TAMIL NADU MASS WINE RULES , 1984

S.R.O. A-76(a)/s1984 dated 20th March 1984

In exercise of the powers conferred by section 54 of the Tamil **Nadu** prohibition Act, 1937 (Tamil Nadu Act X of 1937), the Governor of Tamil Nadu hereby makes the following rules for the manufacture, issue of licence and transport of Mass **Wine** in the State of Tamil Nadu:-

RULES

1. **Short title.**----These **r**ules may be called the Tamil Nadu Mass Wine Rules, 1984.
2. **Definition.** – In these rules, unless the context otherwise requires-
   (a) **"Act"** means the Tamil Nadu Prohibition Act, 1937 (Tamil **Nadu** Act X of 1937);
   (b) 1**[*****]** (Omitted)
   (c) **"Form"** means a form appended to these rules;
   (d) **"Government"** means the State Government;
   (e) **"Licence"** means the licence for privilege granted under section 17-B read with section 17-**C** of the Act for the manufacture of Mass Wine and the word "licenced" or "Licensee" shall be construed accordingly:
   (f) **"Manufactory"** means the room or building specified in the licence for the manufacture of Mass Wine;
   (g) **"Mass Wine"** means wine required for offering the Holy Sacrifice of Mass in a Christian Church in the State and prepared from fresh grapes according to these rules;
   (h) **"Must"** means the pressed juice of fresh grapes.
   *(hh) **"Priest"** means a Priest of Roman Catholic Church or other the Archbishop, the prior General, Major Superior, Prior, Rector of Religious Institute, duly appointed and authorized Churches, consecrated as Governor of a Diocese and includes ecclesiastical dignitaries and missionaries in-charge of Congregation;
   (i) **"State"** means the State of Tamil Nadu.
3. **Licence for manufacture of mass wine** – Mass Wine shall be manufactured only under a licence issued in form No.MW.6
4. **Application for grant of licence.-**

(1) Any person desirous of getting a licence to manufacture Mass Wine, shall **[make an application in Form No.M.W.8] to the Commissioner.

* Inserted by G.O.Ms.No.1317, P&E (III), dated 17.10.1986

** Substituted by *ibid*

(2) Every application shall be affixed with the court-fee label to the value of rupees two and accompanied by *[treasury receipts in fee of rupees twenty thousand for the grant of privilege of manufacturing Mass Wine and licence fee of rupees hundred] together with

*Substituted by LI G.O.Ms.No.1, P&E (III), dated 04.01.2017

proof of the payment of application fee of rupees two hundred, a

(a) the full description and plan, both in triplicate, of the room or building in which Mass Wine is proposed to be manufactured with details like district, taluk, village, door number and other particulars, if any, and also boundaries on all the four sides of the manufactory**;**

(b) a statement, in triplicate, specifying the number, size and description of the fermenting, filtering or settling vessels and other permanent apparatus which are proposed to be used in the manufacture of Mass Wine; and

(c) a statement , in triplicate, showing the maximum quantity of Mass Wine proposed to be manufactured at the manufactory for the year with the number and names of the dioceses and churches which will be served by the manufactory and the number of priests in each diocese.

5. Grant of privilege and issue of licence

(1) The Commissioner may, after making such enquiries as he deems necessary, in regard to the particulars furnished in the application received, grant the privilege of manufacture of Mass Wine and approve with or without modification the plan of the building and the statements or reject any such application. Upon the grant of privilege the Commissioner shall issued a licence in

Form No.MW6.

(2) Every such licence issued by the Commissioner shall be in the name of the applicant and shall be valid for the period ending wih the 31st March succeeding or for such shorter period as the commissioner may decide. The licence shall not be transferable:

Provided that where the licensee dies or otherwise is incapacitated, the person succeeding to the possession of the manufactory, may use the licence as if it had been granted to himself:

Provided further that no licence shall be used after the date of expiry of its validity without renewal.

6. Renewal of Licence:-

(1) A licence may, on application to the Commissioner, be renewed by him for a period of one year at a time or for such other period as the Commissioner may direct;

(2) Every application for the renewal of a licence shall be made to the Commissioner through the Assistant Commissioner of the area in which the manufactory is located, atleast thirty days before the date of the validity thereof:

Provided that the Commissioner may entertain an application for renewal of the licence after the last date specified above but before the expiry of the licence if he is satisfied that the licensee had sufficient cause for not filing the application in time;

(3) Every application for renewal shall be made and disposed of, as if it were an application for the grant of licence;

(4) The Commissioner may refuse to renew the licence if he is satisfied that the licensee has violated or failed to comply with any of the provisions of the Act, the **r**ules made there under or the terms and conditions of the licence:

Provided that the Commissioner shall not pass any order refusing the renewal of licence unless the licensee has been given a reasonable opportunity of being heard.

