

FORM C. L.I

[See rule 3 (2)]

Licence for the manufacture of country 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 Country Liquor Rules, 1973, and all other rules, regulations and orders made under the Act to(hereinafter referred to as "the licensee"), authorising him to manufacture and sell country liquor at his manufactory situated at(hereinafter referred to as "the Manufactory"), during the period commencing on theday of19 and ending on the 31st day of March 19 , on the following conditions, namely :—

Conditions

1. The licensee shall not manufacture and sell country liquor except at the Manufactory, and under the supervision of a Prohibition and Excise Officer appointed to be in-charge of the Manufactory (hereinafter referred to as Manufactory Officer).
2. The licensee shall provide suitable office accommodation, with sanitary arrangements for the use prohibition and Excise Officer and his 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 Officer and his staff employed under condition I, in the close vicinity of the Manufactory. The rent to be charged to a member of the staff shall be the economic rent or 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 percent, provided that, in no case will the licensee be liable to pay more than the difference between 10 percent. and 35 percent. of the basic pay of the member. If the economic rent is more than 35 percent. of the basic pay of the member then the member shall pay 10 per cent. and the licensee shall pay 25 percent. and the member shall pay the excess over 35 percent. If the licensee is not willing to pay it.
4. The licensee shall not dilute or adulterate country liquor, or store or permit to be stored any country liquor which he knows to be diluted or adulterated.
5. The licensee shall permit samples of spirit, country liquor or materials used in the manufacture of country liquor to be taken free of cost at any time by the Manufactory Officer or any other Officer of the Prohibition and Excise Department or Officer of the Food and Drugs Administration duly authorised by the Commissioner, for sending them to the Food and Drugs Administration Laboratory for analysis. The licensee may also draw samples of spirit and country liquor not exceeding 1 [375 ml.] from each batch for analysis in the laboratory of the manufactory. An account of samlpe of spirit, country liquor or materials drawn for analysis shall be maintained in the register in Form C. L. XXV.

6. All samples required for analysis under the Maharashtra Country Liquor Rules, 1973, or under this licence shall be supplied free of cost by the licensee and all expenses in connection with the packing and dispatch of samples to places of analysis shall be borne by the licensee. The licensee shall pay on demand, a fee 1,2,3[as may be prescribed by the Commissioner to the chemical analyser for] analysing each sample of country liquor 4 [***]

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

8. The licensee shall display the licence in a conspicuous place in the Manufactory.

9. In addition to the registers and account books prescribed under the Maharashtra Country Liquor Rules, 1973, the licensee shall also keep such registers and account books as the Commissioner may direct from time to time.

10. 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 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.

11. The names of all persons to be employed either as managers or servants shall be submitted for information to the Manufactory Officer by the Licensee.

12. The licensee shall not carry on the business of manufacture or sale of country liquor or of both except personally or by an agent or servant duly authorised by him in this behalf by a written nokarnama in Form C.L. XVIII signed by himself, and countersigned by the Manufactory Officer, provided that, any such nokarnama signed by the licensee shall be valid until counter signature is refused. The licensee shall maintain at his manufactory a register in Form C.L. XIX of all his agents or servants duly authorised by him.

If for any reason the Commissioner or the Superintendent shall order the withdrawal of any nokarnama issued by the licensee the nokarnama shall 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 this servants.

13. Except with the written permission of the ~~Commissioner~~ **State Government**, the licensee shall not sell, manufacture, transfer or subject 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~~ **lease, sublease, tie-up or any other similar agreement**. If any question arises whether any agreement or arrangement is in the nature of a ~~sub-lease~~ **lease, sublease, tie-up or any other similar agreement**, the decision of the ~~Commissioner~~ **State Government** on such question shall be final and binding on the licensee.

14. 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 Commissioner before the licence is granted and the names of the partners have been entered jointly in the licensee; or if the partnership is entered into after the granting of the licence, unless the Commissioner agrees, on application made to him, to alter the licence, and to add the name or names of the partner or partners in the licence.

15. Unless otherwise specifically permitted by the Commissioner, the licensee shall not sell country liquor to any person other than the holder of a warehouse licence in Form C.L. II.

16. The licensee, his Successors 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 be entirely within the discretion of the Commissioner, 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.

17. The licensee shall abide by the conditions of this licence and the provisions of the Bombay Prohibition Act, 1949, the rules, regulations and orders made thereunder and shall give an undertaking to that effect in Form C.L. XX.

18. 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 :

Commissioner of Prohibition and Excise,

Maharashtra State, Bombay.

Licence No.