

FORM C. L. 5-A

License for the retail sale for consumption "on" and "off" the premises of country spirit in sealed bottles under the contract supply system in districts under the auction system.

Register No.-----
 Locality -----
 Name of License-holder-----
 Name of salesman-----
 Exact description of the licensed premises (with boundaries)-----

License for the retail sale of country spirit in pilfer proof sealed standard quart, pint and half- pint. Bottles only at the fixed strength of 25% v/v, 20% v/v is hereby granted to ----- at ----- in the district of----- from April 1, 19---- ,to March 31, 19-----, subject to the following special and general conditions, the infraction of any of which or a conviction for any offence under the Excise, opium or dangerous Drugs. Laws shall render the license liable to the forfeiture of his license and security deposit in addition to any penalties imposed under the above laws."

SPECIAL CONDITIONS

1.(a) The licensee shall pay to government an amount equal to two month license fees a security deposit immediately on the provisional acceptance of bid at the collector and the balance excluding the last two installments as may be fixed by the collector. The security deposit will ordinarily be adjusted towards the payment of eleventh and twelfth installments unless it has already been forfeited or any report regarding breach of conditions of license or a prosecution under the Excise, opium or Dangerous Drug Laws is pending against the license, in such case, it will be open to the Collector to realize the last two installments separately.

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|----------------|-----|-----|-----|
| On April 1 | --- | --- | -- |
| On May 1 | --- | --- | --- |
| On June 1 | --- | --- | --- |
| On July 1 | --- | --- | --- |
| On August 1 | --- | --- | --- |
| On September 1 | --- | --- | --- |
| On October 1 | --- | --- | --- |
| On November 1 | --- | --- | --- |
| On December 1 | --- | --- | --- |
| On January 1 | --- | --- | --- |

Failure to pay security for license fee shall entail the cancellation of license and its resale and any consequential loss to Government shall be recoverable from the defaulter as arrears of land revenue.

(b) whenever for any reasons the final decision regarding the acceptance of bid in likely to be delayed, shall be open to the Excise Commissioner to direct toe Collector to settle the shop provisionally with one lf the bidders subject to the following conditions:

(i)The license shall be terminable at will if the sanction is eventually refused and the licensee will pay not be entitled to claim any compensation or remission of license fee.

(ii)In case the license is so terminated the license will pay an amount proportionate to his bid as license fee for the period during which he retained the license of the shop.

(iii) The condition on clause (a) regarding the deposit of security will be applicable to provisional license issued under clause(b)

(c) If the security deposit under the conditions1(a) and 1(b) (iii) is not in cash but consists of Government Promissory Notes, bonds or similar other valuable documents such security on forfeiture shall vest in Government and shall not be reclaimable by the licensee.

2. It shall be competent to the Collector on cancelment of the license, to re-sell the license at the risk of the licensee, and after deducting the deposit, if not forfeited , from the re-sale, to recover the remainder, if any from the license as ----- it were an arrears, of land revenue.

3. The licensee shall obtain his supplies of spirit of the strength at which, this license authorizes him to sell in reputed bottles of 750ml., 500mls., and 250mls., respectively, labeled sealed with prescribed caps and ready for sale, only from a bonded warehouse in his district , or from a wholesale depot or wholesale shop situated in the same district and in an area where the rate of duty is not less then that applies to the place where retail shop is situated.

4. The licensee is strictly prohibited under any pretext whatever from tampering with the bottles, their labels, pilfer proof or seals as received from the bonded warehouse, wholesale depot or wholesale shop, and he shall not sell nor possess any spirit other than so received in sealed bottles.

5. The licensee shall not keep on his licensed premises any caramel, colouring matter, essence or likely to be used for flavoring or colouring nor any rectified spirit, power, alcohol or denatured spirit, nor shall he mix with liquor or sell any such substances in mixture or separately

6. The licensee shall not keep on his licensed premises any noxious or poisonous drug or any other similar substance, likely to add to the actual or apparent intoxicating quality or strength of the country spirit.

