

The Odisha Gazette

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

No. 1271 CUTTACK, MONDAY, AUGUST 11, 2014/SRAVANA 20, 1936

EXCISE DEPARTMENT

ORDER

The 1st August 2014

No. 4528—I Ex.-34/2013-Ex.— In exercise of the powers conferred by sub-section (2) of Section 29 of the Bihar and Odisha Excise Act, 1915 (Bihar and Odisha Act 2 of 1915) and in supersession of the Order of the Government of Odisha in the Excise Department No. 2158-Ex., dated the 5th April, 2013, the State Government do hereby direct that any sum payable under sub-section (1) of the said section in consideration of the grant of privilege for retail sale of India Made Foreign Liquor (IMFL) OFF and Country Sprit (C.S.) within the premises of the vendor shall, unless and otherwise directed by the State Government in any particular case or cases for any reason, be determined by the process of auction on a forward basis conducted online (henceforth referred to as 'e-auction') in accordance with the following procedure, namely:—

- (1) The dates for e-auction shall be fixed and notified by the Excise Commissioner with the prior approval of the State Government.
- (2) The process of settlement shall be conducted by a departmental Excise Auction Committee (EAC), Chaired by the Excise Commissioner comprising three to six other members appointed by him from time to time. The EAC may be guided, from time to time, by a core team as may be engaged by the State Government, comprising officials such as those from the Excise Department, State Procurement Cell (SPC), National Informatics Centre (NIC), Project OMEGA (Odisha Modernizing Economy, Governance and Administration). The EAC may also be assisted throughout the settlement process by IT support staff comprising of computer-trained officers as may be provided by the State Government from time to time. The EAC Members shall have Departmental access to e-auction website (auctionodisha.gov.in), validated by authorized Digital Signature Certificates. The EAC, with the technical support of IT staff, shall create auction Ids in e-auction system for each shop or group of shops sufficiently before issue of Sale Notice in Form B and carrying out online pre-qualification scrutiny of bidders, online monitoring of live progress of e-auction, generating list of provisional highest bidders post e-auction, and officially forwarding this report to respective Collector of the District for grant of licences.

- (3) On publication of the notification mentioned in Paragraph 1 along with the list of shops or group of shops received from EAC, the Collector of the concerned District shall issue Public Notice in Form 'A' inviting objections from the persons residing within the locality. After disposal of the objection petitions, the Collector of the concerned District shall issue Sale Notice in Form 'B' inviting Online applications from bidders for settlement of a shop or a group of shops at least ten days before the commencement of e-auction and shall give wide publicity to the same in such manner as he may consider necessary. EAC shall widely publicize the list of auction Ids for corresponding shops in print and electronic media as also communicate the list to the State Government for prominent display on official website of the Department- <http://odisha.gov.in/excise/>.
- (4) The settlement of retail shops of IMFL 'OFF' and C.S. shall be done individually and separately. Shops shall not be ordinarily settled in lots, except with the sanction of the Excise Commissioner based on recommendations of the respective Collectors and any surrender or cancellation of licences (of the lot) shall entail surrender or cancellation of the whole lot at the discretion of the authority.
- (5) The e-auction shall be conducted individually and separately under one unique e-auction Id for each shop or group of shops to be processed by the EAC. A bidder can apply for one or more shops or group of shops in any district of the State in Form- 'D'. Bidders shall be required to obtain Digital Signature Certificates (DSCs) through certified Agencies, followed by self-registration on e-auction website with valid DSC. Bidders may also obtain multiple DSCs with self-registration of multiple Online bidder profiles for participation in e-auction of multiple shops in the event of these auctions being conducted simultaneously.
- (6) To qualify for participation in e-auction, the bidders shall be required to upload against each auction Id shop or group of shops, the following scanned legible documents on their registered DSC, validated profile on e-auction website before the end date for submission of documents Online as specified in Sale Notice:—
- (a) Original Challan deposit receipt (s) under stipulated head of State Treasury, towards payment of non-refundable application fee for each shop, as specified in Sale Notice, as may be determined by the State Government, from time to time;
 - (b) Original financial instruments in the form of Fixed Deposit receipt of Scheduled Bank or Post Office Savings Bank Account or National Savings Certificate or Postal Office Time Deposit Account only, having validity of at least 90 days from the date of publication of Sale Notice and duly pledged in favour of the Collector of the concerned District and payable at the concerned District, towards Earnest Money Deposit (E.M.D.) of each shop which shall be equal to not less than three times the concerned shop's monthly reserve price or as may be determined by the State Government from time to time. Such amount of E.M.D. shall not be accepted in the form of Cheque / Bank Draft/ Cash Payment;

The original financial instruments submitted by the successful bidder will be retained for adjustment towards the advance consideration money payable by the applicant for the year of grant of license and the original financial instruments submitted by all the other applicants (i.e. unsuccessful bidders) will be returned/ released within 15 days after completion of e-auction process.

