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G. N., R.D. No. DNS. 1153, dt. 14th October 1953

(B. G. Pt. IV-B, p. 2076)

In exercise of the powers conferred by Section 143 of the Bombay Prohibition Act, 1949 (Bom. XXV of 1949), the Government of Bombay is pleased to make the following rule, namely :

The form of licence which may be granted under the Act for authorising a person to store in bond ordinary denatured spirit and to sell it for export by sea to places outside India in bond, shall be in the Form given in schedule hereto annexed and such licence shall be granted subject to the condition specified therein :

SCHEDULE

Licence authorising storage in bond and sale for export by sea outside India in bond of denatured spirit

Licence is hereby granted under and subject to the Provisions of the Bombay Prohibition Act, 1949 (hereinafter referred to as "the Act") and the rules, regulations and orders made thereunder, to of (hereinafter called "the licensee") on payment of a fee of Rs. in advance, authorising him to store in bond ordinary denatured spirit manufactured in India and to sell for export by sea to places outside India in bond the denatured spirit so stored at the (hereinafter called "the licensed premises"), during the period from to (both days inclusive), subject to the following conditions, namely :

Conditions

1. This licence extends to the storage in bond and sale for export as aforesaid of ordinary denatured spirit not exceeding* gallons manufactured in India and imported from*

2. Each jar, cask, drum, bottle or other receptacles containing ordinary denatured spirit of Indian manufacture stored in the warehouse shall be conspicuously labelled or branded with the words "Ordinary denatured spirit manufactured in India."

3. The licensee shall carry on the business at his licensed premises personally or by an agent or servant duly authorised by him in this behalf by a written *nokarnama* signed by himself and countersigned by a Prohibition and Excise Officer not lower in rank than a Prohibition and Excise Sub-Inspector, provided that any 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the Collector orders the withdrawal of any *nokarnama* issued by the licensee, the *nokarnama* shall be forthwith withdrawn.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.

4 (1) The licensee shall keep in the licensed premises a true and correct account of the quantity of ordinary denatured spirit received, sold for export by sea and in balance at the licensed premises. The account shall be plainly and correctly written up-to-date daily in a bound book, paged and sealed with the Collector's seal and with it shall be kept the

* To be filled in while granting licence.

counterfoils of the requisitions and transport permits or customs documents relating to ordinary denatured spirit received at the licensed premises. The account book, requisitions, permits and customs documents shall, at all times, be open to inspection by the Commissioner, the Collector, the Superintendent of Prohibition and Excise, Inspector, or any other Officer depute by the Commissioner, the Collector or the Superintendent of Prohibition and Excise to inspect them.

(2) The licensee shall render to the Prohibition and Excise Inspector on or before the 7th day of each month a statement showing the quantity of ordinary denatured spirit received at and exported by sea from, his licensed premises during the preceding month and the quantity in stock at the end of the preceding month and shall furnish such other information as the Collector or the Superintendent of Prohibition and Excise may from time to time require.

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

6. Without the permission of the Collector the licensee shall not sell, transfer or sub-let the privilege of sale for export by sea granted to him by this licence, nor shall be in connection with the exercise of the said right enter into any agreement or arrangement which in the opinion of the Collector is of a nature of a sub-lease. No person will be recognised as the partner of the licensee for the purpose of this licence unless the partnership has been declared to the Collector 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 Collector agrees, on application made to him, to alter the licence and to add the name of the partner in the licence.

7. The licensee shall abide by the conditions of this licence and the provisions of the Act and the rules, regulations and orders made thereunder.

8. The licensee shall obey all the orders issued from time to time to him by the Commissioner, the Collector or the Superintendent of Prohibition and Excise.

9. The licensee, his heirs, legal representatives or assignees, shall have no claim whatsoever to the continuance or renewal of this licence after the period for which it is granted, it shall be entirely within the discretion of the Collector to permit or not the assignee of the licensee in the 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.

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

11. In case this licence is cancelled during the currency of the licence period or is not renewed on its expiry, the licensee shall surrender the whole stock of unsold denatured spirit forthwith to the officer-in-charge of the Government Liquor Warehouse for disposal.

Granted this day of 19

Collector of