

**FORM P.L. L.**

[See rule 15(2)]

*Licence for the manufacture of potable liquor*

Licence is hereby granted, under and subject to the provisions of the Bombay Prohibition Act, 1949 (Bom. XXV of 1949) (hereinafter referred to as "the said Act"), the Maharashtra Distillation of Spirit and Manufacture of Potable Liquor Rules, 1966 and other rules, regulations and orders made under the Act to ..... (hereinafter referred to as "the licensee") on payment of a<sup>1</sup> [licence fee (inclusive of consideration of one lakh fifty thousand rupees) (Rs. 1,50,000)] authorising him to manufacture and sell the marginally-noted varieties of potable liquor with the strength shown against each at his manufactory situated at ..... (hereinafter referred to as "the manufactory") during the period commencing on the        day of ..... 19        and ending on the 31st day of March 19       , on the following conditions, namely :--

Variety of potable foreign Liquor (1)	Strength	
	Not exceeding (2)	Not less than (3)
(1) Whisky .. .. .	..	..
(2) Brandy .. .. .	..	..
(3) Rum .. .. .	..	..
(4) Gin .. .. .	..	..
(5) .. .. .	..	..
(6) .. .. .	..	..
(7) .. .. .	..	..

1. The licensee shall not manufacture and sell potable liquor except at the manufactory and under the supervision of a Prohibition and Excise Officer appointed to be incharge of the manufactory (hereinafter referred to as the "Manufactory Officer").

2. The licensee shall provide suitable office accommodation, with sanitary arrangement, for the use of the Excise staff within the premises of the manufactory.

3. The licensee shall to the satisfaction of the Commissioner provide suitable quarters for the residential accommodation of the Prohibition and Excise staff employed under condition 1 in the close vicinity of the manufactory. If the licensee is not able to provide residential accommodation to the members of such staff, the Commissioner shall be entitled to take on hire or otherwise secure suitable accommodation for the said staff. The rent to be charged to a member of the staff shall be the economic rent of 10 per cent. Of the basic pay of the member concerned, whichever is less. If the economic rent of the quarters is more than 10 per cent of the basic pay of the member, the licensee shall pay the excess over 10 per cent., provided that in no case the licensee shall be liable to pay more than the difference between 10 per cent. and 35 per cent. of the basic pay of the member. If the economic rent is more than 35 per cent of the basic pay of the member, then the member shall pay 10 per cent and the licensee shall pay 35 per cent, and the member shall pay the excess over 35 per cent., if the licensee is not willing to pay it.

4. The licensee shall use the same materials and ingredients and shall adopt the same process of manufacturing potable liquor as are approved by the State Government.

1. Subs. by G. N. of 6-11-1981.

5. The licensee shall not dilute or adulterate potable liquor, or store or permit to be stored any potable liquor which he knows to be diluted or adulterated.

6. The licensee shall permit two samples to be taken by the Manufactory Officer for analysis from each batch of potable liquor the alcoholic strength of which has been declared by him after analysis in his laboratory. On receipt of the two samples, the Manufactory Officer shall proceed to take steps as hereinafter provided :

(a) One set of samples shall be sent at once to the Chemical Analyser and a note to that effect shall be made in the register in Form P. L., V. The report of the Chemical Analyser, when received, shall be shown to the licensee.

(b) The duplicate samples of the liquor which is intended exclusively for replacement of the original sample or repetition of its analysis, when necessary, shall be kept under excise ticket or revenue lock, and shall, on receipt of the Chemical Analyser's report that it is satisfactory, be brought back to the manufacturing room immediately for being mixed with subsequent batch of the same variety of potable liquor.

(c) All such samples sent shall be scaled by the Manufactory Officer and the licensee.

(d) The duplicate sample shall not be brought back to the manufacturing room in any case where the alcoholic strength of the potable liquor from which the sample was taken, is declared by the Chemical Analyser to be beyond the margin of  $3^0$ .

7. The licensee shall permit samples of spirit, portable liquor or materials used in the manufacture of potable liquor to be taken at any time by the Manufactory Officer or any other superior officer for sending them to the Chemical Analyser for analyses and check.

8. All samples required for analyses under the Maharashtra Distillation of Spirit and Manufacture of Potable Liquor Rules, 1966 or under this licence shall be supplied free of cost by the licensee and all expenses in connection with the packing and despatch of samples to places of analyses shall be borne by the licensee.

9. The licensee shall ensure that no smoking and no use of naked lights or fires are allowed within the premises of the manufactory.

10. The licensee shall display the licence in a conspicuous place in the manufactory.

11. In addition to the registers and account books prescribed under the Maharashtra Distillation of Spirit and Manufacture of Potable Liquor Rules, 1966, the licensee shall also keep such registers and account books as the Commissioner may direct from time to time.

12. No entry in any of the books kept by the licensee under this licence shall be erased or overwritten. Should it be necessary to correct any entry, a line should be drawn through the incorrect entry in such a manner as to leave it distinctly visible and the amended entry should be inserted above it. Every correction shall be initialled and dated by the person making it at the time it is made.

13. The names of all persons to be employed either as managers or servants shall be submitted for approval to the Manufactory Officer by the licensee. No persons other than those approved by the Manufactory Officer shall be permitted to work as managers or to make entries in the account books.

14. The licensee shall not carry on the business of manufacture and sale of potable liquor except either personally or by an agent or servant duly authorised by him in this behalf by a written *nokarnama* signed by himself, and countersigned by the Manufactory Officer, provided that any such *nokarnama* signed by the licensee shall be valid until countersignature is refused.

If for any reason the Commissioner shall order the withdrawal of any *nokarnama* issued by the licensee the *nokarnama* shall be forthwith withdrawn. For every *nokarnama* issued by him, the licensee shall pay such fee as may from time to time be prescribed for this privilege. No *nokarnama* shall be issued to any person under 21 years of age, and no such *nokarnama* if issued shall be valid. The licensee shall be responsible for breach of the rules or any of the conditions of this licence committed by any of his servants.

15. Except with the written permission of the State Government, the licensee shall not sell, transfer or sub-let the right of manufacture 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 is in the nature of a sub-lease. If any questions arises whether any agreement or arrangement is in the nature of a sub-lease the decision of the state Government on such question shall be final and binding on the licensee.

16. No person shall be recognised as a partner of the licensee for the purpose of this licence, unless the partnership has been declared to the State Government 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 the licence unless the State Government agrees, on application made to it, to alter the licence and to add the name or names of the partner or partners in the licence.

17. The licensee shall not sell potable liquor manufactured by him to any person other than a holder of a Trade and Import licence :

Provided that the licensee may also sell potable liquor for export to any place outside the State of Maharashtra under a valid export pass.

18. The licensee, his successors or assigns 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 be entirely within the discretion of the State Government whether or not to permit the assignee of the licensee in case of sale or transfer or his successors in case of death to have the benefit of the licence for the unexpired portion of the term for which it is granted.

19. This licence may be suspended or cancelled in accordance with the provisions of section 54 or 56 of the said Act.

Granted this ..... day of ..... 19 .....,

Place : Mumbai.

Government

Seal

Secretary to Government.