7. Payment of additional fee or belated application.- where an application for the renewal of licence has been made after the last date specified in sub-rule (2) of rule 6 but before the expiry of the licence and admitted by the Commissioner under the proviso to sub-rule (2) of rule 6, the licensee shall pay an additional fee of twenty five per cent of the licence fee payable under sub-rule (2) of rule 4 and the treasury receipt in proof of the payment of the said additional fee shall be enclosed to the application for renewal .

*[8] Building used for manufactory to conform to specifications.-**

(1) The building used for the manufactory shall be constructed with

* Substituted by G.O.Ms.No.1317, P&E (III), dated 17.10.1986

brick or stone and the roof shall be of reinforced cement concrete or Madras terrace or shall be of non-inflammable material.

(2) All the windows, ventilators and skylights in the building shall be fitted with rods spaced not more than 10 centimetres apart, center to center.

(3) All the doors fitted to the building shall open outwards

(4) There shall be no thatched building within the manufactory premises.

(5) All the openings in the external walls intended for the efflux of waste water shall be covered grills affixed to the wall]

****[8-A] Alterations etc of manufactory.-**

(1) The sanction of the Commissioner shall be obtained for any

used for the manufacture of Mass Wine and the licensee shall send to the Commissioner such plans, description or other information as may be required by him in respect of such

** Inserted by G.O.Ms.No.1317, P&E (III), dated 17.10.1986

alteration in the manufactory or in the plant, as the case may be

alteration;

(2) Every application for the sanction to make alterations in the manufactory or in the plant, as the case may be, shall be sent to the Commissioner through Assistant Commissioner of the area in which the manufactory is located.

9. Manufacture of Mass Wine.-

(1) Mass Wine shall be manufactured only in the manufactory specified in the licence. Grapes shall be used as base and no sugar or other substance of any fermenting agent shall be added either before, or at the time of or after fermentation. The process of manufacture shall be on the lines described in the Annexure to these rules.

(2) The licence shall be exhibited in a conspicuous place in the manufactory.

(3) The manufactory shall be kept closed under lock and key of the licensee or his accredited agent, when it is not in use.

(4) A Priest nominated by the licensee shall be put in charge of the operation for the manufacture of Mass Wine. The name and address of the Priest so nominated shall be intimated to the Commissioner by the licensee immediately on receipt of the

licence. Whenever there is a change in the Priest, so nominated it shall be intimated to the Commissioner.

(5) Whenever manufacture of Mass Wine is about to take place, the licensee shall arrange to send intimation in

Form No. MW.1 to the Commissioner and also to the Assistant Commissioner and the Taluk Excise Officer concerned.

Form No.M.W.2 shall be sent to the Commissioner and also to the Assistant Commissioner and the Taluk Excise Officer concerned. The Excise duty and the vend fee according to the rates prescribed in Rule 11 shall also be remitted to a state Treasury within 24 hours after the quantity of Mass Wine reported to have been manufactured and the challans forwarded to the Commissioner then and there.

Form No. M.W.3 of the bases used, „Must" set up and the out-turn. He shall also keep an accurate account in Form No.M.W.4 of the quantity of Mass Wine issued to the various churches.

(8) The accounts kept by the licensee shall be open for inspection at all reasonable hours by the officers not below the rank of a Taluk Excise Officer.

(9) An Inspection not book in Form No.**M**.W.5 shall be kept in the manufactory.

10. Transport of Mass Wine.- The Mass Wine shall not be transported except under a permit issued by the licensee in

Form No.M.W.7. The transport permit shall be made out in triplicate, one copy, namely counterfoil being retained at the manufactory and the two foils forwarded to the Priest of the receiving Church along with the consignment. The Priest shall keep one copy for his file and return the other copy with his acknowledgement to the licensee for filing with the counterfoil at the manufactory.

11.Excise duty and vend fee.-

Mass Wine shall be charged an Excise Duty of rupees two and vend fee of fifty paise per bulk litre manufactured and taken into stock.

12. Security deposit.-

(1) Every licensee shall deposit a sum not exceeding two thousand rupees as may be fixed by the Commissioner by way of security for due observance of the terms and conditions of the licence.

