

Last date of filing of application is fixed to 10.1.2019
Date of drawal of lottery - 11.01.2019

DISTRICT EXCISE OFFICE: ANGUL.

NO. 2532/Ex. Dt. 31.12.18

SALE NOTICE

NOTICE INVITING APPLICATIONS FOR SETTLEMENT OF ANADIPUR MAIN SHOPS ALONG WITH ITS BRANCH SHOPS THROUGH LOTTERY FOR THE YEAR 2018-19 (REMAINING PERIOD)

[See clause (ii)]

1. The consideration money for exercising the exclusive privilege for manufacture and retail sale of Country spirit in the shop through Out still system in the District of Angul will be determined through "inviting applications on fixed monthly consideration money and by draw of lottery" in accordance with the Act issued under Section 35 Odisha Excise Act 2008 as for the time being in force and applicable on 11.01.2019 at S.O.P.M. at the Office... Chamber of... Collectorate, Angul
1. The exclusive Privilege to be so granted will confer the right to open a shop in the locality named in the list. The list of the localities where the shops are sought to be opened with their monthly consideration money is annexed herewith in Annexure-1
3. The Exclusive Privilege shall without prejudice to any of the provisions of the Act and the rules made there under shall be subject to the following conditions;
 - i) The consideration money shall be payable in the manner specified in the Odisha Excise (Exclusive Privilege) Rules 1970, as amended from time to time.
 - ii) The currency of the licence will commence from the **date of grant to till 31.3.2019** on which date the holder of the licence is to **work/open** his shop for manufacture and retail sale of Country Spirit through Out Still System. Failure to open the shop as stipulated herein will entail cancellation of the licence and recovery of any loss caused to Government, except in the case of delay in granting the licence or where any shop is closed under Section 26 of the Act.
 - iii) No. compensation shall be paid to the holder of an Exclusive Privilege for retail sale of Country Spirit for closure of his shop on 2nd day of October every year on account of "**Gandhi Jayanti**" and also for closure during general election/ bye-election to Parliament (Lok Sabha/State Assembly as per direction of the Election Commissioner of India and in conformity with direction of the State Election Commissioner during the election to the Gram Panchyat/Panchayat Samiti/Zilla Parishad and Urban Local Bodies.
 - iv) The holder of a licence shall not be entitled to any compensation or to refund of any consideration money paid or deposit made in respect thereof in the event of his licence being cancelled or suspended before the expiration of its term under the provision of section 47 of the Odisha Excise Act, 2008.
 - v) A shop once starts operating in its sanctioned locality shall not ordinarily be removed. However shifting of a shop to any site other than the sanctioned locality for any special reasons shall be subject to the approval of the Excise Commissioner.
 - vi) The holder of the licence shall abide by the provisions of the Act and of the Rules and orders made there under.
 - vii) The State Government will not be responsible for providing the place for location of the shops. It will be the responsibility of the Privilege Holders to arrange suitable place and carry on the privilege granted to him. The place so arranged shall be free from objection from the public.

