

FORM S.M. 1

(INSTRUCTION 2)

License for the retail sale by approved head salesman/salesman within prohibition areas of Uttar Pradesh of country spirit in sealed bottles to permits holders for industrial, scientific or medicinal purposes "off" the licensed premises.

Register No. _____

Locality _____

Name of licensed head salesman /* salesman _____

Exact description of the licensed premises (with boundaries)

License for the retail sale to permit-holders only of country spirit in sealed standard quart, pint and half-pint bottles only (with pilfer proof caps) at the fixed strength of *35⁰ under proof/50⁰ under proof 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 which or a conviction for any offence under the Excise, Opium or Dangerous Drugs Laws, shall render the * head salesman / salesman liable to the forfeiture of his license and security deposit in addition to ay penalties imposed under the above laws.

SPECIAL CONDITIONS

1. The said -----shall deposit with Government the sum of Rs. -----in cash or in Government promissory notes of equivalent value a security deposit for due fulfillment of the conditions of this license and observance of rules framed or orders passed by the Excise Commissioner for the proper management of country spirit shops under State management.

2. The security deposit made under the last preceding section shall, in the event of default of breach of any condition of this license or of any rule formed or orders passed by the Excise Commissioner for the proper management of country spirit shop under the system of direct management , not be reclaimable by the licensed salesman .

NOTE -- If Government Promissory Notes or other security have been deposited the following shall be substituted for the preceding clause :

In the event of default or breach of any condition of this license or the non - observance of any rule or order referred to above by the licensed salesman, Government promissory notes or other security deposited shall vest in Government and shall not be re - claimable by the licensed salesman.

3. The licensed salesman shall obtain his supplies of spirit of the strength at which this licensed authorizes him to sell in reputed quart, pint and half-pint bottles of capacity 26 ,2/3 13 , 1/3 and 6, 2/3

ounces respectively, sealed with pilfer proof caps and ready for sale, only from a bonded warehouse in accordance with rule and procedure laid down by Excise Commissioner.

4. The licensed salesman is strictly prohibited under any pretext, whatsoever from tampering with the bottles, their labels, or seals as received from the bonded warehouse and he shall not sell nor possess any spirit other than so received.

5. The licensed salesman shall be bound to pay the some of 40 N.P. , 36 N.P. and 30 N.P. for every quart , pint and half-pint, respectively to any purchaser of spirit from his shop who returns, when empty the bottle in which the spirit was purchased provided the bottle is undamaged.

6. The licensed salesman shall make sales only to persons holding permit in Form F.L. 38 granted by the Collector of the district and endorse the quantity of country spirit sold on the reverse of the permit.

7. The licensed salesman shall be supplied with a signboard, which shall be affixed at the entrance to the shop and on which shall be printed the words "Licensed Retail Shop of Country Spirit for permit-holders. only" and a list of the quantities in and price at which the salesman is authorized by Government to make sales of the permit-holders. From the commencement of the year for which this licence is granted, the list shall be as under :

Quantities	Price to becharged					
	Price of Spirit		Cost of empty bottle		Bottling charges	
	Rs.	N.P.	Rs.	N.P.	Rs.	N.P.
One standard quart bottle of 26 2/3 ounces capacity.						
One standard print bottle of 13 1/2 ounces capacity .						
One standard half – pint bottle of 6 2/3 ounces capacity.						

The licensed salesman is strictly prohibited from making sales at prices over or under those stated in the above list.

NOTE--- The rates at which purchasers are to be paid on return of empty quarts, print and help-prints in and undamaged condition shall also be noted on the signboard.

8. The licensed salesman shall not permit spirit to the consumed "On" the licensed premises of the shops.

9. 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. In the letter case, the additional doors shall have signboard attached to them as condition 7. Windows opening into the street shall be covered with wire netting.

10. The shops shall be so constructed that the whole of the interior is visible from the doorway.

11. The building in which the shop is situated shall not be used at a place of residence.

12. The licensed salesman shall be bound to attend the shop daily throughout the sale hours in order to conduct the sales himself as well as to insure the adequate supervision and control of sales by the assistant salesman, if any, posted to the shops. He shall maintain a register showing along with his signature, the date and hours of his attendance and keep the same in his shop for inspection of inspecting officers.

In the event of the licensed salesman being unable to attend the shop of any day owing to illness or any available cause the reason for his absence should be stated in the register at his next sit.

13. The licensed salesman shall maintain an accurate daily account in the prescribed register supplied by the collector of the district and account shall be written up as soon as the transaction for each day have been closed.he shall produce, for inspection,his account on demand by officers who are duly authorised to do so.

14. The licensed may surrounded by the licensed salesman on his giving one month's notice to the Collector .

District_____

Collector.

Dated_____

(Attached or printed the back will be general conditions.)

* Strike out the portion not applicable.

SCHEDULE

(INSTRUCTION 2)

General conditions binding on all retail shops licensed for the sale of country Spirit, Ganja, Bhang ,Opium and medicinal opium to permit -holder only by head salesman shops within prohibition areas of Utter Pradesh.

(1) Every shops licensed for the retail sale of Country Spirit, Ganja, Bhang Opium and medicinal Opium to permit -holder shall ,unless exempted by the Excise commissioner or any officer not below the rank of Excise Inspectors. or any officer not below the rank of Excise Inspector to whom he may delegate this power ,be kept open through out the year, and a supple of the commodity for which it is licensed, sufficient to meet the normal demand of consumers ,shall be maintained by the licensed salesman.

NOTE (1)-The power of exemption has delegate to Collectors, District Excise Officers and Excise Inspectors. As a rule the power should be by the latter who have been authorized to grant exemptions to any licensed salesman within that circles (a) on one fixed day in each week and (b) on any other day on ground of urgent necessity.

NOTE (2)- The Collector may, in the case of individual shops, fixed the maximum as well as minimum quantities of each kind of article which should ordinarily be maintained by the licensed salesman at his shop.

(2) Sales shall be made only on the premises for which the license is granted.

(3)The licensed salesman shall store aii his stock of intoxicants or opium pertaining of his shop in the premises for which he holds the license.

(4)The following opening and closing hours are prescribed :

In municipal areas	Opening	Closing
In notified areas		
In town areas	Noon	8.00.p.m.
In cantonments.		
In areas other then the above	Noon	Sunset

(5) The licensed salesman shall close his shops when ordered to do so by any Magistrate or Police Officer above the rank of Constable, and shall without any order close his shop in the event of a riot or unlawful assembly in the neighborhood.

(6) Every shops licensed for the sale of country spirit shall be closed on the day following the burning of the Holi, and on the principal Diwali day.

(7) All shops licensed for the retail sale of country spirit opium and Hemp Drugs shall remain closed on the following days every year :

(1) Independence day (August 15).

(2) Mahatma Gandhi's (October 2).

(3) Mahatma Gandhi's Death day (January 30).

(8) Sales shall be made only by head salesmen /salesman or by an assistant salesman, if any.

(9) Sales shall be made on payment in cash only.

(10) Person bad repute shall not be allowed to resort to the shop. The presence of suspicious characters shall be at once reported to the nearest Police Officer. Intoxication, gambling, disorderly conduct and the holding of entertainment or panchayats shall not be permitted on the premises.

(11) No person under age of eighteen years (except members of the family of the salesman) shall be permitted to enter the shop during the hours of sales.

(12) The licensed sales man shall produced, for inspection, his license and accounts demand by Officer who are duly authorized to do so.