

AMENDMENTS IN THE CHHATTISGARH EXCISE SETTLEMENT OF LICENCES FOR RETAIL SALE OF COUNTRY/FOREIGN LIQUOR RULES 2002

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6. License shall be granted for retail sale of country and foreign liquor on annexure 1 and 2 with these amended rules in the form CS2D and FLI D respectively.The following sub rule be substituted for sube rule 1 and 2 of rule 4 4(1) The licensing authority shall allot the group after forming groups of each of three-three country/foreign liquor shops geographically neighbou ring in which the retail shop of country/foreign liquor shop of the same place shall be kept in one group. After allotting the group of country/foreign liquor and after the advance money has been deposited the licensing author shall issue groupwise licenses. 4(2) The licensing authority shall be authorised to reduce any one shop or to add one/two shops in the group out of the groups formed under sub rule 1 with a view to augment the revenue. He is also authorised to form group of five shops for hike in govt. revenue, which, however, is subject to prior permission of Excise Commissioner. The following sub rule be inserted in rule 4 after sub rule (3) 4(4) The annual value of any group of the retail shops of country and foreign liquor shouldn't exceed Rs.

8.00 crores, but If any such group exceeding 8.00 crore Rs. is form with a view to augment govt. revenue, the licensing authority must seek prior permission from Excise Commissioner. The following rule be substituted for rule 6, as :

6. Application fee with application - The application fee with appli.zt; for license of groups of liquor shops Shai} be as shown in the table below . S. No. Reserve price of the group 2

3. For group of shops of Rs.5.00 Lakh to Rs. 1.00 crore For group of shops above Rs. 1.00 crore to Rs. 2 .00 crore For group of shops above Rs. 2.00 crore to Rs. 8.00 crore rescribed Application Fees Rs. 500/- Rs. 1500/- Rs. 2500/- 8. The amount of application fees will neither be adjustable in license fees nor be refundable in case of not granting the license. The following clauses be substituted in rule 8 for clause (b), (c), (d), as : (b) A list of retail shop/shops of country/foreign liquor grouplfor which the licensing authority proposes to grant the license shall be exhibited alongwith the annual fixed minimum guaranteed quantity, annual duty amount, annual licence fees, annual value, security money and a monthls advance license fees and the application fees prescribed for the group in the office of Collector/Asstt. Commissioner excise/ District Excise Officer/S.D.M./ Tahsildar/Municipal Corporation/Municipal Council. (c) Application for grant Of license shall be submitted to the licensing authority in the prescribed form as appended to these rules as annexure alongwith affidavit a-ld prescribed application fees under rule 6. (d) The last date to be fixed for the receipt of application shall not be earlier than five days with effect from the date of publication of the advertisement in the news paper. The following clause be substituted in ruie 9 for clause (c) (c) Should not be a defaulter/black listed.or debarred from holding an excise 31 2003 license under the provision of rule 13 cf these rules or under the provision of any rule made under the Act. The following clause be substituted in rule 14 for clause (a) and (c), as : (a) The licensee under these rules shall obtain supplies of country liquor from manufacturing ware houses or bonded ware houses after making payment of duty of country liquor and obtain supplies of foreign liquor from Chhattisgarh State Beverages Corporation Ltd. after making payment of duty of foreign liquor and also its cost. The licensee shali piace indent well in advance for the supply of country/foreign liquor. (c) The duty rate of country/foreign liquor for the year 2003-2004 shall be as shown in the table below : (19) S. No. 2

3. Kihd of Liquor 2 Country Liquor Masala 25.0 U.P. Plain 50.0 U.R Rasi 70.0 U.P. Foreign Liquor (SPIRIT) S. No. Ex. Factory Price Per case means 12 bottles 2. Upto Rs. 900/- Above Rs. 901/- Foreian Uiguor (MALT) Beer (Malt Liquor) Duty Rate 3 per p. L Duty Rate Rs. 70/- Per P.L. Rs. 100/- Per P.L. Rs. 10/- Per quart bottle The following clause be substituted in rule 15 for clauses (a) and (b), as : (a) The licensee shall deposit the whole amount of the fixed minimum guaranteed quantity of the country/foreign liquor shop/group of shops in the treasury/sub treasury of the concerned district by the 25th day of the 11. month and submit the original Io the Asslt. Commissioner, Excise Officer of the District where issue may be made till the month end. The unlifted quantity of fiquor tiil the end of the month shall be forfeited. (b) In case the retail licensee fails to deposit the whole amount of the fix'? minimum guaranteed quantity of country/foreign !iquorshop/group of shops and fails to submit the original challan by 25th day of the month. As per clause (a) the District Excise Officer/Asstt. Commissioner Excise Shal! immediately report the matter to the licensing authority who shall take action to impose penalty in accordance to sub clause 1 of clause (f) of sub rule 1 of rule 23. Adjusting the amount equal to the imposed penalty and the balance amount of minimum guaranteed quantity from the security amount, the licensing authority shall issue a notice to licensee to replenish the shortfall in security amount within a week and also show cause as to why the license shoud not be cancelled. Ifthe licensee fails to deposit the amount of deficit in security amount and does not furnish suitable explanation within the stipulated period his license/iicenses of shop/shops or group Shall stand cancelled. Thereafter the licensing authority shall take necessary steps to resettle •the shop/group of shops. TheffoUowing rule be substituted for rule 16, as