(2) Every licensee shall execute an agreement binding himself, his successor in-office legal representatives and assigns to observe all the conditions of licence and to pay to the Government the entire amount of **e**xcise **d**uty and vend fee leviable on the quantity of Mass Wine removed from the manufactory and hypothecating the land, buildings and apparatus herein as security for payment of all sums which may become due to the Government. The licensee may deposit in cash or Government securities endorsed in favour of the Commissioner or any officer authorized by him in this behalf for such values as the Commissioner may direct in lieu of executing the hypothecation deed.

13. Imposition of fine or cancellation of licence not a bar to prosecution.- Forfeiture of security deposit or cancellation of the licence shall not relieve the licensee from liability of being prosecuted for any specific offence committed by him against the Act.

14. Suspension or cancellation of licnece.-

(1) The Commissioner may, without prejudice to any other proceedings which may be taken against the licensee, by an order in writing suspend or cancel the licence or forfeit the security deposit made under these **r**ules if the licensee or any person in his employment contravenes any of the provisions of the Act or the rules made thereunder or the conditions of the licence;

Provided that before proceeding under this rule the Commissioner shall give the licensee a notice in writing stating the grounds on which it is proposed to take action against it within such time, not ordinarily exceeding 14 days, as may be specified in the notice.

(2) The licensee shall not be entitled to claim any compensation on account of suspension or cancellation or non-renewal of the licence.

15. Licensee to inform Excise Officer of certain matters.-

Every licensee shall report to the Excise Officer all instances which come to his knowledge that any person empowered by him

in the transport, storage and sale of Mass Wine has committed any breach of any of the provisions of the Act or rules made thereunder or the conditions of licence.

16. Licensee to abide by orders of Commissioner, etc.- The licensee shall be bound by all additional general **r**ules relating to the manufacture of Mass Wine which may hereinafter by made and by all special orders issued by the Commissioner, from time to time, and he shall cause all persons

employed by him in the transport and issued of Mass Wine to obey all such rules and orders.

17. Commissioner may direct stoppage of work:- Where the Commissioner is not satisfied with the maintenance of the building, plant, or any other applications or vessels he may require the licensee to stop working of the manufactured within three days form the date of communication of the notice to that effect.

18. Certain provisions of Act to apply to breach of rules:- The provisions of Sections 13 and 14 and Chapter V of the Act shall apply mutatis mutandis to a breach of all or any of these Rules.

19. Power to exempt.- The Government may, by notification and subject to such condition as may be prescribed, exempt any person or class of persons from the operation of any of the provisions of these Rules.

Form No. M.W.1

[See rule 9(5)]

(To be printed in quadruplicate on copy to be retained as office copy, second copy to be sent to the Taluk Excise Officer, the third copy to the Assistant Commissioner and the fourth copy to the Commissioner.)

Intimation of Manufacture

To

The.....

Sir.

I have the honour to inform your that about bulk litres of “must” (fresh pressed juice of graphs) is going to be set up in the manufactory at (time) on (date). The fermentation is expected to be completed and the Mass Wine bottled for distribution on

Licensee.

Form No. M.W.2

[See rule 9(6)]

(To be printed in quadruplicate)

Return of Mass Wine Manufactured

To

The.....

Sir.

Reference- My intimation in Form No.M.W.1, dated

I have the honour to inform you that today, ……..

bulk litres of Mass Wine have been secured by fermentation of the ……. bulk liters of " must" set up on..... A sum of Rs..... being the Excise duty and Vend Fee on the Mass Wine at Rs..... and Rs.....respectively, per bulk liters has been remitted to the…… Treasury and the challan has been forwarded to the Commissioner on……...

Licensee

FORM NO.M.W.3.

[See rule 9(7)]

Register of manufacturing operations in the manufactory attached to the.....

Name of Priest incharge .....from..... to.....

Date of supply of grape	Source of supply	Invoice or way bill Number and Date	Quantity received (in litres)	Serial Number of issue for manufacture of Mass Wine	Date of Issue
(1)	(2)	(3)	(4)	(5)	(6)

Quantity issued (In litres)	Quantity of water added (in litres)	Date when wine is drawn off after filtration	Date when wine is put into the settling cask	Date of bottling the wine	Total quantity of Mass Wine manufactured (in bulk litres to be measured before bottling.
(7)	(8)	(9)	(10)	(11)	(12)

Number of bottles **filled** to capacity (here enter the bottle) with the quantity in the last bottle if only partially filled	Quantity of Wine in the bottles (in bulk litres)	Wastage in bottling (column (12) minus column (14) (in bulk litres)	Remarks with intials of the priest in-charge.
(13)	(14)	(15)	(16)

