

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.

FORM C.L. II

[See rule 14 (2)]

Licence authorising the Storage and Wholesale Sale of Duty Paid Country Liquor to Retail Shops

Licence is hereby granted under and subject to the provisions of the Bombay Prohibition Act, 1949 (Bom. XXV of 1949) and the Maharashtra Country Liquor Rules, 1973 and other relevant rules, regulations and orders made under the Act to (hereinafter referred to as " the licensee ") authorising him to store Country Liquor at..... in the District of (hereinafter called " the licensed premises ") during the period commencing on and ending on (both days inclusive), subject to the following conditions, namely :—

Conditions

1. The licensee shall pay into the Government Treasury a sum of ¹[²(Rs. 65,000 (Rupees Sixty Five Thousand))] as licence fee (inclusive of consideration).

1. Subs. by G. N. of 16-3-1993.

2. Subs. by G. N. of

2. This licence extends to the storage in the warehouse, of country liquor not exceeding litres in the aggregate.

3. If the licensee desires to discontinue the warehouse licence, he shall, give three months' previous notice in that behalf to the Commissioner.

4. The licensee shall carry on the business at his licensed premises either 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 counter signed by the Prohibition and Excise Officer not lower in rank than Prohibition and Excise Sub-Inspector, provided that, such *Nokarnama* signed by the licensee shall also be valid, unless and until counter-signature is refused. If for any reason, the Collector orders 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 by rules made under the Act.

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 maintain at his licensed warehouse a register in Form C.L. XIX of all his agents and/or servants duly authorised by him.

5. The licensee shall keep in the licensed premises a true and correct account of the quantity of country liquor received, issued and in balance in the register in Form C. L. XV. The account register and passes shall at all times, be open for inspection by the Commissioner, Superintendent or any other Officer authorised in this behalf.

¹[" 5A. The licensee shall maintain an additional register in the Form C.L. XXII-A in prescribed proforma appended hereto, at his licensed premises. The register may be duly paged and sealed with the seal of Collector, in which he shall write the correct brandwise stock and accounts of the day's transactions of each brand of country liquor in stock at his licensed premises in neat and legible manner."]

6. The licensee shall furnish to the Commissioner and the Superintendent on or before the 7th day of each month a statement in Form C. L. XVI showing the quantity of country liquor received at, and issued from his licensed premises during the preceding month, and also the quantity of country liquor held in balance at the end of the preceding month and shall furnish such other information at the Commissioner or the Superintendent may from time to time require.

7. The licensee shall keep a Visit Book at the licensed premises for the use of the Inspecting Officers. This book shall be paged and sealed with the seal of the Superintendent.

8. The licensee shall not sell country liquor of any person other than a holder of a licence in Form C.L. III or C.L./F.L./III for retail sale of country liquor. Provided that, the licensee may also sell country liquor to any other holder of licence in Form C.L. II for wholesale sale of country liquor, with the permission of the Superintendent.

9. No country liquor stored in the warehouse shall be removed for sale except under a transport pass in Form C.L. XVII issued by the licensee or his authorised agent.

10. Without the permission of the Commissioner, the licensee shall not sell, transfer or sub-let the privilege of storing country liquor granted to him by this licence nor shall he in connection with the exercise of the said right enter into any agreement or agreement which in the opinion of the Commissioner is of a nature of a sub-lease. No person shall be recognised as the partner of the licensee for the purpose of this licence unless the partnership has been declared to the Commissioner before the grant of the licence and the names of the partners have been entered jointly in the licence or if the partnership is entered into afterwards, unless the Commissioner agrees, on application made to him, to alter the licence and to add the name of the partner in the licence.

11. The licensee shall, when called upon by any Prohibition and Excise Officer not below the rank of Sub-Inspector, give an explanation in writing regarding any breach of

1. Inserted by 31-8-2001.

the rules or any irregularity detected and committed by him or his agents or servants, and furnish any information regarding the management of the shop and shall answer all reasonable questions to the best of his knowledge and belief. He shall also on demand allow a Prohibition and Excise Officer or an Officer of the Food and Drugs Administration to take free of cost samples of country liquor for analysis ^{2,3}[by the Chemical Analyser, ⁴[Chemical Analyser a fee as may be prescribed by the Commissioner] ^{1, 5,6}[***] for the analysis of each sample. (An account of the samples of country liquor drawn for analysis shall be maintained in Form C.L. XXV.)

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

13. The licensee shall obey all lawful orders from time to time by the Commissioner, the Superintendent or any Competent Prohibition and Excise Officer duly authorised by the Commissioner in this behalf.

14. This licence may be suspended or cancelled in accordance with the provision of section 54 or 56 of the Bombay Prohibition Act, 1949.

15. In case this licence is cancelled during the currency of the licence period or is not renewed on its expiry, the licensee shall forthwith surrender the whole stock of country liquor held in balance at the licensed premises to the Superintendent of Prohibition and Excise of the District.

Granted this day of 20 ..

Seal

Commissioner of Prohibition and Excise,
Maharashtra State, Bombay.

¹[FORM C. L. A. I.

(See rules 23 and 29)

Form of application for a licence to sell Country Liquor by Retail

1. Name, age and address of the applicant.
2. Names, ages and address in full of the partners, if the applicant is partnership firm (copy of the Deed to be appended).
3. The address in full of the premises where the Country Liquor would be sold.
4. Whether the proposed premises referred to at item 3 above are -
 - (a) Within 50 metres from any educational or religious institution, if they are within the jurisdiction of any Municipal Corporation or ' A ' Class or ' B ' Class Municipal Council and 100 metres if situated elsewhere.

1. Subs. by G.N. of 26-2-1982.

3. Subst. 12-6-1998.

5. Deleted by 12-6-98.

7. Subs. by 12-6-98.

2. Subs. by G.N. 11-5-1989

4. Subs. by 12-6-98.

6. Deleted by 12-6-1998.