- viii) The Exclusive Privilege once granted shall continue for a period of three years including the year of grant, unless and otherwise directed by the Government. The Exclusive Privilege Holder shall renew his licence on terms and conditions generally prescribed for all by the State Government from year to year till completion of three years. Wilful omission to renew the licence for a shop or group of shops in terms and conditions generally prescribed for all will not be allowed the Exclusive Privilege Holder or his family members or his associates to take part in subsequent settlement of the shop or any other shops till completion of three years including the year of grant.
- ix) No licence shall be granted to any person who is of doubtful solvency or who is known to be involved in spurious liquor trade or who has been facing a trial in any Criminal Court under the Act or who has been charged of a non-bailable offence under the provisions of the Indian Penal Code, 1860 (Act No. XLV of 1860) or who is a defaulter in terms of rule 45 of the Odisha Excise Rules, 2017 or in terms of rule 149(2) of Odisha Excise Rules 2017.
- x) The State Government reserve the right to refuse grant of exclusive privilege without assigning any reason thereof and settle the privilege before expiry of three years in the manner as may be directed by the State Government from time to time.
- xi) The Lottery shall be held subject to the following conditions :-
- a. The person(s) intending to take part in the lottery shall submit application(s) to the Collector in the format prescribed herewith.
 - b. The application as in form 'B' shall be accompanied with the up-to-date solvency certificate, up-to-date sales tax, income tax clearance or non- assessment certificate, as the case may be, copy of Permanent Account Number Card, Excise No Dues Certificate, and a Bank draft of Rs. 50000/- towards non-refundable application fee drawn in favour of the Collector concerned besides the requisite Court fee of the value as prescribed under the Indian Stamp Act, 1899.
 - c. The applicant shall also enclose a copy of Voter's Identity card or in the absence of the same a copy of recent passport size photograph.
 - d. An affidavit duly executed by the applicant before an Executive Magistrate to the effect that the applicant has not been convicted in any criminal case or being tried in any Court of competent jurisdiction shall also be enclosed to the application.
 - e. A bank draft equal to three months consideration money as notified herewith in the list of shops shall be submitted by the applicant along with other documents, as aforesaid. The Bank draft of the winner of lottery shall be adjusted towards the advance for the shop payable by the applicant and in all other cases, the same will be returned/released after the lottery is over.
 - f. The amount offered shall be in terms of monthly consideration money and shall not be less or more than the monthly consideration money declared in the notice.
 - g. The application shall be filled by intending applicants on or before 12.1.20 during office hours (i.e in between 10.00 A.M to 5.00 P.M) in the Office of the Superintendent of Excise, Angul and no application shall be entertained thereafter. The application alongwith the other enclosed documents to be submitted by the applicant shall be thoroughly scrutinised by the Deputy Superintendent of Excise, Angul duly assisted by the Inspectors of Excise, Sadar Range, Angul & District Mobile Squad, Angul on dt. 12.1.20 during Office hours at the District Excise Office, Angul who shall submit their scrutiny report with particulars of applications entered in the register to the Collector on the same day.
 - h. Prior to one day before the date of drawal of lottery, the list of persons whose applications qualify for consideration in the lottery shall be notified in the District Office Notice Board.
 - i. At least after two days of the last day fixed for filling of applications, the lottery will be drawn by the Collector, who shall declare the name(s) of the winner(s) of lottery. If there is but only one applicant for any shop or group of shops, the Collector shall declare the name of such applicant to be winner of the lottery. The

applicant(s) or their authorised agent may remain present at the time of drawal of lottery.

- j. After the declaration of lottery, the applicant shall be required to put his signature in the register of settlement, register of undertaking to lift monthly minimum guaranteed quantity as determined for the shop on the basis of the monthly consideration money which is 1.25 quintals of Mohua flower per one thousand rupees of consideration money. This ratio for fixation of minimum guaranteed quantity may undergo any change as may be decided by the Government from time to time.
- k. The winner of the lottery will be issued with a licence for the shop or group of shops as the case may be, on payment of consideration money for the period of the month in which the licence is granted. The advance for the proportionate period months tendered by him in shape of Bank draft shall be adjusted for the last part of the period of grant.
- l. If the applicant after being successful in the lottery declines or refuses or wilfully omits to take licence on some plea or other, the amount tendered by him through Bank draft shall be forfeited to the State Government and he shall be further liable for any loss that may accrue to the Government on account of delay in settlement of the shop or group of shops. He or his family members or his associates will not be permitted to take part in the settlement of that shop/group of shops or any shop for three years including the year of his default.
- m. If no application is received, the Collector may notify another date for filing applications. So also, if the last date for filing the application or the date fixed for drawal of lottery is declared as holiday for any special reason or for any unavoidable contingency, the Collector shall reserve the right to defer the date to some other suitable date by issuing notice to the effect. Such lottery will be held subject to terms and conditions, as notified herewith.
- n. The decision of the Excise Commissioner relating to any dispute on account of lottery in the district level shall be final which shall be binding on all the applicants to the lottery.

N.B:- a) The winner of the lottery shall comply the orders of Hon'ble High Court, Odisha on 9.8.2017 in W.P.(C) No.11666/2017 and batch of cases regarding applicability of environmental pollution laws.

b) In case of rented land for opening shop, the winner of lottery shall submit registered lease agreement U/S-17 of Indian Registration Act, 1908 with the land owner.

Place : Angul
Date :


Collector, Angul.

Memo No. 2533 /Ex.dt. 31.12.18

Copy forwarded to the Excise Commissioner, Odisha, Cuttack for information and necessary action.

Copy forwarded to the Joint Secretary to Govt. Excise Deptt, Odisha Bhubaneswar for information and necessary action.

Copy to all Deputy Commissioner of Excise of the state for information and necessary action.

Copy to all Superintendent of Excise in the state for information and necessary action.

Copy to all Sub-Collectors of Angul district for information and necessary action.