Explanation:-

1. The Mass Wine should be drawn off completely from the fermenting, filtering and settling vessels.
2. The Mass Wine so manufactured from one set up should be bottled in one operation.
3. The bottles should be invariably of uniform capacity and filled to the marked capacity and sealed. This capacity multiplied by the number of bottles shown in column (13) with any quantity partially filled in the last bottle would give the quantity to be shown in column (14)
4. The total of columns (4), (7), (8), (12) and (14) should be struck every month with progressive totals at the end of each month till the end of the year ending with the last day of March.

FORM NO.M.W.4

[See rule 9 (7)]

Stock and issue register of Mass Wine manufactory attached to.....

Name of Priest incharge..... From..... to .....

Date	Opening balance	Quantity manufactured brought forward from column (14) of Form No.M.W.3	Total Quantity [Column (2) + (3)]	Name of the Church to which Mass Wine is issued
(1)	(2)	(3)	(4)	(5)

Quantity issued to each church	Total issues for the day	Balance i.e.stock on hand [colmn (4) minus column (7)]	Remarks with initials of priest in-charge
(6)	(7)	(8)	(9)

Explanation:-

1. The totals of columns (3), (6) and (7) should be struck every month with progressive totals at the end of each month till end of the year ending with the last day of March.
2. The balance on the last day of March if any, i.e. column (8) should be carried over to column (2) of the register for the next year and entered in red ink.
3. If the entries in the registers M.W.3 and M.W.4 are correct the following equation will hold good with reference to the yearly figures:-
   Column (14) of M.W.3 = column (3) of M.W.4

Register M.W.4

Column (6) = column (7) = column (3) plus red ink entry in column (2) if any, minus column (7) = column (8) i.e., red ink entry for the next year.

FORM NO.M.W.5

[See rule 9(9)]

FIRST PAGE

Inspection Note Book of Mass Wine Manufactory attached to…….

Name of the Bishop licensed:
Door No. and street:
Village:
Taluk:
District:

Explanation: This book is the property of the Government and must be returned to the Taluk Excise Officer on the expiry of the period of licence.

SECOND PAGE

Year: Annual out term of Mass Wine

THIRD AND SUBSEQUENT PAGE

Monthly out turn

(To be maintained for 10 years)

(Quantity in bulk litres)

Month	20----- In **the** month	up to month	20------ In **the** month	Up to month
April May June July August September October November December January February March				

SUBSEQUENT PAGES

Monthly issue

(To be maintained for 10 years)

(Quantity in bulk litres)

Month	20------ In a month	up to month	20------ In a month	Up to month

April May June July August September October November December January February March				

SUBSEQUENT PAGES

Inspection remarks……..

FORM NO M.W.6

[See rule 3 and 5]

LICENCE FOR MANUFACTURE OF MASS WINE

WHEREAS Thiru..... has applied for a licence to manufacture of Mass Wine and to issue it to the Priests in the Dioceses and Churches mentioned in Schedule-B attached hereunto for offering the holy service of mass;

AND WHEREAS the Commissioner of Prohibition and Excise, Tamil Nadu, is satisfied that the appellant may be granted such licence;

Now, therefore, the Commissioner of Prohibition and Excise, Tamil **Nadu,** hereby licensees the aforesaid Thiru..... to manufacture Mass Wine in his manufactory at ..... mentioned in schedule-A and to issue it to the Priests in the Dioceses and Churches mentioned in Schedule –B attached hereunto from the.....day of 20..... to the last day of March 20..... subject to the following conditions to be observed by the said licensee, namely;

1. All provisions contained in the Tamil Nadu Mass Wine Rules, 1984 as amended from time to time, shall be applicable to this lincence
2. Such departmental orders concerning Mass Wine manufactories as may be issued by the Commissioner of Prohibition and Excise, from time to time shall be complied with.
3. An intimation in Form No.M.W.1 shall be sent to the Commissioner of Prohibition and Excise, the Assistant Commissioner of Excise and the Taluk Excise officer concerned whenever manufacture is going to take place.

Form No.M.W.2 shall be sent to the Commissioner of Prohibition and Excise, the Assistant Commissioner of Excise and the Taluk Excise officer concerned.