16. Lifting of country/foreign liquor in excess of minimum monthwise guaranteed quantity : The licensee may lift liquor more than the minimum month wise guarahtered quantity at the prescribed duty rate only.The following clause be substituted in rule 23 for clause (f)(One) and (Two) of sub rule (1), as : (f)(One). In •the licensee of country/foreign liquor retail shop/group of shops fails to deposit the whole amount of the fixed minimum guaranteed quantity by 25th day of the month in the treasury/sub-treasury of the concerning district and submit the original challan in the district office of the concerning 31 2003 164 (21) district he shall be iiable for penalty at the rate of Rs. 48/- per P.L. of country liquor, Rs.

4. RJIO. RIO. RIO. RIO. License for retail sale of spiced country liquor at a strength of 25 U.R and plain country_liquor at a strength of 50 U.P. and rasi at a strenght of 70 U.P. in standard quart (750 m)), pint (3751Ttl) and nip (180 ml) bottles capacity, is hereby granted tq above licence holder(s) at Tahsil w.e.f. (place) in in District of to March 31, 20 for which licence fee and security deposit has been made in accordance with rule 7 The licence is subject to the following special and general conditions the infraction of any of which or a conviction for any offence under the Chhattisgarh Excise Act, 1915 or Narcotic Drugs and Psychotropic substances Act. 1985 shall make the licensee(s) liable for cancellation of the licence and forfeiture of security deposit in addition to any penalty• imposed under the relevant laws. 164 (24) 2. 3. 4. 5. 31 2003 GENERAL AND SPECIAL CONDITIONS The licensee is liable to deposit the whole duty amount fixed for (he month. The unlifted quantity of liquor till the last working day of the month shall be forfeited from the fixed amount of the minimum guaranteed quantity. The amount df the fixed minimtjm gtiaranteed quantity for the country liquor shali be deposited by 25th day of the month and against this amount country liquor can be lifted till the last working day Of the month from the concerning districts manufacturing ware house/bonded ware house. In case the retail licensee of the country liquor shop/group fails to submit the original challan after depositing the whole amount of the fixed mihimum guaranteed quantity of the country liquor shop/group by the 25th day of the month, the Asstt. Excise Commissioner/District Excise Officer shall immediately report the matter to the licensing authority who shall in accordance to the sub clause (one) of clause (f) of sub rule (1) of rule 23 of the 'Chhattisgarh 'Excise settlement of licenSe for retail sale of country/foreign liquor Rules 2002" take action to impose

