

- (d) the place from and to which mhowra flowers are to be exported;
- (e) the route by which mhowra flowers will be exported ;
- (f) the name and address of the person to whom the mhowra flowers are to be exported;
- (g) the period for which the pass is required to be valid;
- (h) the number and date of the import authorisation or no objection certificate granted by the Excise Authority of the place to which mhowra flowers are to be exported.

21. (1) On receipt of an application under rule 20, the Collector shall make inquiries for verification of the particulars given in the application and also such other inquiries as he deems necessary. If the Collector is satisfied that there is no objection to grant the pass applied for, <sup>1</sup>[he may] grant such pass in Form M.F.-VII <sup>2</sup>[on payment of a fee of "Rs. 10]

(2) The pass shall contain four parts, which shall be dealt with as under :

Part I shall be retained on the record of the officer issuing the pass;

Part II shall be sent to the person supplying the mhowra flowers;

Part III shall be send to the officer of the place to which mhowra flowers are to be exported and who has issued the import authorisation or no-objection certificate; and

Part IV shall accompany the consignment of the mhowra flowers and thereafter it may be kept by the person to whom the mhowra flowers are sent.

22. Nothing in the aforesaid rules shall apply to the collection, transport, sale, purchase or possession of mhowra flowers permitted under the first proviso to sub-section (2) of section 60 of the Act or to the transport by rail of such flowers permitted under the second proviso to the said sub-section (2).

### LICENCE FORM M. F.-I

(See rule 5)

No.

#### *Licence for the possession of Mhowra Flowers*

Licence is hereby granted to \_\_\_\_\_ (hereinafter referred to as "the licensee") on payment in advance of a fee of Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_) authorising him to possess mhowra flowers under and subject to the provisions of the Bombay Prohibition Act, 1949 (hereinafter referred to as "the Act") and the rules, regulation and orders made thereunder at \_\_\_\_\_ (hereinafter referred to as "the said premises") during the period commencing from \_\_\_\_\_ to \_\_\_\_\_ (both days inclusive), subject to the following conditions, namely :

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1. Subs. by G.N. of 27-9-1960.
  2. Subs. by G.N. of 16-3-1988.

*Conditions*

1. The licensee shall not have in his possession more than ..... <sup>1</sup>[quintals] of mhowra flowers at any one time. He shall not obtain or use more than ..... <sup>1</sup>[quintals] during any year/calendar month.

2. The licensee shall not store or keep the mhowra flowers in any place other than the said premises.

3. (i) The licensee shall not use the mhowra flowers for any purpose, other than that specified below :

(Here specify the purpose or purposes in terms of paragraph 1 of Government Order No. 5735/49, dated 27<sup>th</sup> June 1950.)

(ii) The licensee shall not sell any mhowra flowers to any person.

4. The licensee shall not possess nor use under this licence any mhowra flowers other than mhowra flowers which are collected, purchased or imported by him under the Bombay Mhowra Flowers Rules, 1950.

5. The licensee shall maintain from day to day a true and correct account in the form prescribed by the <sup>1</sup>[State Government] under the Act. The account shall be clearly written in a book, paged and sealed with the seal of the Collector, <sup>2</sup>[Mamlatdar, Tahsildar, Mahalkari or any officer authorised in that behalf by the Collector.

6. The licensee shall furnish the <sup>2</sup>[Prohibition and Excise Officer] of the ..... in which the said premises are situated, not later than the fifth day of each month with a return in the form prescribed by the <sup>1</sup>[State Government] under this Act.

7. The licensee's premises, vats and other receptacles used by him for the storage of mhowra flowers and the accounts maintained by him under condition 5 shall, at all times, be open to inspection by the <sup>2</sup>[Commissioner,] Collector or any officer duly authorised in that behalf.

8. The licensee shall keep his premises, vats and other receptacles for the storage of mhowra flowers clean and in good condition.

9. Except with the permission of the Collector or the authorised officer, the licensee shall not sell, transfer or sublet the right conferred upon him by this licence nor shall he in connection with the exercise of the said right enter into any agreement or arrangement which in the opinion of the Collector, or the authorised officer, is of the nature of a sub-lease. If any question arises whether any agreement or arrangements is in the nature of sub-lease, the decision of the Collector on such question shall be final and binding on the licensee.

10. No person shall be recognized as the partner of the licensee for the purpose of this licence unless the partnership has been disclosed to the Collector or the authorised officer before the licence is granted and the names of the partners have been entered jointly in the licence or if the partnership is entered into after the granting of this licence unless the Collector or the authorised officer agrees on application made to him to alter the licence and to add the names of the partner or partners in the licence.

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1. Subs. by G. No. of 13-5-1963.

2. Subs. by G.N. of 25.7.1963.

11. The licensee shall maintain at the said premises a "Visit Book" paged and sealed with the seal of the Collector, <sup>1</sup>[Mamlatdar, Tahsildar] Mahalkari or any officer authorised in that behalf by the Collector in which Visiting Officers may record any remarks when inspecting the said premises. The licensee shall, on the termination of the period of this licence, deliver up the said book, the accounts and the licence to the Prohibition Officer in whose jurisdiction the said premises are situated.

12. The licensee shall comply with all rules, orders or directions which may be made or issued by the State Government or any Competent Officer under the Bombay Prohibition Act, 1949, from time to time during the currency of the licence.

13. *Deleted.*

14. The licensee, his heirs, legal representatives or assignees shall have no claim whatsoever to the continuance or renewal of this licence after the expiry of the period for which it is granted. It shall entirely be within the discretion of the Collector or the Authorised Officer to permit or not the assignee of the holder of the licence in case of sale or transfer, or the heir or legal representatives of the holder of the licence in case of death, to have the benefit of the licence for the unexpired portion of the term for which it is granted.

15. This licence may be suspended or cancelled by the Collector in accordance with the provisions of section 54 or 56 of the Act.

Granted this                      day of      20

Seal of the  
Officer granting  
the licence

Signature and Designation of  
the Officer granting the Licence.

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1. Subs. by G.N. of 25.7.1963.