- (c) Original up-to-date Solvency certificate in respect of immovable property situated inside the State of Odisha, the amount of which shall not be less than six times of the reserve price (s) of the shop or shops the bidder intends to bid for;
 - (d) No bidding shall be allowed to any person who is having a doubtful solvency. Besides no license shall be granted to a person having doubtful solvency. This shall be scrutinized by the EAC during pre-bid qualification scrutiny as well as by the Collector of the district at the District Level at the time of physical verification of the Original Documents;
 - (e) Any person 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 or has criminal antecedents shall not be allowed to bid nor any license shall be granted to such person. The applicant shall file an affidavit duly executed before an Executive Magistrate affirming that he/ she has not been convicted in any criminal case nor is involved in any excise case nor being tried in any court of competent jurisdiction. This shall be scrutinized by the EAC during pre-bid qualification scrutiny as well as by the Collector of the district at the District Level at the time of physical verification of the Original Documents;
 - (f) Original VAT clearance certificate for the financial year preceding the publication of Sale Notice;
 - (g) Original Income Tax Return for the year preceding the publication of Sale Notice;
 - (h) Original Excise no-dues certificate (in case of existing licensees) from the concerned authority up to two months preceding the publication of Sale Notice;
 - (i) An Affidavit in original, in Form C duly sworn in and executed before an Executive Magistrate/ Notary;
 - (j) Original PAN Card; and
 - (k) Original Voter ID/ Driving Licence / Passport / any other valid Photo Identity Card issued by the State Government.
- (7) The registered bidder shall also be required to sign the 'Terms and Conditions' Online through his registered, DSC-validated profile, acknowledging the following terms and conditions of e-auction, namely :—
- (a) Bidder or his associate is familiar with and understands the e-auction process on website and has the technical knowledge and human resources to participate in e-auction process;
 - (b) Bidder must have access to hardware and internet connectivity for participating in e-auction process;
 - (c) Bidder shall honour each bid digitally signed and submitted by him in e-auction;
 - (d) The onus of online uploading of genuine, stipulated documents shall lie on the bidder;
 - (e) The Bidder shall abide by the decision of the Excise Commissioner, in case of any grievance arising in course of the e-auction process.

- (8) After the last date of Online submission of pre-qualification documents by registered bidders, the EAC Members with assistance of IT support staff, shall conduct Online scrutiny of pre-qualification documents of the bidders including verification of content of all scanned documents stipulated in Paragraph 6 through their Department authorized DSCs. In case, the Online documents, on scrutiny, are found to be defective or inadequate, the bidder's profile shall be summarily rejected Online assigning reason therefore; which can be viewed Online by the concerned bidder and he shall not be permitted by the system to participate in e-auction process. Bidders who are found to be eligible in Online scrutiny shall be approved in the system by the EAC Members with assistance of IT support staff. The e-auction pre-qualification status shall be updated which can be viewed by the bidder through their Online login profile before the start date of e-auction. The e-auction system facilitates auto generated e-mail and SMSs to the bidders registered e-mail Id and Mobile No. on pre-qualification status. However, it is the responsibility of the bidder to verify the status through his login Id.
- (9) The qualified Bidders shall log on to e-auction website using registered DSCs before start time of e-auction of the shops, as specified in Sale Notice and as per 'terms and conditions' signed Online by the Bidders.
- (10) The e-auction process shall be governed by the 'e-auction principles' as determined by the State Government in Excise Department, from time to time, and which shall be published in Sale Notice and made available on e-auction website and official departmental website. The 'e-auction principles' may, among other details, envisage the following :—
- (a) The qualified Bidders who have digitally signed the 'terms and conditions' shall be allowed to participate in e-auction;
 - (b) The e-auction end time and start time for each auction Id shop or shops with permissible number and duration of time extensions shall be displayed Online with details of each such shop or shops;
 - (c) The e-auction shall be Online, incremental or forward auction, with bids submitted in terms of monthly consideration money and above the fixed reserve price of each shop;
 - (d) The highest bid for a particular shop or shops with auction Id shall be displayed in real-time to all Bidders of that particular auction Id shop only;
 - (e) System-generated, random masking of identity of each Bidder of a particular shop or shops with auction Id shall be in effect, with each Bidder being able to see his own masked Id, the real-time highest bid amount for the concerned shop and the masked Ids of the participating bidders;
 - (f) The minimum and maximum permissible increments per bid shall be determined by the EAC and shall be in effect during live e-action;
 - (g) No reduction in bid shall be permitted once it has been signed and submitted by a bidder using his DSC and accepted by the system. New bids that are same as current highest bid shall not be allowed in order to prevent tie of bids;

