

LAST DATE FOR FILLING APPLICATION 01.12.2020 by  
5.00 P.M.

District Excise Office, Cuttack

No. 2028/Ex, Dated. 23.11.2020

FORM 'A'

NOTICE INVITING APPLICATIONS FOR SETTLEMENT OF I.M.F.L 'OFF' SHOPS THROUGH  
LOTTERY FOR THE REMAINING PERIOD OF THE YEAR 2020-2021.

(See Clause (ii))

The consideration money for exercising the exclusive privilege for retail sale of India Made Foreign Liquor (OFF) in the District of CUTTACK will be determined through "inviting applications on fixed consideration money and by draw of lottery" in accordance with the order issued under Sub-section 35 of Odisha Excise Act,2008, read with Rule-34 of Odisha Excise Rules,2017 as for the time being in force and application, on 03.12.2020 in the Conference Hall of Collectorate, at Collectorate Building, Cuttack.

The Exclusive Privilege to be so granted will confer the right to open a shop in the locality named below. The locality where the shops are sought to be opened with their monthly consideration money is mentioned against the shop.

Kind of Exclusive	Name of shop & Locality at which the privileged is to be exercised.	Local area	Consideration money of the shop Per month in Rs.
LIST ENCLOSED			

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 payable in the manner specified in Rule-34 of the Odisha Excise Rules,2017 and notification and orders issued from time to time .
- (ii) The currency of the license will commence on \_\_\_\_\_ (from the date of grant) on which date the holder of the license is to open the shop for retail sale of India Made Foreign Liquor. Failure to open the shop as stipulated herein will entail cancellation of license and recovery of any loss caused to Government, except in case of delay in granting the license 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 India Made Foreign Liquor for closure of his shop on 2<sup>nd</sup> 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 Commission of India and in conformity with the direction of the State Election Commissioner during the election to Gram Panchayat / Panchayat Samiti / Zilla Parisad and Urban Local Bodies.

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- (iv) The holder of a license shall not be entitled to any compensation or to the refund of any consideration money paid or deposits made in respect thereof, in the event of his license being cancelled or suspended before the expiration of its term under the provisions of Section 42 of the aforesaid Act.
- (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 license 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 shops. It will be the responsibility of the privilege holder 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 license on terms and conditions generally prescribed for all by the State Government from year to year till completion of three years. Willful omission to renew the license for a shop or group of shops in terms and conditions generally prescribed for all will not allow 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 license 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 Indian Penal Code, 1860 (Act No.XLV of 1860) or who is a defaulter in terms of rule 35 of the Orissa Excise Rules, 2017 or in terms of rule 149 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.1,00,000/- towards non-refundable application fee drawn in favour of the Collector concerned besides the requisite Court fee of the value as prescribed under the India 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 / excise case 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 filed by intending applicants on or before 01.12.2020 by 5.00 PM. on any working day during office hours in the Office of the Superintendent of Excise, CUTTACK, at Collectorate Building, Chandini Chowck, Cuttack and no application shall be entertained thereafter.
- (h) Prior to one day before the date of drawal of lottery, the list of persons whose application(s) 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 filing 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 application for any shop or group of shops, the Collector shall declare the name of such applicant to be the winner of the lottery. The applicant(s) or their authorized agents 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 the monthly minimum guaranteed quantity as determined for the shop on the basis of the monthly consideration money which is now 5 London Proof litre of India Made Foreign Liquor and 7.5 bulk litre of Beer per one hundred rupees of consideration money. This ratio for fixation of minimum guaranteed 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 license 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 license is granted. The advance for three months tendered by him in shape of Bank Draft shall be adjusted for the last three months of the period of grant.
- (l) If the applicant after being successful in the lottery declines or refuses or willfully omits to take license 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 of applications. So also, if the last date for filing of application or the date fixed for drawal of lottery is declared as a 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.

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- (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.

Place: - CUTTACK

Date: -

Sd—  
COLLECTOR, CUTTACK.

Memo No. 2029/Ex, Dt. 23.11.2020.

Copy to all the OIC of Excise of Excise Stations of Cuttack District for information and wide publicity. The concerned OIC of Excise is directed to handover the copy of this public notice in the Office of the concerned Mayor of Municipal Corporation / Corporator of Municipal Corporation / Sarpanch/Chairman/ Sub-Collectors / B.D.Os / Tahsildar / of the proposed shop area / D.I.&P.R.O, Cuttack for information & wide publicity.

The concerned OIC of Excise/Range Inspector of Excise are directed to arrange persons for filling of application(s) for the aforesaid shop and see that these shops are settled, failing which they will be held responsible for the lapses and Departmental proceeding drawn against them.

All other Inspectors and OIC of Excise of the district are also directed to arrange persons for the shop(s) to be settled and convince them to file application to participate in the settlement through lottery system.