penalty on the amount of guaranteed quantity less paid than the fixed monthly amount of the fixed guaranteed minimum quantity. Adjusting the amount equal to the imposed penalty in the balance amount of security against the security amount deposited by the licensee shall issue a notice to the licensee to replenish the shortfall in security amount within a week and also show cause as to why the license/licenses of the concerned shop/group should not be cancelled. If the licensee fails to deposit the amount of deficit in security amount and does not furnish suitable explanation within the stipulated period the license/licenses of his shop/group shall stand cancelled and the licensing authority shall take immediate step to resettle the licensed shop/group. The licensee may lift more than the Minimum Monthwise Guaranteed Quantity at the same rate of duty. No additional duty shall be levied on lifting more than the minimum monthwise guaranteed quantity. The licensee can obtain supply of the country liquor from the Country liquor supplier of the district after making full payment of issue price of liquor including sealing 6. 7. 8. 9. 10. 11. charges, all taxes, duties etc. leviable for OTTI time time. The licensee place indent well in advance to the supplier in the district from whom he wants to procure the supply of country liquor. In case the supplier with whom the indent has been placed fails to supply country liquor as soon as possible, the licensee must approach to the District Excise Officer/Asstt. Excise Commissioner concerned who will make arrangements for supply of country liquor as soon as possible of receipt of such indent. The retail licensee shall not charge less than the fixed minimum retail price. The sale of country liquor in sealed bottles for consumption shall be allowed from the same Gaddi. A portion of the premises shall be set apart where only "on" consumption shall be permitted. Even for "on" consumption the liquor shall not be served loose. The sales shall be made in sealed bottles of quarts, pints, nips of country liquor of prescribed strength and quantity carrying security Hologram approved by Excise Commissioner, as proof of payment of duty. The licensee shall maintain a regular and accurate daily account in the prescribed register. The account register shall be produced for inspection whenever asked by the competent inspecting authority. The licensee shall return all the empty bottles in stock with him on the proceeding day to the supply contractor on the date he goes to the warehouse for obtaining supply of country liquor. The licensee shall not be allowed to carry on any other business on the licensed premises except sale of country liquor for which licence is granted. The licensed premises shall remain open for sale on all days from 10.00 a.m. to 10.30 p.m. except on 15th August (Independence Day), 2nd October (Gandhi Jayanti), 26th January (Republic Day), 30th January (Mahatma Gandhi Nerwan Diwas), Holi and Moharrum and upto 3 more days as notified for closure by the licensing authority. Licensing authority may also order closure of shop on account 164 (26) 12. 13. 14. 15. 16. 17. 18. 19. 20. 31 2003 of law and order or General Election related activity etc. under the provisions of relevant laws. No compensation shall be given for the closure of shop on above dates/days. The licensee shall store entire stock of country liquor in the licensed premises only. The licensee shall affix a conspicuous signboard at the entrance to the shop on which the name of the licensee, designation "Licensed Retail Vendor of Country Liquor", location of the shop, period of licence and such other information as prescribed by licensing authority in bold letters shall be painted. The licensee shall provide within the licensed premises a reasonable seating accommodation i.e. sufficient number of benches "takehats", chairs and tables etc. The licensee shall not employ any person as salarman who is below 21 years of age or is suffering from any infectious and/or contagious disease, or has criminal background or a woman. The licensee shall not sell to any person more than the prescribed quantity of country liquor. The sales should not be made to a person below the age of 18 years or any official in uniform. The licensee is strictly forbidden under any pretext whatsoever from tempering with bottles or with their labels, security Hologram, pilfer proof caps of seals. The licensee shall not keep in his licensed premises any colour, essence, hologram, tables, capsules, seals and any other noxious material. The licensee or his salesmen are strictly prohibited from keeping water on the Gaddi of the shop or within 5 feet of the place where the country liquor is stored or kept for sale. 21. 22. 23. 24. 25

26. Date District 31 2003 be responsible for the proper upkeep and cleanliness including The its drain etc. which shall be kept disinfectd. All Kujjar, pattals etc. used in the premises shall be removed immediately to specially erected empty receptacles or bin with a cover kept for this purpose, which shall be cleaned at least twice during the sale hours. The premises in which the shop is situated shall not be used as a place of residence by the licensee/salesman and his family. The licensee is strictly prohibited from having recourse to any form of blandishment or inducement to the customer with a view to increase his sales. Gambling and dance programme are strictly prohibited. The licensee shall on expiry of the licence, report

to the licensing authority for disposal of balance stock which will be disposed off in accordance with condition No. 25th of general licence condition. The licensee shall be bound by the provisions of the Chhattisgarh Excise Act, 1915 and the rules made there under (except General License condition No. 2A and 2B) and also with the special instruction by the competent authority. Licensing Authority 1 04 (28) 2003 Annexure [Rule 3(b)] Licence for the retail sale of foreign liquor in sealed bottles Licence No. Locality Licence fee Rs. from foreign liquor shop Year District (in figures) The Amount of annual minimum guaranteed quantity Rs. Shop's total value Rs. (in words). (in figures) (in words) The monthwise division of it is as follows : S.N. 2. 3. 4. 5. 6. 7 8. 9. 10

