

**Office of the Excise & Taxation Commissioner
Himachal Pradesh
Block No. 30 S.D.A. Complex
Kasumpti, Shimla-171009.**

No.7-155/2008-EXN-5627-5651

Dated 27.2.2009

PUBLIC NOTICE

NOTICE FOR INVITING APPLICATIONS FOR THE RENEWAL OF RETAIL SALE LICENSES OF COUNTRY LIQUOR (L-14/L-14A), FOREIGN LIQUOR (L-2) AND RETAIL SALE OF COUNTRY FERMENTED LIQUOR (L-20-B) FOR THE YEAR 2009-2010 IN THE STATE OF HIMACHAL PRADESH.

It is notified for the information of all license holders of L-14, L-14-A, L-2 and L-20-B for the year 2008-09 in the State of Himachal Pradesh that it has been decided to give option to these license holders for getting the licenses renewed for the year 2009-10. Therefore, applications for the renewal of retail sale licenses of Country Liquor (L-14/L-14A), Foreign Liquor (L-2) and retail sale of Country Fermented liquor (L-20-B) for the year 2009-10 are invited in the state of Himachal Pradesh on the terms and conditions specified below:-

1. The liquor licenses shall be granted subject to the provisions of the Punjab Excise Act, 1914 (1 of 1914) as in force in Himachal Pradesh and the Rules framed thereunder from time to time. A licensee shall also be himself responsible for fulfilling any other obligation under any other law or rule not specifically mentioned hereinunder in these terms and conditions.
2. Renewal of license shall also be subject to such other terms and conditions as the Excise & Taxation Commissioner may direct. However, the offer of renewal shall not confer any right on any existing licensee for renewal and the Excise & Taxation Commissioner shall be competent to refuse renewal of any license for any vend/unit, in the interest of Government revenue.
3. The licensee willing for renewal of the license(s) shall apply on the prescribed form for renewal. The application form can be obtained free of cost from the office of the Asstt. Excise & Taxation Commissioner/Excise & Taxation Commissioner Incharge of the concerned District or from the office of the Dy. Excise & Taxation Commissioner/Addl. Excise & Taxation Commissioner of the concerned Zone or from the office of the Excise & Taxation Commissioner, Himachal Pradesh.
4. The details of the vends/units available for renewal for the year 2009-10 in each District, the details of minimum guaranteed quota of Country Liquor and Foreign Spirit, the renewal fee, the basic license fee, the annual license fee and other terms and conditions for renewal of the vends for the year 2009-10 can be obtained from

the Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer Incharge of the concerned District. The information regarding all the vends/units available for renewal alongwith the relevant details will be displayed by the Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer Incharge of the concerned District on the office notice board also latest by 7th March, 2009.

5. If a licensee holds more than one vend/unit for the year 2008-09 in any one or more Districts in the State, he shall be required to make the application for renewal in respect of all the vends/units held by him in the State. It shall not be open to the licensee to choose one or more particular vend(s)/unit(s) for renewal and leave the others. If a licensee does not apply for the renewal of any or some of the vend (s)/ unit(s), renewal shall not be granted to him in respect of the other vend(s)/unit(s) also for which he might have applied for renewal. However, this condition shall not apply in the case of any unit whose constitution is changed for the year 2009-10.
6. The licensee shall be bound to accept the minimum guaranteed quota and other levies and terms and conditions as are fixed/prescribed for the vend/unit for the year 2009-10.
7. Renewal of license shall be allowed only where formation of vend/unit is not changed. But regularization of a sub-vend attached with vend/unit during the year 2008-09 shall not be considered as change in the formation.
8. Renewal of the license shall be allowed only if the constitution of the licensee-firm, company or association of persons etc. is not changed for the year 2009-10.
9. The licenses in respect of vends/units whose allotment/renewal for the year 2008-09 was disputed and are under litigation shall not be renewed for the year 2009-10 and shall be put to allotment only.
10. The licensee shall not be denied the opportunity for renewal of a license for retail sale of liquor merely on account of change in the existing premises of a particular vend in a local area as may be necessary because of any reason. Closure of a vend(s) in a particular unit will also not be considered a change in the constitution of the unit provided the Minimum Guaranteed Quota of the unit is not lowered.
11. The following renewal fee for each vend shall be paid before filing application for renewal:-

Sr. No.	Value of vend	Renewal Fee
(i)	Upto Rs. 15 lac	Rs. 15,000/-
(ii)	Above Rs.15 lac upto Rs.25 lac	Rs. 30,000/-
(iii)	Above Rs. 25 lac upto Rs.50 lac	Rs. 45,000/-
(iv)	Above Rs.50 lac	Rs. 60,000/-

The renewal fee may either be deposited into a Govt. Treasury or furnished in the shape of a bank draft drawn at a local Scheduled bank in favour of the Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer Incharge of the District concerned. The proof of payment of the renewal fee or the bank draft shall be attached with the application.

