

FORM P.D. 1

License to work a distillery in a premises owned by the Government.

License No. _____ Date _____

License is hereby granted to _____ resident(s) of _____ for the period _____

- (1) to manufacture spirit in the distillery situate at _____
- (2) to supply it to ware within his/ their contract area, and
- (3) to sell it to such licensed vendors and other persons as are entitled to purchase spirit direct from distillery subject to the following conditions :

CONDITIONS

1. The license shall be subject to---
 - (i) rules relating to import, export and transport of spirit, contained in Chapters vii and viii of the Excise Manual, Volume I;
 - (ii) rules relating to manufacture of spirit in distilleries, contained in IX of the Excise Manual, Volume I;
 - (iii) such other rules as may, from time to time, be made by the Excise Commissioner for the security of Excise Revenue and for regulating the manufacture, sale, supply and prices of India made foreign (including rectified spirit and denatured spirit).
 2. The Government will erect and maintain in proper order all permanent building, wells, water channels and drains necessary for a distillery.
 3. The licensee shall subject to the previous approval of the Excise Commissioner, supply and erect all plant and appliances necessary for production, storage and transport of spirit.
 4. No alterations in the buildings or fixed plant shall be made without the previous sanction of the Excise Commissioner.
 5. The licensee shall be bound to maintain such minimum stock of absolute alcohol, rectified spirit, denatured spirit country spirit and denaturants as may be the Excise Commissioner, U.P. keeping in view the quantum of normal demand.
 6. The licensee shall pay rent at the rate of Rs. 1,000 or such as may be fixed by the Government from time to time, per annum in quarterly installments.
 7. The licensee shall be responsible for all damage to Government property beyond that done by fair wear and tear.
8. At the expiration of the contract for the supply of country spirit in connection with which this license is granted, the licensee will be entitled to demand that all sanctioned plant used at the distillery in connection with the manufacture and storage of country spirit be bought from him by the succeeding contractor at a valuation made either by mutual settlement or under the orders of the Excise Commissioner :

Provided—

- contract :
- (1)-that if licensee wishes to claim the benefits of this clause, he shall give notice of his intention six months before the expiry of the
 - (2)- that the claim under this clause shall be permissible of only such plant as was necessary and regularly used for the manufacture and storage of country spirit for supply under this agreement.

9. Similarly the licensee shall be bound to purchase the abovementioned articles from the outgoing contractor on the above conditions. If he fail to pay up the price either amicably settled or fixed by the Excise Commissioner, the contract shall be liable to be cancelled and the Excise Commissioner may pay the price to the outgoing contractor from any sum which may be lying to the credit of the new contractor in any Government Treasury in Uttar Pradesh.

10. As security for the due fulfillment of the conditions of this license, the licensee shall deposit, with the Excise Commissioner Rs. 20,000 in Government Promissory Note or other Government securities of equivalent market value or in such other form as the Excise Commissioner may approve.

11. The licensee shall be responsible for maintaining proper cleanliness within the premises of the distillery and shall observe all the provisions of sub-section (1) of section 11 of the Factories Act, 1948 and rules made and orders, if any issued there under, unless specially exempted by the State Government from any of these provisions.

12. The licensee shall make effective arrangements for the disposal of wastes and effluence from the manufacture of alcohol and shall make all such arrangements as prescribed by the State Government in this behalf under the provisions of sub-section (2) of section 12 of Factories Act, 1948.

13. Any contravention of the rules or conditions hereinbefore enumerated shall involve cancellation of the license in addition to such other penalties as may be prescribed under the U.P. Excise Act, 1910.

***Excise Commissioner,
Uttar Pradesh***

COUNTERPART – AGREEMENT

I, _____ the above named licensee, for myself, my heirs legal representatives and assigns hereby agree to all terms and condition hereinbefore written and expressed.

Date _____ **19**

Witnesses :

- 1.
- 2.

***Excise Commissioner,
Uttar Pradesh***