

From

Excise and Taxation Commissioner,
Haryana, Panchkula.

To

All the Dy. Excise and Taxation Commissioners (Excise),
in the State.

Memo No. 7637X-III
Panchkula, dated 23.12.2016

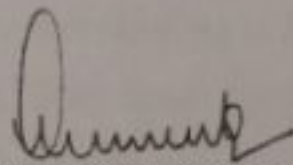
Subject:- Clarification allowing the restaurants to operate business premises in enclosed spaces open to air.

Memo

I have been directed to refer to the subject cited above and to state that L-4/L-5 licensee shall be allowed to serve liquor in the open space subject to the following restrictions/ conditions:-

- i) The open space should not be such as is open to passersby which means that it should be surrounded by a fourwall with a provision for regulated entry/exit. The open space should not have a direct access/opening to the main road.
- ii) If the open space happens to be a rooftop/terrace/balcony, it should be so surrounded by a wall/strong immovable fencing of a minimum height of 06 feet so that a person, whether under the influence of liquor or otherwise, may not fall down accidentally or by mischief.
- iii) The act of drinking in the open space, by the persons sitting therein, should not be visible to the passersby as to create a bad feeling. In addition, if the open space is visible from other nearby high places, whether within the same building or in the surroundings, the additional measures will be taken to obstruct the visibility from such high places. The licensee shall ensure that the persons using the open space do not indulge in any activity such as throwing articles outside which may be a cause of disturbance to the outsider/passersby.
- iv) No music or performance shall be allowed in the open space. No person less than the age of 25 years shall be allowed to enter in such open space.

- v) The open space shall not be allowed at such places which are located in residential area.
- vi) No open space shall be allowed in the vicinity of a waterpool of more than 02 feet depth if happens to be within the same surrounded premises.
- vii) No L-4/L-5 licensee shall be allowed more than one open space as an additional point.
- viii) The provision for open space shall not violate and be subject to the other laws/Rules applicable in the State.
- ix) The open space shall be treated as an additional point and be allowed on payment of a fee of 10% of the licence fee.
- x) While recommending case for granting additional point in an open space the map of the open space shall be personally certified by the Deputy Excise and Taxation Commissioner of the district concerned.



Addl. Excise and Taxation Commissioner (HQ),
for Excise and Taxation Commissioner, Haryana.

Endst. No. /X-III, Panchkula dated the

A copy is forwarded to the following for information please:-

1. Additional Chief Secretary to Govt. of Haryana, Excise and Taxation Department.
2. Excise and Taxation Commissioner, Haryana

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Addl. Excise and Taxation Commissioner (HQ),
for Excise and Taxation Commissioner, Haryana.