5. Excise **d**uty and **V**end fee at the prescribed rates on the quantity shown in the return shall be remitted to a State Treasury within 24 hours and the challan forwarded to the Commissioner of Prohibition and Excise then and there.
6. Accurate accounts in Form M.W.3 and M.W.4 shall be regularly maintained. A note book of inspection in Form No.M.W.5 shall also be provided in the manufactory.

7. The Mass Wine shall not be transported except under a permit issued by the licensee under a transport permit in

Form No.M.W.7.

8. The accounts of the manufactory shall be open to inspection at all reasonable hours by the officers of the Government not below the rank of a Taluk Excise officer.
9. Infraction of any of the conditions of this licence either by the licensee or any person in employment will result in the cancellation of this licence or in the prosecution of the offender or in both.

SCHEDULE-A

Showing location and boundaries of the manufactory

District, Taluk, Village, Street, Door No or other particulars in full	Bounded on the				
	North by	East by	South by	West by	Remarks
(1)	(2)	(3)	(4)	(5)	(6)

SCHEDULE-B

Diocese and Church (Area of supply)	Number of Priests in Diocese	Minimum quantity of Mass Wine required for the diocese per year
(1)	(2)	(3)
1. 2. 3. 4.		
Total		

Dated this the ..... day of..... 20.....

Commissioner of Prohibition and Excise

FORM NO.M.W.7

[See rule 10]

(Triplicate)

Permit for the transport of Mass Wine manufactured in the

Manufactory attached to …….Church

I, Bishop of ……..by virtue of the powers conferred by rule 10 of the Tamil Nadu Mass Wine Rules, 1984 hereby permit the person named below to transport Mass Wine from the above manufactory to ……Church according to the particulars and directions given below.

1. Name of transporter :
2. Address of transporter :
3. Quantity:
4. Route:
5. To:
6. Period of currency of permit:
7. Signature of the transporter:

Licensee

Acknowledgement of the Priest in charge of the receiving Church in token of receipt of quantity" mentioned at item 3.-

* **[FORM NO.M.W.8**

[See rule-4 (1)]

Application for licence to manufacture Mass Wine

* Added vide by G.O.Ms.No.1317, P&E (III), dated 17.10.1986

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To

The Commissioner of Prohibition and
Excise, Chepauk, Chennai-600 005.

Sir,

I/We, am/ are desirous of establishing a manufacturing unit to manufacture mass wine at …….. ……village……taluk ……..district, I/We submit h g of the

manufacturing unit as required in rule 4(2) of the Tamil Nadu Mass Wine Rules, 1984. I request that the Commissioner of Prohibition and Excise may be pleased to accord his approval for the same. I/We herewith furnish the following details:

1. (a) Name and address of the applicant
   (b) Name and address of the undertaking
2. Location
3. Plant and machinery (Furnish details)
4. Raw materials required for production (furnish details)
5. Water and power requirement-
   (a) Particulars of requirement
   (b) Whether necessary permission has been secured:
6. Process:-
   (a) Brief process of manufacture:
   (b) Standard and quality of mass wine proposed to be manufactured
7. Technical assistance:-

Whether any foreign collaboration or know-how is envisaged and if so, the foreign exchange involved:

8. Employment potential:-
   (a) Supervisor:
   (b) Skilled:
   (c) Unskilled:
9. (a) Any special facilities required from Government;
   (b) Special features, if any, of the Scheme:
10. (a) Challan No. and date in support of payment of the prescribed fees.
    (b) Whether the challans in original enclosed.

Place:

Date:

Signature of the Applicant.

ANNEXURE

[See Rule 9 (1)]

Method of manufacturing Mass Wine from fresh grapes

1. Crush the selected fruits; leave the whole lump in the cast for natural fermentation.

2. When fermentation starts, punch down the CAP twice a day.

3. On the fourth day strain the mixture and press the pulp to extract the JUICE from it. Prepare the MUST according to the Church directive.

4. Pour the MUST in the fermenting cask. The cask should be lightly fumigated with sulphur before using it.

5. After thirteen days, rack the fermented JUICE and leave it in another fumigated cask for “Male Lactic fermentation”.

6. About a month after this operation, separate the wine from the less. Leave the wine in a container, the container should be completely dried up and strongly fumigated.

7. Preserve the wine with “Metabisulphite” or “Calcium Sulphite”. Leave to clear by itself.

8. After some days, conduct the “AIR TEST” and do the needful.

9. Filter the wine in a dried and fumigated vessel and leave for maturity. 10. Bottle the wine and keep in a cool but not a damp place.

TAMIL NADU MASS WINE RULES, 1984

Updated _Dec-2018