

FORM R.S. VII

[See rule 38]

Licence for the Storage in bond and for the Wholesale sale of Rectified Spirit including Absolute Alcohol

Licence is hereby granted, under the subject to the provisions of the Bombay Prohibition Act, 1949 (Bom. XXV of 1949), (hereinafter referred to as “ the Act ”) and the rules, regulations and orders made thereunder to of (hereinafter called “ the licensee ”) authorising him to buy, store in bond and sell by wholesale rectified spirit including absolute alcohol (hereinafter referred to as “ rectified spirit ”) (hereinafter referred to as the “ licensed premises ”) subject to the following conditions, namely :

1. The licensee shall remain in force from to and it may thereafter be renewable from year to year with such modifications as the Government of Maharashtra, may consider necessary.

2. The licensee shall pay into the Government treasury a sum of Rs. at the rate of Rs. 100 per annum as licence fee.

3. *Storage of intoxicant other than rectified spirit prohibited.*—Except with the permission of the Collector, the licensee shall not store or sell in his licensed premises any intoxicant other than rectified spirit.

4. *Transaction to be under Excise Supervision.*—(1) All transactions pertaining to rectified spirit on the licence premises shall be carried out under excise supervision.

(2) The licensee shall pay to Government in advance at the beginning of each quarter commencing from the date of the licence such cost of the Prohibition and Excise staff appointed at the licensed premises for the purpose of excise supervision and contingent expenditure as may be fixed by the Commissioner from time to time.

5. *Working Hours.*—(1) The licensee shall transact his business under the licence between 10-30 a.m. to 5-30 p.m. with a recess of half an hour from 1-00 to 1-30 p.m. from Monday to friday (both days inclusive) and from 10-30 a.m. to 2-00 p.m. on Saturdays.

(2) The licensed premises shall not be kept open on such days or during such hours or period as may be prescribed by the Government of Maharashtra under the Act, nor shall any rectified spirit be sold to any person on such days or during such hours or period.

(3) The licensee shall be hung up in a conspicuous place in the licensed premises to the front of which shall be affixed a sign board bearing the following inscription in legible character in English and Marathi.

Name of the licensee
Licensed to sell rectified spirit by wholesale.

Authorised hours of sale—

On all working days except Saturdays	11-00 a.m. to 4-00 p.m.
Authorised recess	1-00 p.m. to 1-30 p.m.
On Saturdays	11-00 a.m. to 1-00 p.m.

(4) Except with the Special permission of the Collector no such transaction shall be carried out on Sundays and Public Holidays notified under section 25 of the Negotiable Instruments Act, 1881, or beyond the prescribed hours.

(5) If any member of excise staff is required to be on duty at the licensed premises beyond prescribed hours or on Sundays or Public Holidays with the special permission of the Collector the licensee shall pay to Government such amount as the Commissioner may direct, as over-time allowance.

6. *Minimum Stock.*—(1) The licensee shall maintain at the licensed premises such minimum stock of rectified spirit as may from time to time be fixed by the Commissioner.

(2) The licenses shall store rectified spirit in vats and tanks securely closed. The premises shall be sufficiently fire proof and approved by the municipal authorities and shall not be used or intended for human occupation.

7. *Accounts and returns-Nokarnamas.*— (1) The licensee shall keep, in the licensed premises an up-to-date list showing the names of all authorised agents and servants.

(2) The licensee shall maintain registers in Form R. S. VII-A, R. S. VII-B and R. S. VII-C regarding the casks and vats in use in his licensed premises.

8. *Issues.*—(1) No issues of rectified spirit under bond (i.e. without payment of duty) or an payment of duty shall be made unless their details are shown in the registers in Forms R. S. VII-D and R. S. VII-G which shall be maintained by the licensee and unless in the case of issues which are not under bond or duty free the amount of duty has been paid in the Government treasury. All issues of rectified spirit should be under transport pass granted by the Collector or the Prohibition and Excise Officer authorised in that behalf.

