

District Excise Office... Cuttack.....

NO 381 /EX., Dt 07-03-2015

Form 'B'

SALE NOTICE

NOTICE INVITING ONLINE APPLICATIONS FOR SETTLEMENT OF IMFL 'OFF' AND C. S. SHOPS THROUGH E-AUCTION FOR THE YEAR 2015-16.....

1. The consideration money for exercising the privilege for retail sale of India Made Foreign Liquor [IMFL 'OFF' and Country Spirit (C. S.) in the State of Odisha for Cuttack.....District] shall be determined through "auction on a forward basis conducted Online", (hereinafter referred to as 'e-auction) in accordance with the order issued under sub-section (2) of Section 29 of the Bihar and Odisha Excise Act, 1915 (hereinafter called as Act) as for the time being in force and applicable as per Annexure- 'I'.
2. The privilege to be so granted shall confer the right to open a shop in the locality named in the list. The complete list of the localities where the shops are sought to be opened with their monthly reserve price is annexed herewith in Annexure- 'I'.
3. The privilege, without prejudice to any of the provisions of the Act and the rules made thereunder, shall be subject to the following conditions:—
 - (1) The consideration money shall be payable in the manner specified in the Odisha Excise (~~Exclusive Privilege~~) ~~Foreign Liquor Rules, 1989~~ and ~~Odisha Excise Exclusive Privilege Rules, 1970~~.
 - (2) The currency of the licence shall commence on the date of grant of licence for shops settled in the financial year from ~~the~~ date the licensee shall open the shop for retail sale of IMFL / C. S. or for a period as extended by the Government from time to time. Failure to open the shop as stipulated herein shall entail cancellation of licence and recovery of any loss caused to Government, except in case of delay in granting the licence or wherein any shop is closed under Section 26 of the Act.
 - (3) No compensation shall be paid to the holder of a privilege for retail sale of IMFL/ C.S. for closure of the shop on 2nd day of October every year on account of Gandhi Jayanti and also for closure during General Election/ By-Election to Parliament (Lok Sabha) / State Assembly as per direction of the Election

Commission of India and in conformity with the direction of the State Election Commission during the Election to Gram Panchayat/ Panchayat Samiti/ Zilla Parishad and Urban Local Bodies and for such other days as the concerned Collector may decide.

- (4) The holder of a licence shall not be entitled to any compensation or to the refund of any consideration money paid or deposited in respect thereof, in the event of his/ her licence being cancelled or suspended before the expiration of its term under the provisions of Section 42 of the said Act.
- (5) Once a shop starts operating in its sanctioned locality, it shall not be ordinarily shifted. However, shifting of a shop to any un-objectionable site within the same sanctioned locality or other than the sanctioned locality for any special reasons shall be subject to the approval of the Excise Commissioner.
- (6) The holder of the licence shall abide by the provisions of the Act and the Rules and Orders made thereunder.
- (7) The State Government will not be responsible for providing the place for location of shops. It will be the responsibility of the privilege holder to arrange suitable place and carry-on the privilege granted to **the privilege holder** only in the locality to which the shop is sanctioned. The place so arranged shall be free from objection from the public **and shall not be on Government land as specified by the Govt. from time to time.**
- (8) The privilege once granted shall be valid for a period of one year, and unless and otherwise directed by the State Government, it may continue for a maximum period of three years including the year of grant. If a shop is settled in the middle of the financial year through e-auction, the privilege may continue for the remaining period of the original year and subject to maximum period of three years including the year of grant, unless and otherwise directed by the Government. **Wilful failure** to renew the licence for a shop or group of shops in terms and conditions generally prescribed for all shall lead to the privilege holder or his family members or his associates being disallowed under Rule 102- A of Board's Excise Rules, 1965 from taking part in subsequent settlement process of the shop or any other shops till completion of five years including the year of grant or as may be determined by the Government from time to time. At the end of the license's original three year's validity or on suspension or surrender of licence, the privilege shall be settled through e-auction or otherwise as directed by the State Government.