7. The sale of plain and spiced country spirit in sealed bottles for consumption both "on" and "off" premises shall be allowed from the same Gaddi. A portion of the premises shall be set apart where only "on" consumption shall be permitted and the licensee shall not permit spirit sold for consumption "off" the premises to be consumed "on" his licensed premises. For "on" consumption spirit shall be sold equivalent to 100mls., 50mls., and 20mls. Only one bottle shall be opened at a time, and not new one shall be opened until the first one is exhausted completely. Spirit exceeding 150mls of quart bottle in quantity shall not be served to the same person on the same day. The portion of the premises set apart for "on" consumption shall have a signboard affixed at the entrance on which shall be painted "Licensed premises for "on" consumption of country spirit". The addition of water or any other substance whatever to spirit by the licensee, whether before during or after the sale, is strictly prohibited.

8. The licensee shall, at the time of removing spirit from a bonded warehouse, wholesale depot or whole sale shop, pay to the contract suppliers or licensed wholesale vendor the sum fixed by the Excise Commissioner in respect of each bottles of 750mls., 500mls., and 250mls., respectively, in which the spirit is to be removed provided that on return of the empty bottles to the same bonded warehouse wholesale depot or wholesale shop undamaged, licensee shall be entitled to demand, from the supply contractors or licensed wholesale vendor, the sum fixed by the Excise Commissioner.

9. The licensee shall be bound to pay the sum fixed by the Excise Commissioner for every bottle of 750ml., 500 ml., and 250ml., respectively to any purchaser of spirit from his shop who return when empty, the bottles in which the spirit was purchased, provided the bottle is undamaged.

10. The licensee shall not sell to any one person at any time more than 1500 milliliters of plain and/ or spiced country spirit, except under a permit granted under Rule 443 of the Excise Manual.

11. A separate account of the spiced spirit of different alcoholic strength shall be maintained by the licensee in the prescribed register.

12. Only standard measure of 100ml., 50ml., 20mls., approved by the Excise Department shall be used and no sales shall be in quantities more or less than any such prescribed measure, except when sales of full quart-pint or half-pint bottles are made. The licensee shall keep these measures in good condition.

13. At the entrance to the shop a signboard shall be affixed on which shall be painted the name of the licensee, the designation "licensed retail vendor of country spirit".

14. In the case of shops situated in municipalities there shall be only one door opening into a public road unless more are sanctioned by the Collector, or Licensing Board where such board has jurisdiction, In the latter case the additional doors shall have signboard attached to them as in condition 13. Windows opening into the street shall be covered with wire-netting.

15. The shop shall be so constructed that the whole of the interior is visible from the doorway.

16. The Gaddi or the bar of the shop where the sales will be made shall not be raised to a height over 3 feet.

17. (a) The licensee, shall provide within licensed premises a reasonable seating accommodation, i.e. a sufficient number of chairs, benches and tables in urban areas and benches or Takhtas in rural areas.

(b) All *Kujjars*, *Pattals*, etc. shall be removed immediately to a specially erected empty receptacle or bin with a cover kept for this purpose which shall be cleaned at least twice during the sales hours of the shop.

(c) The licensee, as well as the salesman shall be responsible for the proper upkeep and cleanliness of the premises including its drain, etc. which shall also be kept disinfected.

18. The licensee, or his salesman, is strictly prohibited from keeping water on the Gaddi of the shop or within five feet of any other place where spirit is stored or kept for sale.

19. The building in which the shop is situated shall not be used as a place of residence except by the licensee and his family or by his servants.

20. The licensee, unless exempted by an order of the Collector shall maintain an accurate daily account in the prescribed register to be obtained from the Collector's office payment.

Account shall be written up as soon as the transactions for each day have been closed.

21. If in any district the collector has reasons to consider that the sales of any particular shops are extraordinary high due to malpractice's on the part of the licensee, he may, after giving an opportunity to the licensee to explain, restrict the total annual issues to that shop to such quantity as he considers reasonable, making due

allowance for such factors as the issues during previous normal years, general fall in consumption, the natural diversion of customers from neighboring shops that may have been closed etc. and when the total issues are thus restricted, he will allow only proportionate issues from month to month.

22. Shops auctioned for "on" and "off" consumption in industrial center (Kanpur, Hathras, Gorakhpur, Jhansi and Agra), will be settled subject to the condition that the licensee will be bound to close the shops on such dates and in such manner as the Excise Commissioner may direct.

23. The licensee is strictly forbidden from having recourse to any form of blandishment or inducement to the customers with a view to increasing his sales, Providing of any sort of the amusement or recreation such as music (including gramophone music) dances radio programs or any other facilities by or on behalf of the licensee in order to attract customers the shop is also not permitted.

District-----

Dated-----

Collector.