed premises with distance.
8. Recommendations of the inspection team about suitability of the premises.
9. The inspection teams are required to submit their complete inspection reports in the enclosed proforma on the same day to the Excise Commissioner.

Note:-

- c) The SOP for inspection teams w.e.f. 01/09/2022 shall be issued subsequently.
- d) The inspection team shall report to the committee constituted for the purpose of seem-less transition to the previous Excise Duty regime vide Finance Department order dated 01/08/2022.

Signature of Inspection team

- 1.
- 2.
- 3.
- 4.



714/C  
427 212021/6803/MPD-29

दिल्ली विकास प्राधिकरण  
मुख्य योजना विभाग  
करी मंत्रालय, विकास विभाग  
आई. पी. इस्टेट, नई दिल्ली-110002  
फोन नं 011-23370507

इ-फाइल संख्या

PLG/MP/0111/2021/F-3/-O/o  
DY DIRECTOR (PLG)MP AND DC / 11

दिनांक 16.11.2021

कंप्यूटर संख्या:

21886

To,

Joint Director  
Finance Deptt., State Resource Division, GNCTD  
4<sup>th</sup> Level, A-Wing, Delhi Secretariat  
I.P. Estate, New Delhi 110002

Sub.: Draft Cabinet Note on 'Land Use categories for opening of L-7V vends in Non-conforming areas'

Ref.: (i) U.O. No. 10/34/2021-22/SRD/Fin/2687 dated 14.10.2021  
(ii) F.No. 10/34/2021-22/SRD/Fin/2765 dated 29.10.2021

Sir,

This is in reference to the subject and reference cited above which is regarding land use categories for opening of L-7V vends in Non-conforming areas.

In this regard, the matter has been examined w.r.t. MPD-2021 provisions and the following is submitted:

1. The Cabinet Note in Para 3.3, have considered the following land uses as conforming areas as per the provisions of MPD-2021:
  - i. Local Shopping Centers
  - ii. Community Shopping Centers
  - iii. Notified Commercial Areas
  - iv. Industrial Area (as per footnote (vi) of Table 7.3 of MPD-2021)
2. Further, in Para 4.2 of the Cabinet Note, the following land uses have been identified as non-conforming land uses:
  - i. Residential land (Unauthorized colony, Regularized Unauthorized colony, Lal Dora land)
  - ii. Mixed Land use
  - iii. Agriculture and
  - iv. Industrial Area (not covered under footnote (vi) of Table 7.3 of MPD-2021)
3. With respect to the permissibility of liquor shops in the above land uses, the following is submitted:
  - a. The provisions related to carrying out a commercial activity in a respective premise are given in MPD-2021. Since activity of setting up a liquor shop is commercial in nature, so the relevant provisions as stated above shall apply.

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26/11/2021  
AD(SA)

- b. W.r.t. Mixed Land use, in para 15.6.2 of chapter 15.0 Mixed Use Regulations, it is mentioned that activity namely 'Liquor Shops' shall not be allowed under mixed use.

Under para 15.5, it is also stipulated that 'any trade or activity involving any kind of obnoxious, hazardous, inflammable, non-compatible and polluting substance or process shall not be permitted'.

- c. W.r.t. permitting liquor shops in the Agriculture land:

- i. Private Land Policy and Land Pooling Policy are in force for the development of privately owned land and Land Pooling areas.
- ii. Draft 'Green Development Area' Policy is also under process for development of Green Belt villages and Low Density Residential Area (LDRA) villages. Public Notice for the same was issued vide S.O. No. 883 (E) dated 24.02.2021.
- iii. Local Shopping Center is second in the hierarchy of Five-tier System of Commercial Areas proposed for a population of 10000.

4. Liquor shops should be encouraged to come up in a planned manner in the commercial areas i.e. LSC/CSC wherein liquor shops is a permitted activity.

5. In view of the above, liquor shops should not be permitted in non-conforming land uses. Permitting liquor shops in non-conforming areas may set a precedence for other such related activities/facilities seeking to be located along with liquor shops which shall be against the spirit of the Master Plan.

This issues with the approval of the competent authority.

भवदीय

शिखा भार्गव

16/11/2021

(शिखा भार्गव)

उप निदेशक (पो.) मुख्य योजना एवं विकास नियंत्रण

Copy to:

Addl. Chief Architect, VC Office, B-Block, Vikas Sadan, INA, New Delhi - 110023