

### **APPLY FOR "OFF" LICENSES:**

14. Grant of wholesale vend of foreign liquor : (i) Licences for wholesale vend of foreign liquor shall be granted by the Excise Commissioner with the previous sanction of the State Government on payment of annual licence fees as may be prescribed by the State Government from time to time. (ii) Grant of retail sale of foreign liquor 'OFF' or 'ON' the premises: Subject to Rule 279 of the Rules, licence for retail sale of foreign liquor 'OFF' or 'ON' the premises shall be granted by the District Collector with the previous sanction of the State Government on payment of the annual licence fee as may be prescribed by the State Government from time to time. (iii) Licence for the wholesale vend for foreign liquor or retail sale of foreign liquor 'OFF' the premises shall be granted for a period of three consecutive years. Provided further that the State Government may renew such licence for another term of one year, if there is nothing adverse against the licensee. (iv) Licence for retail vend of foreign liquor 'ON' the vendor's premises shall always be for one year subject to renewal by the State Government on year to year basis if there is nothing adverse against the licensee.

115. Hotel Licence : Hotel licence permitting the retail sale of foreign liquor for consumption 'ON' the premises shall be granted by the Collector with the previous sanction of the State Government on payment of annual licence fees as may be prescribed by the Government from time to time for hotels possessing bona fide residential accommodation. Sales under such licence shall be confined to persons actually residing in the hotel for their use and to persons taking meals therein.

116. Restaurant licence : Restaurant licences may be granted by the Collector with the previous sanction of State Government on payment of annual licence fees prescribed by the Government from time to time for bona fide restaurant in which meals are provided but there is no sleeping accommodation for visitors, permitting retail sale

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of foreign liquor for consumption 'ON' the premises to persons taking meals in the restaurants. Note : For the purpose of the foregoing rules 115 and 116, the words "Hotel" and "Restaurant" also include the hotel and restaurant run by the Assam Tourism Development Corporation.

117. Bar and restaurant licence in hotel : Any holder of a hotel licence desirous of setting up and maintaining a bar or bars or opening a restaurant in connection with a hotel should apply to the Collector for a separate licence for such bar and restaurant. He should submit with his application a ground plan of the premises, specially indicating the room or rooms intended to be used for the purpose of the bar or restaurant. If the Collector approves the proposed arrangement for the bar or restaurant a separate bar or restaurant licence may be granted to the applicant with previous sanction of the State Government on payment annual licence fees as may be prescribed by the State Government from time to time.

118. Temporary bar licence : A temporary bar licence for fair, festivals (except national and religious festivals) meeting and public entertainment may be granted by the Collector with previous sanction of Excise Commissioner on payment of licence fees as may be prescribed by the State Government on such

terms and conditions as may be specified by the Excise Commissioner provided that no such licence shall be granted for a period exceeding one day at a time.

119. Railway refreshment room - Retail sale 'ON' licences : 'ON' licences for the supply of foreign liquor for consumption on the premises in the Railway refreshment room to bona fide passengers and other persons having meals in such rooms shall be granted by the Collector with previous sanction of the State Government on payment of annual licence fees as may be prescribed by the State Government from time to time.

120. Steamer, dining car or kitchen car retail 'ON' licence : 'ON' licences for the supply of foreign liquor for consumption during the course of their journey by the bona fide travellers by rail or steamer shall be granted by the Collector with the previous sanction of the State Government on payment of annual licence fees as may be prescribed by the State Government. Licence granted under these rules may cover any of the following:

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(i) Steamer or other vessels employed in traffic in inland water ways; (ii) Railway dining cars i.e. cars in which meals are served to passengers; (iii) Railway kitchen cars in which food is prepared but served to passenger in their compartments.

121. Dak bungalow/Guest house retail 'ON' licence : Dak bungalow/Guest house 'ON' licence may be granted by the Collector with the previous sanction of the State Government to bona fide caretakers on payment of annual fee as may be prescribed by the State Government from time to time. They cover retail sale of foreign liquor for consumption 'ON' the premises only to bona fide occupants of the Dak bungalow/Guest house.

122. Licence for sale by Co-operative societies : Licences for wholesale vend or retail sale of foreign liquor by a co-operative society or association shall be granted by the Collector with the previous sanction of the State Government on payment of annual licence fees as may be prescribed by the State Government from time to time. Note : The expression 'Co-operative society or Association' means the society or association whether it is or is not incorporated under any law relating to companies or is not registered under the Societies Registration Act, 1860 when the profits (if any) derived from the business carried on by such association or society are divisible among the share holders or members thereof or subscriber thereto.

122-A Grant of licences to Firms, Company or Corporations: (i) Any firm, company or corporation applying for licence is required to file the following documents: (a) Copies of the memorandum and articles of Association, (b) A list of shareholders, (c) A copy of balance sheet. (d) Names and addresses of the Managing Directors, Managers and officers as defined in Indian Companies Act. Any changes, alterations or additions in regard to the matters referred above shall be informed to the Collector in time. (ii) Certified copies of deeds of Partnership showing the rights and liabilities of the Partners, their names and addresses and the person or persons who are authorized to transact business on behalf of the firm or company. Any change in this regard shall be intimated to the Collector in time.

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(iii) A licence granted under the Assam Excise Act to a private company or a firm shall stand determined on any change in the membership of the private company or in the partnership of the firm or in the management thereof unless in the case of private company, prior approval of the State Government and in the case of a partnership firm, prior permission of the Collector and the approval of Excise Commissioner to such changes is obtained. (iv) The application shall be signed on behalf of the firm, company or corporation by its Secretary/Managing Director/Manager or any officer or person specially authorized by such firm, company or corporation in writing and with seal. (v) A firm, company or corporation having a licence under the Assam Excise Act shall give all reasonable facilities to an excise officer not below the rank of Inspector of Excise or any officer duly authorized by the Collector to enter its business premises and to examine its memorandum and articles of association and the list of shareholders and directors during the time that such business premises shall remain open.

123. Club Licence : Licences for the sale of foreign liquor by any 'club' including a proprietary club the profits of which are divisible among the share holders or members for consumption 'ON' the premises shall be granted by the Collector with the previous sanction of the State Government on payment of annual licence fee as may be prescribed by the State Government from time to time.

124. Canteen Stores Department Wholesale warehouse licence : A licence shall be granted by the Commissioner of Excise with the previous sanction of the State Government to establish a canteen stores department wholesale warehouse on payment of annual licence fees as prescribed under rule 19(III) of these Rules, to import and store duty paid India made foreign liquor or foreign liquor. The licensee shall supply or sell the above duty paid liquor to other military canteen stores or defence forces units stationed within the State having licence.

125. Military canteen tenant licence : Military canteen tenant licence may be granted by the Collector with the previous sanction of the Commissioner of Excise for the retail sale of foreign liquor by such units to its members only.

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126. Para Military Force licences : Licences may be granted to Para Military Units by the Deputy Commissioner with the previous sanction of Excise Commissioner for retail sale of foreign liquor or Indian liquor or both to the members of Para Military Units for their personal consumption on payment of the same fees as prescribed for Military canteen tenant licences.