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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

**GOVERNMENT OF WEST BENGAL**  
**Department of Excise**

No. 1301-EX

Kolkata, the 9th November, 2010.

**NOTIFICATION**

In exercise of the powers conferred by sections 85 and 86, read with sections 30, 31, 36, 37 and 37A of the Bengal Excise Act, 1909 (Ben. Act V of 1909), the Governor is pleased to make, with immediate effect, the following amendments in the West Bengal Excise (Selection of New Sites and grant of License for retail sale of Liquor and Certain Other Intoxicants) Rules, published under Notification No.800-Ex date 29.7.2003 as subsequently amended (hereunder referred to as the said rules) :—

*Amendments*

In the said rules,—

1. In rule 4—

(i) *insert* the following category after category (n)—

“(o) 25<sup>0</sup> UP Rum for consumption ‘off’ the site of existing country spirit and coloured and/or flavoured spirit shop or 25<sup>0</sup> UP Rum for consumption ‘off’ the site of existing *Bhang* shop or 25<sup>0</sup> UP Rum for consumption ‘off’ the site of existing pachwai shop.”

2. In Explanation VI to the Rule 4 —

*Substitute* “category (n) license” by “category (n) and (o) license”.

3. In rule 5—

*Substitute* “items (a) to (n)” by “categories (a) to (o)”.

4. In rule 6 —

*Substitute* “License Form No. XVI” by “License Form No. XVII”

5. *Substitute* rule 15 by—

“**15. Supplementary license**— On an application made by the holder of a license of the categories mentioned in clauses (a), (c), (d) and (f) of rule 4 to the Collector with requisite application fees, as applicable, for grant of supplementary licenses for transaction from the existing sites, the Collector shall grant such supplementary license on realization of fees prescribed for grant of such licenses in accordance with the following table:-

**TABLE**

<b>Sl. No.</b>	<b>Category of license as at</b>	<b>Supplementary License(s) to be granted</b>
1.	Clause (a) of rule 4	4(f) Beer, wine and Low Alcoholic Beverage (LAB) for consumption ‘off’ and/or ‘on the site of existing country spirit shop. 4(n) 50 <sup>0</sup> UP foreign liquor for consumption ‘off’ the site of existing country spirit shop. 4(o) 25 <sup>0</sup> UP Rum for consumption ‘off’ the site of existing country spirit and coloured and/or flavoured spirit shop
2.	Clause (c) of rule 4	4(a) Country spirit and coloured and/or flavoured spirit for consumption “off” the site of existing <i>bhang</i> shop. 4(f) Beer, wine and Low Alcoholic Beverage (LAB) for consumption “off” the site of existing <i>bhang</i> shop. 4(n) 50 <sup>0</sup> UP foreign liquor for consumption ‘off’ the site of existing <i>bhang</i> shop. 4(o) 25 <sup>0</sup> UP Rum for consumption ‘off’ the site of existing <i>Bhang</i> shop
3.	Clause (d) of rule 4	4(a) Country spirit and Coloured and/or flavoured spirit for consumption “off” and/or “on” the site of an existing <i>pachwai</i> shop. 4(f) Beer, wine and Low Alcoholic Beverage (LAB) for consumption “off” and/or “on” the site of an existing <i>pachwai</i> shop. 4(n) 50 <sup>0</sup> UP foreign liquor for consumption “off” and/or “on” the site on an existing <i>pachwai</i> shop. 4(o) 25 <sup>0</sup> UP Rum for consumption ‘off’ the site of existing <i>pachwai</i> shop
4.	Clause (f) of rule 4	4(n) 50 <sup>0</sup> UP foreign liquor for consumption ‘off’ and/or ‘on’ the site of an existing <i>beer, wine</i> and <i>Low Alcoholic Beverage (LAB)</i> shop.

Note: 1. Supplementary license for beer, wine and Low Alcoholic Beverage (LAB) for consumption ‘off’ and or ‘on’ the site can only be granted as a combined license.

