

4098/CB  
30/05/2024

**DEPARTMENT OF EXCISE ENTERTAINMENT AND LUXURY TAX**  
**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI**  
**L & N BLCOK, VIKAS BHAWAN, I.P. ESTATE, NEW DELHI-110002**

F.No.Exc-hcr (176215)/49/2023-HCR/ 3385-93

Dated : 30/05/24

**CIRCULAR**

Rule 51(10)(h) of Delhi Excise Rules, 2010, provides for requirement of NOC from the fire department for retail license for consumption on the premises. However, since the fire department is presently granting NOC only to restaurants/eateries having area 90 Sq. mtrs. and above. The Excise department is mandatorily seeking an affidavit regarding compliance of Fire safety measures from the restaurant/ eateries having area less than 90 sq. mtrs.

At present, Delhi is facing severe heat waves due to which several case of fire incidents have been occurred and accordingly the issue of fire NOC for restaurants and eateries has been reviewed. Delhi Fire Service Department vide its letter No. F6/DFS/MS/2019/1955 dated 09.04.2019 had clarified that "the restaurant cases having 90 sq. mtrs. or more area are covered under Rule 27 of DFS rules and required to be forwarded to this department alongwith sanctioned plans having details of area, height means of escape, fire safety arrangements, date of start of occupancy etc. through local authority i.e. MCD, NDMC, DDA etc".

Accordingly, all the existing licensees having gross floor area 90 sq. mtrs and above are directed to renew their Fire NOC before its expiry and take all safety measures in accordance with Fire Safety norms. Further the restaurants/eateries having area less than 90 Sq. mtrs are hereby directed to take all precautions and adequate safety measures to prevent any mishappening / fire incidence failing which action as deemed fit under the Delhi Excise Act, 2009 and Rules 2010 shall be taken, including suspension/cancellation of the license.

  
30/05/2024  
Deputy Commissioner (Excise)

To,  
All the licensee of Hotel/club/restaurants

Copy to:

1. The Commissioner, MCD Delhi
2. The Secretary, NDMC, Palika Kendra, Parliament Street, New Delhi-110001.
3. Director, Delhi Fire Service, Connaught Place, New Delhi-110001.
4. Jt. Commissioner of Police (Licensing), First Floor of Police Station, Defence Colony, Near Moolchand Hospital, New Delhi-110049.
5. Jt Director (IT) Excise Department with the direction to upload the circular on official website of the Excise department.
6. Asst. Commissioner (HCR), Excise Department.
7. Asstt. Commissioner (ESCIMS) with the request to direct the concerned officials to flash this circular on, ESCIMS of all the licensees and also inform them through pop ups.
8. PS to Commissioner, Excise Department, Delhi.
9. Notice Board Deptt. of Excise, Entt. and Luxury Taxes.

  
30/05/2024  
Deputy Commissioner (Excise)