Copy to all concerned B.D.O's/ Chairman of Panchayat Samities /Tahasildars/P.D. D.R.D.A, Angul/ Chairman Zilla Parisad, Angul/Chairman of Angul Municipality/ Athamallik N.A.C and Talcher Municipality of this district for information and wide publicity.

Copy to D.I & P.R.O, Angul for information and wide publication.

Copy to all Inspectors/Sub-Inspector of Excise of this district for information and wide publication. They are instructed to take sincere steps to arrange suitable solvent applicants and persuade them to file applications and other required documents in this office within the stipulated date and time for successful settlement of the shop. Action taken in this regard by them should be reported to the Superintendent of Excise, Angul on or before

10.1.2019

Copy to licensees of all existing O.S Shops of this district through concerned charge S.Is of Excise for information and necessary action.

Copy to Notice Board of District Excise Office/Collectorate, Angul for wide publication.


Collector, Angul

Annexure-1

STATEMENT SHOWING THE LIST OF O.S MAIN SHOPS ALONG WITH BRANCH SHOPS OF ANGUL DISTRICT TO BE SETTLED THROUGH LOTTERY SYSTEM FOR THE REMAINING PERIOD OF 2018-19

Kind of Exclusive Privilege	Locality at which the privilege is to be exercised.	Local area	Monthly Consideration money of the shop for 2018-19	Monthly M.G.Q fixed for 2018-19 M.F in quintal
1	2	3	4	
Manufacture & retail sale of Out-still liquor shop Anadipur main O.S shop Branch Shop	Anadipur village/ Kandhal G.P	1) Dera G.P, Padmabatipur G.P, Kandhal & Hensamul G.P, Karnapur & Danra G.P., Badajoda G.P, Ghantapada G.P, Brajanathpur G.P :- Talcher Block 2) village - Hirapur(South Balanda)Branch Shop carved out of Tentuloi village	Rs.6,27,920/-	785.0
i)South Balanda	i)South Balanda/ Tentuloi G.P		Rs.25,000/-	
ii) Jambubahali	ii) Jambubahali village/ Danara G.P		Rs.25,000/-	
iii) Ghantapada	iii) Ghantapada village/ Ghantapada G.P		Rs.25,000/-	
iv) Dera	iv) Dera village/ G.P		Rs.25,000/-	
v) Gangutia	v) Gangutia village/ Kandhal G.P		Rs.25,000/-	
vi) Karnapur	vi) Karnapur village/G.P		Rs.25,000/-	
vii)Talcher Station Bazar	vii)Talcher Station Bazar/Ghatapada G.P		Rs.25,000/-	
viii) Jilinda	viii) Jilinda village/ Hensmul G.P		Rs.25,000/-	
ix) Talbeda	ix) Talbeda/ Kandhal G.P		Rs.25,000/-	
x) Central Colony	x) Central Colony/ Ghantapada G.P	Rs.25,000/-		


 Collector, Angul

FORM-B
APPLICATION FOR GRANT OF LICENCE OF COUNTRY SPIRIT THROUGH OUT STILL SYSTEM
SHOPS THROUGH LOTTERY SYSTEM
[See clause (iv)]



1. Name of the applicant with father's name :
2. Permanent address in full :
3. Present postal address :
4. Shop/Group of shops for which application is made. :
5. Locality of the shop (or each shop in case group of shop is sought to be opened) :
6. Solvency Amount (Solvency Certificate No., Date, Issuing Authority. The original Certificate be enclosed):
7. Sales Tax Clearance/ Non-Assessment Certificate: (No.,Date,Issuing Authority)(Attested copy to be enclosed)
8. Income Tax Clearance Certificate or PAN Card No. duly attested to be enclosed :
9. Excise No Dues Certificate (to be enclosed in original) :
10. Monthly Consideration money of the shop(s):
11. Affidavit executed before the Executed Magistrate (in original):
12. Original Bank Draft showing the deposit of Rs.50,000/- towards application fee:
13. Bank Draft/Banker's Cheque in original showing deposit of three months Consideration money.
 - (a) Amount :
 - (b) Name of the Bank:
 - (c) Bank Draft/Banker's Cheque No. & Date :

14. Declaration:

1. Certified that the information furnished above are true to the best of my knowledge and belief.
2. Certified that I shall abide by all the conditions of licence, Excise Act and Rule, Notification, Orders issued and which may issue in future, if the licence is granted in my favour.

Place:

Date:

Signature of the applicant