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India’s Supreme Court declines to rule on wine in tetra packs

Court says the record does not show Uttar Pradesh’s excise policy clearly allows the packaging format

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India’s Supreme Court on Thursday declined to rule on a public interest petition challenging Uttar Pradesh’s excise policy over the alleged sale of wine in tetra packs, but it left the petitioner free to take the issue to the state authority first.

A bench led by Chief Justice Surya Kant, with Justices Joymalya Bagchi and Vipul Pancholi, said there was no material before the court showing that the excise policy expressly allowed wine to be sold in tetra packs. On that basis, the court disposed of the petition rather than examining the policy in detail.

The case had drawn attention because it touched a sensitive question for India’s alcohol market: whether packaged wine can be sold in a format more commonly associated with juice, milk and other low-cost beverages. For producers and distributors, the answer matters because packaging rules can affect pricing, shelf life, transport and access to retail channels. For regulators, it raises questions about labeling, consumer protection and enforcement.

The petition had argued that Uttar Pradesh’s excise framework permitted such sales and that the policy should be reviewed. But the court said the record did not establish any clear authorization. Instead of issuing a broader ruling, it allowed the petitioner to raise concerns before the relevant authority in Uttar Pradesh.

The decision leaves the immediate legal challenge unresolved at the state level and keeps open the possibility that officials may still have to clarify whether tetra packs are permitted for wine sales under current excise rules. That uncertainty is likely to matter for wineries and alcohol retailers watching how Indian states regulate lower-cost packaging formats in a market where distribution rules vary widely from one jurisdiction to another.