6. Insert the “License Form No. XVII” after License Forms appended to these rules.

By order of the Governor,

H. K. DWIVEDI,  
*Secretary to the Government of West Bengal.*

**License for the retail sale of 25° UP  
Rum for consumption 'off' the site**

**COUNTERFOIL**

Name of District –

No. of License in Register No. 178<sup>1</sup> –

Name of Licensee<sup>2</sup> –

Persons(s) holding license, in case of  
Firm/ Company / Society<sup>3</sup> –

Name & Style of the Shop<sup>4</sup> –

Address of the Shop<sup>5</sup> –

License is valid from.....  
to .....  
Fee of Rs..... deposited  
vide Challan no.....  
Dated .....for  
grant of license for the above mentioned  
period.

Received the license of which this is the  
counterfoil and understood the terms and  
conditions of the license. I/We shall be  
bound by the provisions as mentioned at  
N.B. of the license.

Signature / thumb-impression of the per-  
son receiving license with the  
status in respect of license.

The ..... 20

**License for the retail sale of 25° UP Rum for consumption 'off'  
the site**

District –  
No. of License in Register 178<sup>1</sup> –  
Name of the Licensee<sup>2</sup> –

Person(s) holding license, in case of Firm /  
Company/Society<sup>3</sup> –

Name & Style of the Shop<sup>4</sup> –

Address of the Shop<sup>5</sup> –

The Licensee(s) is / are hereby authorized by the undersigned to  
open a shop at ..... for the retail  
sale of **25° UP Rum** for consumption 'Off' the site (Approved Blue  
Print of which is enclosed herewith) subject to the following terms and  
conditions.

- I. The License shall remain valid from ..... to .....
- II. The Licensee shall not receive any **25° UP Rum**, except under  
cover of a pass issued by the person duly authorized by the competent  
authority.
- III. The Licensee shall report to the Collector, the arrival of every  
consignment of **25° UP Rum**, within 7 days of its receipt and at least  
48 hours before it is opened, stating the description and quantity of  
such consignment.
- IV. The Licensee shall not reduce / increase the strength of **25° UP  
Rum** by any means
- V. The Licensee shall not alter the nature of **25° UP Rum** or the  
labels or caps under which the same are purchased.
- VI. The Licensee shall not possess on his licensed premises any quan-  
tity of Kuchila, Aconite, Dhatura or any other substances/materials as  
may be fixed by the competent authority from time to time.
- VII. The Licensee shall not, under this license, sell any **25° UP Rum**,  
except in properly sealed, labeled and capsuled bottles having their  
seals and capsules intact, provided that the Licensee may sell the bot-  
tles, opened by a competent excise officer for test, if resealed by such  
officer with his official seal.

VIII. The Licensee shall not, under cover of this license, sell to any person at one time, more than the quantity as fixed by the competent authority for the time being in force.

IX. The Licensee shall not sell or deliver any **25° UP Rum** to any person under the age of 21 years.

X. The Licensee shall not sell **25° UP Rum** on credit or receive any pledge for payment of the price thereof or anything but money in exchange thereof.

XI. The Licensee shall not employ or permit to be employed in any part of his licensed site where liquor is sold, either with or without remuneration any person under the age of 21 years during the hours in which such site are kept open for business.

XII. The Licensee shall not allow any **25° UP Rum**, sold under this license, to be consumed on the licensed site

XIII. The Licensee shall not undertake any works relating to addition/ alteration of the approved licensed premises, without obtaining written permission of the license granting authority.

XIV. The Licensee shall abide by the terms and conditions regarding maintenance of accounts, submission of returns and any other conditions as may be specified by the B.E. Act 1909 and rules/orders made there under from time to time.

**N.B.** – Infraction of any of the above conditions or of the general condition applicable to Excise Licenses or of any provisions of B.E. Act or of any Rules / orders made under the Act or of any special order made in respect of the license by the competent authority will subject the license to cancellation / suspension or will subject the holder of the license, in lieu of such cancellation / suspension, to pay a sum of money prescribed by the Act or the rules for the time being in force.

**Collector**  
**(Name of the district)**

The                      day of                      20

<sup>1</sup>. The number shall remain same until and unless the site is abolished and shifted to other Dist or cancelled.

<sup>2-5</sup>. In case of any change the terms ‘transferred license (Partial/entire)’, ‘Change in name & Style’, ‘shifted shop’ to be mentioned on the license at the time of grant of fresh license due to such change.