

FORM C. L. 3-B

Under tender-cum-auction system

Licence for retail sale of plain Country Liquor in open vessel and in poly pouches and spiced Country Liquor in sealed bottles and poly pouches for consumption "on and off" the premises.

Register No.....
Locality.....

Description of premises(with boundaries)

North-----
South-----
East-----
West-----

Name of licence holder/holders

Name of sales men

- 1. _____
- 2. _____
- 3. _____
- 4. _____

Licence for the retail sale of Spiced Country Liquor at fixed strength of 36 percent v/v in Standard quart, pint and nip bottles and poly pouches of 100 ml and 200 ml. Capacity and plain country liquor at fixed strength of 25 percent v/v in open vessels and poly pouches of 100 ml. , 200 ml. Capacity is hereby granted to Sri -----son of ----- at-----in the district of -----from April1, 19----to 31, march 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 Drug and Psychotropic Substances Act, 1985 shall be liable to the forfeiture of his licence 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 licence fee and licence fee, offered by the highest bidder shall be paid in advance was 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 by Bank Draft. The balance one-half of the aforesaid security shall be deposited by the auction purchaser / licence within 10 days of the auction out of which one-third shall be deposited in cash/Bank Draft rest two-third either in cash or in the form of fixed deposit receipts obtained from a scheduled bank for the claims and dues of the Government in respect of the auctioned shop or group of shops. The Licencing 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 in case a licence has been issued , the licence shall stand cancelled and the deposit, if an shall stand forfeited to the Government. In such a case re-auction or alternative arrangement shall be made at the risk of the original licence. All monetary losses resulting from re-auction or alternative arrangement or from the licence

remaining unsold for want of bidders shall be recoverable from the original licence 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 of Rs----- per month.
 4. The installment 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 20th 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 10 days and where a licensee fails to make good the amount so adjusted from security deposit within the specified time, his licence shall unless otherwise ordered by the licensing authority stand cancelled where the licence is so cancelled it shall be settled afresh by tender/auction, and any short fall in the bid money in a re-auction or settlement in any other way or licence remaining unsettled shall be recoverable from the remaining security and, balance, if any shall be recovered from the original licensee arrears of land revenue. Balance of security after recoverable shortfall and other areas, if any, shall stand –forfeited to the Government. If 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 licensee security deposit may also be allowed to be adjusted towards the payments of bid money in the closing month of the excise year.
 6. Sale shall be made only at the licensed premises
 7. The minimum guaranteed quantity of 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 day of that month. The quantity lift 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 the 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 as 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 guarantee quantity of the intoxicants fixed for the excise year before the expiration of the term of licence. Any, balance of quantity found outstanding and unsold at the expiration of the term of licence shall be declared by the licensee to 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 there after 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 during the term of licence, he shall be entitled to get such amount therefor, on such 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 licence 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 for 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.
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15. The licensee shall not sell to any person at any time more than 1500 ml of plain or 1500 ml of spiced country liquor, except under a permit granted under the paragraph 443 of the Excise Manual Volume I.
16. The licensee is strictly prohibited, under any pretext whatsoever from tampering with the bottles, their label, 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 200ml , 100 ml, 50ml, the portion of the premises set apart for "On" consumption shall have a signboard affixed at the entrance on painted "Licensed premises for "On" consumption of country liquor".
18. The licensee shall, at the time of 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 200 ml, 100ml, 50ml, 20ml, approved by the Excise Department shall be used by the licensee, the licensee shall keep 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 licence.
21. In the case of shops situated in municipalities there shall be only one door opening to a public road unless more opening are sanctioned by the licencing authority. The additional doors shall have signboards attached to them as specified in condition .No 20 . window 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 table in urban area and benches or "Takhatas" in rural areas.
22. (b) All kujjars, pattals, etc. Shall be removed immediately to 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.
22. (c) The licensee, as well as the salesman shall be responding 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 be obtain from the Licensing Authority officer on payment.
Accounts shall be written up as soon as the transactions for each day been closed .
24. the licensee is strictly forbidden from having recourse to any form of publicity, blandishment or inducement to the customers with a view to increase his sales. Providing of any short of amusement or recreation, such as music (including gramophone music) dances, radio programs or any other variety of entertainment or granting of any other facilities by or on behalf of the licensee in order to attract customers as to the shop is also not permitted.
25. The licensee shall not employ any person suffering from any infectious or contagious disease for any 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(15 august), Republic day(26 January), and mahatma Gandhi Birthday(2nd 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, any three days during the excise year, will be declared by the Licencing Authority on which the shops will remain closed. No compensation will be given to the Licensee for closer of the shop on aforesaid days.
28. Liquor shall not be sold to persons below the age of eighteen years.

Date _____
District _____

Licensing Authority
