

**FORM C.L.-5-B**

License for the retail sale of Plain and spiced country liquor in sealed bottles and poly pouches for consumption "on" and "off" the premises.

Register No. -----  
 Locality -----  
 Date of premises (with boundaries) North -----  
 South -----  
 East -----  
 West-----

Name of license holder/holders-----  
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Name of salesman 1. -----  
 2. -----  
 3. -----  
 4. -----

License for the retail sale of Spiced Country liquor at a fixed strength of 36% v/v and plain country liquor at fixed strength of 25 % v/v in standard Quart, pint and nip bottles and poly pouches of 100mls.,and 200mls., capacity is hereby granted to Sri -----S/o -----at-----  
 -----in the district of-----from April 1, 19----- to March 31, 19----- for which Rs.-----has been paid in advance subject to the following special and general conditions, the infraction of any of which or a conviction for any offence under the U.P. Excise Act, 1910 and Narcotic Drugs and psychotropic substances Act, 1985 shall be liable to the forfeiture of his license and security deposit, in addition to any penalties imposed under the above laws.

**SPECIAL CONDITIONS**

1.On acceptance of bid a sum equal to one fourth of the total bid money which included basic license fee, offered by the highest, bidder shall be paid in advance as security for the due performance of the contract. A sum equal to one half of the aforesaid security shall be paid immediately on the fall of hammer in cash or Bank Draft. The balance one half the aforesaid security shall be deposited by the auction purchaser/ licensee within ten day of the auction out of which one third shall be deposited in cash/ or Bank Draft and rest two third either in cash or in the form of fixed deposit receipts obtained from a scheduled bank for the period of license duly pledged to the Licensing Authority or in the form of bank guarantee valid till the final settlement of all the claims and dues of the Government in respect of the auctioned shop or group of shops. The Licensing Authority may under very special circumstances to be recorded in written and only in the case of auction for a whole excise year grant further time but not beyond the last day of the excise year immediately preceding for compliance of this condition.

2. In case of default to pay the security deposit as mentioned in condition no.1 within the time specified the auction and incase a license has been issued, the license shall stand cancelled and the deposit, if any shall stand forfeited to the Government. In such a case re-auction or alternative arrangement or from the license remaining unsold for want of bidders shall be recoverable from the original licensee as arrears of land revenue.

3.The bid money for the entire Excise year shall be payable in twelve equal monthly installments, which shall be Rs.-----or month.

4.The installments of bid money for a month as specified in condition No. 3 shall be deposited in full by the licensee in the government treasury of the district in which shop or group of shops are situated, by the 20<sup>th</sup> day of each month failing which the total bid money to the extent of deficit payment shall stand adjusted from the security deposit of the licensee and the licensee shall be called upon to make good the amount so adjusted within ten days and where a licensee fails to make good the amount so adjusted from security deposit within the specified time, his license shall unless otherwise ordered by the licensing authority stand cancelled. Where the license is so cancelled it shall be settled afresh by tender/auction and short fall in the bid money in a re-auction or settlement in any other way or license remaining unsettled shall be recoverable from the remaining security and, balance, if any shall be recovered from the original licensee as arrears of land revenue. Balance of security after recovering shortfall and other arrears, if any, shall stand forfeited to the government. It a licensee fails to deposit bid money he shall not be issued intoxicants for retail sale.

5.The security deposit, unless it is forfeited, shall be refunded at the end of the excise year or may be refunded at an earlier stage in case all dues and claims of government in respect of the licensed shop or group of shops .have been cleared by the license. Security deposit may also be allowed to be adjusted towards the payments of bid money in the closing months of the Excise year.

6.Sale shall be made only at the licensed premises.

7.The minimum guaranteed quantity or the intoxicant fixed for whole excise year shall be divided in twelve equal parts and the licensee shall have to lift one part every month, till the last month. The quantity left unlifted on

the close of the last working day of the month shall be forfeited unless specially permitted to be lifted in the subsequent months by the District excise Officer.