12. The applicant shall also deposit 50% of the basic license fee and also 5% of the annual license fee before submission of the application and attach proof of such payment alongwith the application. The 5% annual license fee so paid shall be adjustable against the license fee for the month of April, 2009, if the renewal is granted.
13. The applicant is also required to submit following documents alongwith the application for renewal:-
 - (i) Declaration of solvency in form 'A' (attached with the application form).
 - (ii) An affidavit, specimen of which is given in form 'B' (attached with the application form).
 - (iii) Two latest photographs alongwith proof of residence in the form of copies of voter Identity Card/Ration Card.
14. The application complete in all respects shall be submitted to the Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer Incharge of the concerned District w.e.f. 12.3.2009 to 13.3.2009 between 10.00 A.M. to 5.00 P.M. No application shall be entertained thereafter. Those who fail to apply for renewal during the notified period shall not be given any further notice and it shall be presumed that they are not interested in the renewal of the licenses and no claim of any sort shall be entertained in that respect.
15. The Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer Incharge of the District will scrutinize the applications and if found in order shall forward the same alongwith his recommendations to the Collector (Excise) of the Zone alongwith a list of all the applicants whose applications have been found in order.
16. The Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer Incharge of the District shall also forward the applications found by him incomplete or suffering from some other defects, to the Collector (Excise) of the Zone, who shall re-examine the applications and take further decision thereon.
17. The Collector (Excise) after re-examining the applications shall obtain prior confirmation of renewal from the Excise and Taxation Commissioner-cum-Financial Commissioner (Excise), who reserves the right to reject any application for renewal without assigning any reason for doing so.

18. The Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer Incharge of the District shall display on the notice board, the list, of the licensees whose offers for renewal have been confirmed and also a list of those whose offers of renewal have not been confirmed by the Excise & Taxation Commissioner, Himachal Pradesh. It may also be noted that those licensees whose applications for renewal are confirmed shall be required to furnish a security equal to 10% of the annual license fee in the shape of cash/FDR/Bank Guarantee duly pledged in favour of the Asstt. Excise & Taxation Commissioner/ Excise & Taxation Officer Incharge of the concerned District within seven days or 31st March, whichever is earlier.
19. The unsold balance stock of liquor in the vend as on 31.3.2009 shall be counted towards the Minimum Guaranteed Quota for the year 2009-10 and license fee shall be charged on that stock at the rate prescribed for the year 2009-10 but no excise duty and VAT shall be charged.

(R.D.DHIMAN), IAS
EXCISE AND TAXATION COMMISSIONER
GOVERNMENT OF HIMACHAL PRADESH,
S.D.A. COMPLEX, BLOCK-30, KASUMPTI,
SHIMLA-171009.

Endst. No.7-155/2008-EXN-5627-5651

Dated 27/02/ 2009

Copy forwarded to:-

1. The Principle Secretary (E&T) to the Government of Himachal Pradesh, Shimla-2 for information.
2. The Director of Public Relation, Himachal Pradesh Shimla-2 alongwith 8 copies. It is requested that wide publicity may be given to the allotment of vends programme by publishing the aforesaid programme in the following news papers in Himachal edition on one day:-
 - (i) The Tribune (English Edition)
 - (ii) Amar Ujala (Hindi Editions)
3. The Addl./Dy. Excise and Taxation Commissioner, (SZ/NZ/CZ), Shimla/ Palampur and Mandi, Himachal Pradesh.
4. The Addl. Excise & Taxation Commissioner (Hq) Shimla-9
5. The Addl. Excise & Taxation Commissioner(Tax) Shimla-9.
6. The Jt. Excise & Taxation Commissioner (Hq) Shimla-9.
7. The Dy. Excise & Taxation Commissioner (Flying Squad) (SZ/NZ/CZ) Shimla, Palampur and Una Himachal Pradesh.
8. The Asstt. Excise & Taxation Commissioner (Excise/Tax)(Hq)
9. The Asstt. Excise & Taxation Commissioner, I/C Shimla/Solan/Sirmour/ Bilaspur/Hamirpur/Kullu/Una/Mandi/Kangra and Chamba Districts.
10. The Excise & Taxation Officer I/C Kinnaur District at R/Peo.
11. P.A. to the Excise & Taxation Commissioner, Himachal Pradesh, Shimla-9.
12. Copy to Notice Board of this office.

Excise & Taxation Commissioner
Himachal Pradesh.