


GOVERNMENT OF ODISHA
EXCISE DEPARTMENT

ORDER

No. 533 / Ex., Bhubaneswar, Dated the 6/2/ 2015

In exercise of the powers conferred by sub-section (2) of section 29 of the Bihar and Odisha Excise Act, 1915 (Bihar and Odisha Act 2 of 1915) and in supersession of the Order of the Government of Odisha in Excise Department No. 4528-Ex., dated the 1st August, 2014 published in the extra-ordinary issue of Odisha Gazette No.1271 dated the 11th August 2014 and except as respect to thing done and action taken or omitted to be done before such supersession, the State Government do hereby direct that any sum payable under sub-section (1) of the said section in consideration of the grant of privilege for retail sale of India Made Foreign Liquor (IMFL) OFF and Country Spirit (C.S.) within the premises of the vendor shall, unless and otherwise directed by the State Government in any particular case or cases for any reason, be determined by the process of auction on a forward basis conducted online (henceforth referred to as 'e-auction') in accordance with the following procedure, namely:—

- (1) The dates for e-auction shall be fixed and notified by the Excise Commissioner with the prior approval of the State Government.
- (2) The process of settlement shall be conducted by a departmental Excise Auction Committee (hereinafter referred to as EAC), Chaired by the Excise Commissioner comprising three to six other members appointed by the Chair from time to time. The EAC may be guided, from time to time, by a core team as may be engaged by the State Government, comprising officials such as those from the Excise Department, State Procurement Cell (SPC), MSTC Limited (company registered under the Companies Act, 1956), National Informatics Centre (NIC), or any other such registered organization. The EAC may also be assisted throughout the settlement process by Information Technology (IT) support staff comprising of computer-trained officers as may be provided by the State Government from time to time. The EAC Members shall have Departmental access to e-auction website (mstcecommerce.com), validated by authorized Digital Signature Certificates. MSTC Ltd., with the support of EAC and IT staff, shall create auction Ids in e-auction system for each shop or group of shops sufficiently before issue of Sale Notice in Form B and carry out the scrutiny of required original documents after online registration of bidders, monitor live progress of e-auction, generate list of



provisional highest bidders post e-auction, and officially forward this report to EAC, who in turn shall forward this to respective Collector of the District for grant of licences.

- (3) On publication of the notification as mentioned in Paragraph (1) along with the list of shops or group of shops received from EAC, the Collector of the concerned District shall issue Public Notice in Form 'A' inviting objections from the persons residing within the locality, unless such objection invitation and disposal has been completed by the Collector for the concerned year. After disposal of the objection petitions, the Collector of the concerned District shall issue Sale Notice in Form 'B' inviting online applications from bidders for settlement of a shop or a group of shops at least ten days before the commencement of e-auction and shall give wide publicity to the same in such manner as he may consider necessary. EAC shall widely publicize the list of shops along with auction Ids in print and electronic media and shall also communicate the list to the State Government for prominent display on official website of the Department-<http://odisha.gov.in/excise/>.
- (4) The settlement of retail shops of IMFL 'OFF' and C.S. shall be done individually and separately. Shops shall not be ordinarily settled in lots, except with the sanction of the Excise Commissioner based on recommendations of the respective Collectors and any surrender or cancellation of licences (of the lot) after settlement shall entail surrender or cancellation of the whole lot at the discretion of the competent authority.
- (5) The e-auction shall be conducted individually and separately under one unique e-auction Id for each shop or group of shops to be processed by the EAC. Bidders shall be required to obtain Digital Signature Certificates (DSCs) through Certification Agencies appointed by the office of the Controller of Certification Agencies (CCA) under the provisions of IT Act, 2000 to participate in e-auction.
- (6) To qualify for participation in e-auction, the bidders shall be required to apply online by submitting the 'buyer registration' form and then undergo scrutiny of required original documents with MSTC Ltd/ EAC on payment of registration fee as specified in the Sale Notice, before the end date for bidder registration as specified in Sale Notice. These documents may be as specified in the Sale Notice, as may be determined by the State Government, from time to time, and may, among other things, include the following, namely:—
 - (a) Proof of online payment to MSTC Ltd's E-payment gateway to be made towards non-refundable application fee for each shop, as specified in the Sale Notice, as may be determined by the State Government, from time to time;
 - (b) Proof of online payment to MSTC Ltd's E-payment gateway to be made towards Earnest Money Deposit (E.M.D.) of each shop which shall not be less than three

A. K. Mishra
EAC