

Form F.L.II /S.P.O.

[See rule 25AB(4)]

(To be attached with Primary licence in form F.L.II granted under rule 25(1))

Upgradation No.....of

Form Upgradation of Licence in form F.L.II granted under rule 25(1), for retail sell of Foreign Liquor in sealed bottles at premises having area not less than 601Sq. meter for off consumption.

Upgradation of Licence in form F.L. II No ----- of the district ---- is hereby granted, under and subject to the provisions of Maharashtra Prohibition Act and the rules, regulations and orders made thereunder, to the holder of said Licence in Form F.L.II, Shri..... of (hereinafter called 'the licensee') on payment of fee of Rs., authorizing him to sell foreign liquor at his premises situated at ----- (write here full address) which is having carpet not less than 601 Sq. Meter (hereinafter called 'the licenced premises') during the period fromto (both days inclusive), subject to the following conditions, namely :—

Conditions.—

1. This form of upgradation is subsidiary to the licence in Form F.L.II granted under sub-rule (1) of rule 25. This upgradation shall not be valid without the validity of primary licence in form F.L. II.

2. All the conditions of the primary licence in form F.L. II granted under rule 25 (1) are applicable with other facilities as provided in the rules, regulations and conditions given herein under.

3. (a) The licensee shall always display at the entrance of the shop, a signboard of the size of 60 centimetres by 90 centimetres bearing the following inscriptions in legible characters -

Name of the Licensee (s).

Licence No.

Location of the shop.

Authorised opening and closing hours of the shop.

No additional items or advertisements soliciting of liquor shall be inscribed on the signboard.

(b) The licensee if interested in displaying name of his licence on name board of establishment, he shall display the same in Marathi language in Devnagari script in the following inscription only.

“----- Super Premium liquor Outlet.”

e.g. “Novalty Super Premium liquor Outlet”

Provided that, the licensee may also have the name board in any other language and script in addition to Marathi in Devnagari script :

Provided further that, lettering in Marathi language shall essentially be written in the beginning on the name board and the font of the letters in Marathi Language shall not be smaller than the font size of the letters in any other language.

No additional items shall be inscribed on said name board.”

4. It shall be necessary to keep available for sale at least stock of 100 brands of imported foreign liquor (BIO) of which at least 70 brands shall be of spirits.

5. Licensee may as per the prevailed rules, regulation and provisions therein, sell cigar, cigarette, cold drink in sealed bottle inside the premises.

6. There shall be adequate space to have display shelves inside the approved premises having enough space between two shelves which allows customer to walk through freely and shop his required liquor.

7. The premises shall be sufficiently fireproof.

8. Licensee may avail facility of tasting and appraising room inside the premises wherein such licensee can allow customer to taste foreign liquor including wine, beer, etc.

9. Closing hours in such upgraded licence shall be as prescribed under Maharashtra Foreign Liquor (Sale on cash, Register of Sale etc.) Rules, 1969.

10. Licensee with this upgradation if desire can have licence in form FL-I granted under rule 5 of the Bombay Foreign Liquor Rules, 1953 as well as licence in form FL-III granted under rule 45 of the Bombay Foreign Liquor Rules, 1953 in the premises adjacent to its approved licence premises.

11. The Licensee shall carry on business of selling foreign liquor at the licensed premises either personally or servant duly authorized by him in this behalf by a written nokarnama signed by himself and countersigned by a State Excise Officer not lower in rank than a Sub-Inspector :

Provided that, any such nokarnama signed by the licensee shall be valid unless and until such countersignature is refused. If for any reason the Collector shall order the withdrawal of any nokarnama issued by the licensee, the nokarnama shall be forthwith withdrawn. For every nokarnama issued by him and countersignature the licensee shall pay applicable fees. No nokarnama shall be issued to any person under 21 years of age.

12. The Licensee shall not sell, transfer or sub-let his right of selling foreign liquor conferred upon him by the licence in form F.L. II along with this form of upgradation, nor shall he in connection with the said right enter into any agreement or arrangement which is of the nature of sub-lease.

13. The licensee shall abide by conditions of the primary licence in form F.L. II as well as this form of upgradation and the provisions of the Maharashtra Prohibition Act and the rules, regulations and orders made thereunder and shall give an undertaking to that effect.

14. The Licensee shall comply promptly with all lawful orders and directions issued from time to time by the Commissioner, Collector or the superintendent or Inspector of the State Excise.

15. The Licensee, his heirs, legal representatives, or assignees shall have no claim whatsoever to the continuance or renewal of the primary licence in form F.L. II and so also to this upgradation after the expiry of the period for which it is granted. It shall be entirely within the discretion of the Collector to permit or not to the assignee of the licensee, in case of sale or transfer or, the heir or legal representative of the licensee, in case of death, to have the benefit of the licence for the unexpired portion of the term for which it is granted.

16. This primary licence in Form F.L.II along with its upgradation in Form F.L.II/S.P.O may be suspended or cancelled in accordance with the provisions of section 54 or 56 of the Maharashtra Prohibition Act.

17. In case Prime licence in form F.L. II is cancelled or suspended during the currency of the licence period or is not renewed on its expiry, this upgradation will become invalid immediately and the licensee shall surrender the whole stock of unsold foreign liquor forthwith to the Collector. The Stock of liquor so surrendered shall be sold by the Collector and the proceeds of the sale shall after deducting the expenses and any sum due to the State Government be returned to the licensee.

Granted this..... day of 20

Seal of the Collector

Collector of

By order and in the name of the Governor of Maharashtra,

YUVRAJ B. AJETRAO,
Deputy Secretary to Government.