(2) Issues of rectified spirit on which excise duty is recoverable should be made only on receipt and verification of the triplicate copy of the challan (showing the payment of the duty) which will be received from the Chief Accounts Officer of Prohibition and excise, Bombay, or Treasury Officer concerned, with the original challan produced by the licensee identifying for the spirit or with the report received from the Prohibition and Excise Officer counter-signing the requisition in cases where the triplicate copies of the challans are not received by the Prohibition and Excise Officer in charge of the warehouse. The Prohibition and Excise Officer in charge of the warehouse, should make a note on the original challan for having issued rectified spirit and then return it to the party concerned.

(3) The Commissioners shall have powers to charge duty on losses of rectified spirit if he considers them excessive and not satisfactorily explained by the licensee, at such rate as may for the time being be applicable to rectified spirit :

Provided that no such duty shall be charged on the quantity of rectified spirit which the Commissioner may from time to time allow as a loss.

(4) Issues of rectified spirit shall be made by measures or by any other method approved by the Commissioner. The licensee shall provide such measures, weight and apparatus and also a complete set of testing instruments for testing rectified spirit as may be required by the Commissioner.

(5) Rectified spirit should be issued to licensees in full litres only. Fraction of a litre or less than four litres should not be issued except when rectified spirit is supplied free of excise duty.

9. *Sale and export.*—The licensee shall not sell rectified spirit to any person outside the State of Maharashtra except with the permission of the Collector. No such sale shall be effected unless the licensee is satisfied that the export of rectified spirit is covered by a valid export pass.

10. *Price of spirit.*—The price at which the licensee shall sell rectified spirit shall not exceed the ceiling price fixed by Government from time to time.

11. *Packing, Bottling, etc.*—No rectified spirit shall be racked bottled, blended or reduced by the licensee except in accordance with the provisions of the Act and the rules, regulations and orders made thereunder.

12. *No adulteration.*—The licensee shall not adulterate or in any manner cause to deteriorate any rectified spirit or receive or keep on the licensed premises or warehouse or sell rectified spirit which is or has been adulterated or which has deteriorated.

13. *Vend of other intoxicants banned .*—The licensee shall not without the permission in writing of the Collector have directly or indirectly any share, or interest in the Vend of country spirit or any other intoxicant nor shall he employ any person who holds such interest.

14. *Licensed premises etc. open to inspection.*—(1) The licensed premises and all rectified spirit contained therein shall at all times be open to inspection by the Collector and the Prohibition and Excise Officers empowered under section 122 of the Act and in Greater Bombay also by the Commissioner of Police, Bombay, and elsewhere also by the District Superintendents of Police.

(2) The licensee shall, when called upon by any Prohibition and Excise Officer not below the rank of a Sub-Inspector, give an explanation in writing regarding any irregularity detected at his licensed premises and shall furnish information regarding the management of the said premises and shall answer all reasonable questions to the best of his knowledge and belief. He shall also, on demand, allow the Inspecting Officer to take without payment, samples of 350 millilitres of rectified spirit for analysis.

(3) The licensee shall keep a visit book pagged and stamped with the seal of the Collector in which visiting officers may record remarks when inspecting the licensed premises. The licensee shall, on the termination of the period of his licence deliver up the visit book, the accounts and the licence to the local Prohibition and Excise Inspector or Sub-Inspector.

15. *Licensee to comply with orders etc.*—The licensee shall comply promptly with all lawful orders and directions issued from time to time under the Act and the rules, regulations and orders made thereunder by the Prohibition and Excise Officer not lower in rank than a Sub-Inspector.

16. *Licensee, his heirs, etc. not to have claim to continuance or renewal of the licence.*—It shall be entirely within the discretion of the Collector, to permit or not the assignee of the holder in case of sale or transfer, or the heir or legal representative 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 has been granted.

Granted this day of19 ..

Place

Seal of the
Collector

Collector