11. Month April May June July August Sept. October November December January February March
 Monthwise License fees Annual Licence fees 1112th Pan 1/12th part 1/ 12th Part 1112th part 1/12th Part 1/12th Part 1 /12th part 1112th Part 1112th Part 1/12th Part 1/12th P-aft 1112th Pan Monthwise minimum quantity Spirit (In P.L.) guaranteed (In B.L.) (in words) (in figures) Prescribed amount of minimum guaranteed quantity for the Spirit Rs 9% of Annual Q of Annual at 9% of Annual Qt 6% of Annual Qty 6% of Annual Qt 6% of Annual Qty Annual Qty 8% of Annual Qty of Annual Qt of Annual Qty of Annual Qty 8% of Annual Qty 15% of Annual Qt 15% of Annual Qt of Annual Qty 6% of Annual Qty. 60/0 of Annual Qt Annual Qty 6% of Annual Qty. 5% of Annual Qty. 5% of Annual Qt 5% of Annual Qty Annual Qty 1 00/0 of Annual Qty 1 64 (29) The license fees of foreign Liquor shop shall be deposited in twelve equal instalment. The remaining amount of the license fees after being divided by 12 shall be deposited alongwith the first monthly instalment. Similarly the whole amount of the fixed minimum guaranteed quantity for the foreign liquor shop shall be deposited by the 25th day Of the concerned month as per that division. Description of premises (with boundaries) North South East West Name, Father's Name and Address of Licensee(s) 2. Name, Father's name and Address of Salesmen 2. 3

4. RIO. RIO. RIO. RIO. RJIO. RIO. License for retail sale of foreign liquor hereby granted to above licence holder(s) at District of Tahsil w.e.f. in standard quart, pint and nip bottles is (place) in P.S. in to March 31 , 20 for which licence fee and security has been made in accordance with rule 7 for consumption outside the premises. The licence is subject to the following special and general conditions the infraction of any of which or a conviction for any offence under the Chhattisgarh Excise Act, 1915 or Narcotic Drugs and Psychotropic substances Act, 1985 shall make the licensee(s) liable for cancellation of the licence and forfeiture of security deposit in addition to any penalty imposed under the relevant laws. (30) 2. 3. 4. 5. 6. 7. 8. 31 2003 GENERAL AND SPECIAL CONDITIONS The licensee shall obtain supply of the foreign liquor from the Chhattisgarh State Beverages Corporation Ltd. after making full payment of price of liquor including all taxes, duties etc. leviable from time to time. The licensee shall not charge less than the minimum retail price as fixed under rule 17. Sales at the licensed premises shall be made only for consumption "Off" the premises No liquor shall be sold from the premises. No quantity less than one standard Nip bottle of 180 ml shall be sold to any person. No sale shall be made to a person below the age of 18 years. The sales shall be made in sealed bottles i.e. quarts, pints and nips of foreign liquor of prescribed strength and quantity and which carry security Hologram approved by Excise Commissioner as proof of payment of duty. The licensee shall maintain a regular and accurate daily account in the prescribed register and the account register shall be produced for inspection whenever asked by the competent inspecting authority. The licensee shall also furnish account of sales and, facilities and provide the material and documents required by the competent inspection authority. The licensee shall store entire stock of foreign liquor in the licensed premises (a) The licensee is liable to deposit the whole amount of the minimum guaranteed quantity. The quantity left unlifted on the last working day of the month shall be forfeited from the amount of the fixed minimum guaranteed quantity. The licensee shall so adjust the lifting of the fixed monthwise minimum guaranteed quantity that the duty amount paid shall not be less than the monthly amount of the fixed minimum guaranteed quantity. But as a result of the lifting of foreign liquor spirit/malt the duty amount paid for any month is equal to the prescribed amount of the fixed minimum guaranteed (b) (c) 31 2003 amount but the lifted minimum guaranteed quantity is less, in such case shall be assumed that the prescribed minimum guaranteed quantity has been lifted. The indent for the entire minimum guaranteed Quantity of foreign liquor fixed for the month alongwith cost of liquor including all duties; taxes and cess must be submitted to the Chhattisgarh State Beverages Corporation Ltd. by 25th day of the month. In case the retail licensee of the foreign liquor shop/group fails to submit the original challan after depositing the whole amount of the fixed minimum guaranteed quantity of the foreign liquor shop/group by the 25th day

of the month, the Asstt. Excise Commissioner! District Excise Officer shall immediately report the matter to the licensing authority who shall accordance to the sub clause (one) of csaue (f) c, sub rule (1) of rule 2? the UChhattisgarh Excise settte;nerfi license for retail sale of coun foreign liquor Rules 2002" take action to impose penalty on the amount of guaranteed quantity less paid than the fixed monthly amount of the fixed guaranteed minimum quantity. Adjusting the amount equal to the imposed penalty in the balance amount of security against the security amount deposited by the licensee shall issue a notice to the licensee to replenish the shortfall in security amount within a week and also show cause as to why the license/licenses of the conserved shop/group should not be cancelled. If the licensee fails to deposit the amount of deficit in security amount and does not furnish suitable explanation within the stipulated period the license/licenses of his shop/group shall stand cancelled and the licensing authority shall take immediate step to resettle the licensed shop/group. 9

