

FORM NA-III

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FORM N-III

Licence for the retail sale of neera for consumption on premises

Licence is hereby granted under and subject to the provisions of the Bombay Prohibition Act, 1949, and the rules, regulations and orders made thereunder and the conditions of this licence to Shri (hereinafter called "the licensee") residing at^{1*} * * authorising him during the period commencing from..... to (both days inclusive) to sell neera by retail for consumption on his premises situated at (hereinafter called "the said place of sale").

This licence is granted subject to the following conditions, namely :

Conditions

1. The licensee shall not sell or keep for sale neera unless—

²[(i) it is neera of standard quality;]

(ii) it has been obtained from a supplier approved and licensed by the Collector and at a rate not exceeding that ²[prescribed by the Government] from time to time under the Act.

2. The licensee shall not keep, sell or expose for sale neera, which has begun to ferment or ^{3*} * * * * * which is adulterated.

The licensee shall forthwith destroy all neera which is not in accordance with the standard prescribed and he shall not be entitled to any compensation therefor.

⁴["3. The licensee shall sell Neera at a rate not exceeding—

(i) Rupees 3.00 per 200 millilitres in the areas within the limits of Municipal Corporation and in the areas within the limits of Municipal Council of Lonavala and of the Hill Stations of Matheran and Mahabaleshwar.

(ii) Rupees 2.50 per 200 millilitres in any other areas in the State".]

4. The licensee shall not keep or store neera in any place other than the said place of sale nor shall he allow anyone to remove any quantity of neera from the said place.

Provided that the unsold neera may be removed to the place of manufacture of gur or any other article which is not intoxicant (if a separate place is approved for the purpose) and stored thereafter it is boiled, in the manner prescribed :

⁵[Provided further that, the licensee, may under a transport pass, remove neera to any other place of sale in respect of which a licence in Form N-II is granted.]

5. The licensee shall not stock or sell neera in a fermented state.

⁶[6. No neera shall be sold or served ⁷[outside the said place of sale, except in such quantities at a time as does not exceed the quantity of neera which the State Government

1 Deleted by G. N. of 4-1-1972.

3 Deleted by G. N. of 25-2-1970.

5 Added by G. N. of 25-2-1970.

7 Subs. by G. N. of 12-6-1984.

2 Subs. by G. N. of 14-3-1963.

4 Subs. by G. N. of 7-2-1994.

6 Subs. *ibid.*

may direct that any person may possess and transport without any one hour before sunrise and after sunset at any other place of sale. No neera which is not of standard quality or which is fermented shall be sold. The unsold balance or neera may be used for manufacture of gur or any other article, which is not an intoxicant before it is fermented. Neera which is fermented shall be destroyed forthwith. No neera shall be kept beyond the day on which it is received at the place of sale, unless it is preserved in good condition in cold storage under the temperature not exceeding 16°C or unless it is boiled and no such boiled neera shall be kept for more than 24 hours from the time it is boiled.]

7. The licensee shall be bound to supply at his cost sample of neera, received or sold by him whenever required for analysis. The result of the analysis shall be binding on him for the purposes of dealing with him, either under the conditions of this licence or under the Bombay Prohibition Act, 1949 or Rules framed thereunder.

8. The licensee shall provide himself with all the requisite receptacles, vessels, containers and glasses and standard measures of such metal and capacity as may be prescribed by the Commissioner of Prohibition and Excise. All the copper and brass pots used in the storage or selling shall be properly tinned from inside and kept clean.

9. This licence shall be huge up in a conspicuous position in the said place of sale and a sign-board of the size and description specified by the Commissioner of Prohibition and Excise shall be affixed on the outside of the said place of sale. On such sign-board the following words in the regional language of the district and in Hindi shall be painted :
“LICENSED TO SELL NEERABY RETAIL”.

10. The licensee shall enter every day in the book of the supplier the quantity of neera received by him daily from such supplier and shall sign his name under such entry in token of his having received such quantity of neera. Similarly, the licensee shall enter such quantity in the book maintained by him and obtain below such entry the signature of the supplier or his authorised agent in token of his having supplied such quantity of neera.

11. The licensee shall not sell neera except at the premises previously approved by the Collector. Such premises, all stocks of neera contained therein and all accounts relating to the sale of neera shall, at all reasonable times, be open to inspection by an officer of the Prohibition and Excise Department not below the rank of a Sub-Inspector or any other officer or person duly authorised in this behalf.

12. The licensee shall maintain such accounts as may be prescribed by the Commissioner of Prohibition and Excise under the Act. He shall also maintain a visit-book serially paged for the remarks of the inspecting officers.

13. The licensee shall submit returns as may be prescribed by the Commissioner of Prohibition and Excise under the Act.

14. 1* * * * * *

15. The licensee shall carry on the business whether personally or by an agent duly authorised by him in this behalf, by a written ²[authorisation certificate] signed by himself. The name of each agent and the date of his appointment shall be communicated forthwith in writing by the licensee to the Inspector of Prohibitions and Excise having charge of the area in which the said place of sale is situated. ³[Within two months of the date of appointment of such agent, the licensee shall get the ²[authorisation certificate] issued to such agent countersigned by the said Inspector of Prohibition and Excise and if

¹ Deleted by G. N. of 9-7-1955.

² Subs. by G. N. of 1-3-1960.

³ Ins. by G. N. of 9-7-1955.

he fails to do so, such ¹[authorisation certificate] shall cease to be valid. No ¹[authorisation certificate] shall be issued to any person under 21 years of age, and no such ¹[authorisation certificate] if issued shall be valid.] The licensee shall be responsible for the breach of any of the conditions of this licence committed by any person so authorised.

16. No partnership entered in to by the licensee after the granting of the licence shall be recognised for the purpose of the licence, unless the Collector, on receipt of an application from the licensee, agrees in writing to enter the name of the partner in the licence.

17. The licensee shall abide by the conditions of this licence and the provisions of the Bombay Prohibition Act, 1949, and the rules, regulations and orders made thereunder and shall give an undertaking to that effect.

18. The licensee, his heirs, legal representatives or assignees shall have no claim whatsoever to the continuance or renewal of this licence after the expiry of the period for which it is granted. It shall be entirely within the discretion of the Collector to permit or not the assignee of the licence, in case of the sale or transfer or the heir or legal representative of the licensee in case of death, to have the benefit of the licence for the unexpired portion of the term for which it is granted.

19. This licence may be suspended or cancelled in accordance with the provisions of section 54 or 56 of the said Act.

Granted this day of 19 ..

Seal of the
Collector.

Collector.

¹ Subs. by G. N. of 1-3-1960.