8. For lifting the intoxicant from bonded warehouse the licensee, apart from paying the bid –money in the manner as specified in condition no.3, shall have to pay the price of the intoxicant as fixed by the Excise Commissioner or prevalent at that time.

9. If the licensee desires to lift and sell intoxicants over and above the minimum guaranteed quantity, he shall be required to pay such further sum at the rate fixed by the Excise Commissioner, as further consideration for grant of privilege of sale of such intoxicant.

10. The licensee shall sell in retail the entire minimum guaranteed quantity of the intoxicant fixed for the excise year before the expiration of the term of licensee. Any, balance of quantity found outstanding and unsold at the expiration of the term of license shall be declared by the licensee to the licensing authority on the next date, which shall be returned by the licensee to the Government Bonded warehouse within two days thereafter and the licensee shall be entitled to get the refund of cost price only to the extent of such quantity and in case a licensee has lifted over and above the minimum guaranteed quantity returned, as may be fixed by the Excise commissioner, after deducting such sum as the Excise commissioner may think reasonable, provided the intoxicant returned to the Government Bonded warehouse is found of proper specification.

11. The licensee shall obtain his supplies of country liquor of the specified strength for which this license authorizes him to sell the same, only from a bonded warehouse situated in his district or from a wholesale depot or wholesale shop situated in the same district.

12. The licensee shall possess and sell liquor only of the fixed strength for which the shop is licensed and the colour prescribed by the Excise Commissioner. The addition of water or any other substance, what-so-ever to the liquor is strictly prohibited.

13. The licensee shall not keep on his licensed premises caramel or any, colouring matter or essence or any material used or likely to be used flavoring or colouring or rectified spirit or power alcohol or denatured spirit.

14. The licensee shall not keep on his licensed premises any foreign ingredient likely add to its actual or apparent intoxicating quantity or strength or any article prohibited under rules.

15. The licensee shall not sell to any person at any time more than 1500mls. Of spiced country liquor, except under a permit granted under the provisions of paragraph 443 of the Excise Manual, Volume I.

16. The license is strictly prohibited, under any pretext what-so-ever, from tempering with the bottles, their labels, capsules or seals or poly pouches as received from the Government bonded warehouse, wholesale depot or wholesale shop.

17. the sale of country liquor loose or in sealed bottles and poly pouches for consumption both "on" and "off" the premises shall be allowed from the same counter. A portion of the premises shall be set apart where only "On" consumption shall be permitted. For "on" consumption liquor shall be served in standard measures of 200mls., 100mls., 50ml., 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 liquor."

18. The licensee shall, at the time removing liquor from a Government bonded warehouse, wholesale depot or wholesale shop pay to the contract suppliers or licensee wholesale price Liquor to be removed including filling, capsuling, labeling and poly pouching charges.

19. Only standard measures of 200mls., 100mls., 50mls., 20mls., approved by the Excise Department shall be used by the licensee. The licensee shall keep these measures in good condition.

20. 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 seller of country Liquor" and the period for which he holds the license.

21. In the case of shops situated in municipalities there shall be only one door opening into a public road unless more opening are sanctioned by the Licensing Authority. The additional doors shall have signboards attached to them as specified in condition No.- 20. Windows opening in the street shall be covered with wire-netting.

22. (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.

23. The licensee, shall maintain an accurate daily account separately for Plain liquor and spiced Country Liquor in the prescribed register to the obtain from the Licensing Authority Officer on payment.

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

24. 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.

25. The licensee shall not employ any person suffering from any infectious or contagious disease for purpose in his licensed premises.

26. The shop shall remained open for retail sale from 10 A.M. to 10 P.M.

27. The shop will remain closed on 1st day of every month, Independence Day (15th August), Republic Day(26<sup>th</sup> January) and mahatma Gandhi Birthday( 2<sup>nd</sup> October). If 1st day of any month is public holiday then next day will be the day, when shop will remain closed. In addition to this, three days during the excise year, will be declared by the Licensing Authority on which the shops will remain closed. He compensation will be given to the Licensee for closer of the shop on aforesaid days.

28. Liquor shall not be sold to persons the age of eighteen years:

Date-----

District -----

Licensing Authority.