10. The licensee shall affix a conspicuous signboard at the entrance to the shop on which the name of the licensee, designation "Licenced Retail Vendor of Foreign Liquor".location of the shop, period of licence and such other information as prescribed by licensing authority in bold letters shall be painted. The licensee shall not be allowed to carry on any other business on the licensed premises except sale of country liquor for which licence is granted. (32) 11. 12. 13. 14. 15. 16. 17. 19, fq-# 31 2003 The licensee shall not sell to any person more than the prescribed limit of foreign liquor. The sales should not be made to a person below the age of 18 years police personnel below the rank of sub inspector or to a soldier or official in uniform. The licensee is strictly forbidden under any pretext whatsoever from tempering with bottles or with their tables, security Hologram, pilfer proof caps of seals. The licensee shall not keep in his licensed premises any colour, essence, hologram, lables, capsules, seals and any other noxious material. The premises in which the shop is situated shall not be used as a place of residence by the licensee/salesman and his family. The licensee is strictly prohibited from having recourse to any form of blandishment or inducement to the customer with a view to increase his sales. Gambling and dance programme are strictly prohibited. The ficensed premises shall remain open for sale on all days from 10.00 a.m. to 10.30 p.m. except on 15th August (Independence Day). 2nd October (Gandhi Jayanti), 26th January (Republic Day), 30th January (Mahatma Gandhi Neman Diwas), Holi and Moharrum and upto 3 more days as notified for closure by the licensing authority Licensing authority may also order closure of shop on account of law and-order or General Election related activity etc. under the provisions of w relevant laws. No compensation shall be given for the closure of shop on above dates/days. The licensee shall not be allowed to carry on any other business on the licensed premises except sale of foreign liquor for which licence is granted. The Ilcensee shall on expiry of the licence, report to the licensing authority for disposal of balance stock which will be disposed off in accordance with sub rule (6) of rule 18 of Chhattisgarh foreign liquor Rules, 1996. 21. f. Date District 31 2003 The licensee shall sei! foreign liquor to F.L. 2. F.L.G. FL.4. F.L.4A FL .5 licensees as specified by the Coliector. The iicensee •shall be bound by the provisions of the Chhattisgarh Excise Act. 1915 and the rules made there under (except General License condition No. 2A and 2B) and also with the special instruction by the competent authority. Licensing Authority

2. District 2.3. 4. 5

6. Name of Applicant : Name of Shop/Group : Application Receiver's Signature 2003 Serial No.District Code No. Group No.. Signature and office seal of the officer/staff issuing application Serial No. APPLICATION Application for the grant of license for retail sale of Country Liquor/foreign Liquor group Details of the shop/Group of shops Name of District : Name of group of shops of country/foreign liquor Shop/Group of shops' Annual License fee (in figure) Rs. (in words)-Rs. Annual fixed minimum guarantee quantity (A) Country Liquor Quantity (P. L.) (B) Foreign Liquor Quantity (P.L.) (C) Foreign Liquor (Malt) Quantity (B.L.) Duty amount Rs. Duty amount Rs. Duty amount Rs. 1/12th Part of security money of the duty amount payable of shop/group of shops (in figure) Application fee (in figure) Rs. (in words) (in words) Rs. 2003 DETAILS OF THE APPLICANT (In case of co-applicant photograph of co-applicant and details at serial No. 1 to 5 be also given) 1 2. 3. 4. 5

6. Name of the Applicant Father's/husbandas Name Age Permanent address .House No. and Locality/Viliage Police Station Tahsil Distt State Telephone No. Present address House No. and Locality/Village Police Station Tahsi! Distt. State Telephone No. Details of the application fee deposited Sex Male/Female Passport Size of Photograph of Applicant duly attested by Gazetted Officer a. Bank

Draft/pay order No. and Date/Banker Cheque/Cash b. Name of Bank The above information is true to the best of the my/our knowledge. In the event of above info/matter; being found incorrect, my/our application shall be liable to be rejected. If above details are found to be incorrect subsequent to the grant of licence it shall render my/our licence liable for cancellation and forfeiture of licence - fee and security deposit made by me/us. I/we am/are aware that submission of false or incorrect information is a penal offence. Enclosure 2. Bank Draft/pay order of application fee Affidavit duly verified by public Notary Signature(s)/Thumb impression(s) of the applicant(s) and Date (ACKNOWLEDGEMENT OF APPLICATION) Received application from Shri/Smt./Ku. r/o. S/o., we Dic for country foreign liquor group alongwith affidavit and bank draft/Banker's cheque/ Bank cash order or original chalan for application fee and entered in the register at serial number Date Time . Signature of person authorized by District Excise Officer/Asstt, Commissioner Excise District