Copy forwarded to the Deputy Supdt. of Excise , Cuttack district for information and necessary action.

Copy forwarded to all the Collectors/Superintendents of Excise of the State for information & wide publicity. They are requested to persuade some solvent persons of their dist. to participate in the settlement to make it a successful one.

Copy forwarded to the Deputy Commissioner of Police, Cuttack / (through concerned OIC Excise) for information.

Copy forwarded to the Commanding Officer/Director of concerned cantonment of the area for information (through concerned OIC of Excise) for information.

Copy to the Inspector of Excise, Bhubaneswar / Khurdha for information & wide publicity.

Copy to Dist-Informatics Officer NIC, Cuttack for publication in District Web site

Copy forwarded to the Excise Commissioner, Odisha, Cuttack / Joint Secretary to Govt. Excise Department, Odisha, Bhubaneswar/All the Excise Deputy Commissioner of Excise of the State for favour of information.

Copy to the Collectorate /District Excise Office, Cuttack / concerned Sub-Collector / Block Development Officer /Tahsildar's Notice Board for information of the general public and wide publicity.

Sd—  
COLLECTOR, CUTTACK

## List of IMFL "OFF" Shop to be settled by way of lottery system

Kind of Exclusive IMFL OFF Shop	Name of shop & Locality at which the privileged is to be exercised.	Local area	Consideration money of the shop Per month in Rs.
BADAMBADI	Badambadi area under W.No-36 of CMC ,P.S-Badambadi, Dist-Cuttack	Shop Premises it-self	Rs.88,000/-
GANDARPUR	Gandarpur area in Ward No.47 of CMC, P.S-Chauliaganj, Dist- Cuttack	Shop Premises it-self .	Rs.88,000/-
SUBHADRAPUR	Subhadrapur area under Ward No.56 of CMC ,P.S-Sadar Dist-Cuttack .	Shop Premises it – self.	Rs.88,000/-
JARIPADA	Mouza-Jaripada under Urali G.P, P.S-Sadar Cuttack, Dist- Cuttack .	Shop Premises it – self.	Rs.44,000/-
SAMSERPUR	Samserpur village area under Samserpur G.P. ,P.S-Mahanga, Dist-Cuttack .	Shop Premises it – self .	Rs.44,000/-

  
COLLECTOR, CUTTACK

**FORM 'B'**

**APPLICATION FOR GRANT OF LICENCE OF INDIA MADE FOREIGN LIQUOR OFF SHOP/SHOPS  
THROUGH LOTTERY SYSTEM**

**(See clause (iv) )**

**Place for affixing  
Photograph**

1. Name of the applicant with father 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. Sale Tax Clearance/Non assessment Certificate
8. (No date, issuing authority(Attested copy to be enclosed)
9. Income Tax clearance certificate of PAN Card no (duly attested to be enclosed)
10. Excise no dues Certificate( to be enclosed in Original)
11. Monthly consideration Money of the shop(s)
12. Affidavit executed before the Executive Magistrate (In original)
13. Original Bank Draft showing deposit of Rs.75,900/- towards Non-refundable application fee

14. Bank draft/Banker Cheque in Original showing  
Deposit of three months consideration money

(a) Amount

(b) Name of the Bank

(c) Bank Draft/Bankers Cheque No & Date

15. Declaration

Certified that the information furnished above are true 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.

**Signature of the applicant.**

**DISTRICT EXCISE OFFICE, CUTTACK**

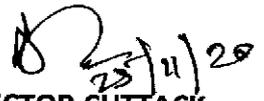
**No. 2065 /Ex., Dtd. 25-11-2020**

**C O R R I G E N D U M**

Settlement of 5(Five) IMFL "OFF" shops by way of drawl of lottery as published vide sale Notice No-2028/Ex., dtd.23-11-2020 along with the Annexure-B and last date for submission of application fixed to 01-12-2020 and lottery date fixed to 03-12-2020

In the enclosure of the sale notice as Annexure-B under serial No.13 the amount mentioned wrongly (Typographically error) as Rs. 75,900/- is hereby substituted and may be read as **Rs.1,00,000/- towards Non-refundable application fee** as per Policy decision of the Govt. in Excise Deptt, Odisha for the year 2020-21 .

Memo No. 2066 /Ex., Dt. 25-11-2020

  
COLLECTOR, CUTTACK

Copy to all the OIC of Excise of Excise Stations of Cuttack District for information and wide publicity. The concerned OIC of Excise is directed to handover the copy of this public notice in the Office of the concerned Mayer of Municipal Corporation / Corporator of Municipal Corporation / Sarpanch/Chairman/ Sub-Collectors / B.D.Os / Tahsildar / of the proposed shop area / D.I.&P.R.O, Cuttack for information & wide publicity.

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COLLECTOR, CUTTACK