- (h) The masked Id and bid amount of provisional highest bidder of a particular shop or shops with auction Id shall be displayed to all the bidders immediately after end of e-auction slot for that particular shop or shops; and
 - (i) In case of districtwide or areawide communication network failure, only if duly certified by competent authorities from concerned network service provider of that area or district, the e-auction for all shops with auctions Ids affected during that network failure may be conducted afresh at a later date by the EAC.
- (11) If no bid is received in e-auction for any shop or group of shops, the Excise Commissioner may notify another date for settlement of shops through e-auction or may allow these shops to be run by State Government agencies or co-operative organizations with the licence fee as decided by the State Government.
- (12) After successful completion of e-auction for all shops with auction Ids, the list of provisional highest Bidders with their respective bid amounts for all such shops shall be submitted officially by EAC to respective Collector.
- (13) Verification of Original documents, including Challan deposit towards non-refundable application fee of each shop and realization of EMD payment instrument towards each shop, shall be made in respect of the provisional highest Bidders for each shop as recommended by EAC before the license is actually granted by the Collector. Such verification shall be done by the Superintendent of Excise assisted by at least one Inspector or Deputy Superintendent of Excise, wherever such posts are available as nominated by the Collector before the licence is actually granted by the Collector. For the purpose of this verification, all provisional highest Bidders for the shop or shops shall be required to submit the documents in original as mentioned in Paragraph 6 and also the original document to prove that he is the owner of the premises or has taken on rent the premises, where he intends to set up shop or shops to respective Collector before the end date specified in Sale Notice.
- (14) Failure to furnish the documents referred to Paragraph 13 before the stipulated deadline or furnishing false documents shall be sufficient ground for cancellation of the status of the provisional highest Bidder and the Bidder is liable for criminal proceedings under relevant provisions of the Indian Penal Code, 1860 for furnishing false documents. Settlement of licence shall be done at the highest evaluated responsive bid for the concerned shop, as validated by the concerned Collector and EAC. The unsettled shop, if any, shall be settled afresh through e-auction or be allowed to be run by State Government agencies and co-operative organizations with the licence fee as decided by the State Government. If the provisional highest Bidder defaults on propriety of documents submitted during physical scrutiny, the EMD tendered by him shall stand forfeited.
- (15) Post physical scrutiny of the original documents, upon realization of advance consideration money as may be determined by the Government, from time to time, an after adjustment against deposited EMD, the highest evaluated responsive Bidder shall be confirmed with the settlement of the shop. He shall then put his signature in the Register of Settlement and Register of Undertaking to lift the monthly minimum guaranteed quantity as may be determined by the State Government from time to time and shall be then granted licence by the Collector.

- (16) The licensee shall open the shop after issuance of licence in the stipulated locality within the stipulated time (as specified from to time) from start of currency of licence.
- (17) The privilege once granted shall be valid for a period of one financial year and unless and otherwise directed by the State Government, may continue for a maximum period of three financial years including the year of grant, subject to annual renewal of the licence for the second and third financial year succeeding the year of e-auction on the terms and conditions to be prescribed by the State Government from financial year to financial year. In the event of any exigencies, if a shop is settled in the middle of the financial year through e-auction, the privilege may continue for remaining period of the original three financial year's validity, subject to annual renewal as per the terms and conditions.
- (18) The left over stock of the outgoing licensee shall be transferred by the Collector of the concerned District to the succeeding licensee, who may take it towards his MGQ on payment of invoice price (cost price and excise duty) to the outgoing licensee so that the succeeding licensee would be in a position to lift the stock as per MGQ for the licence period provided that the left over stock of IMFL or Beer should have the period of validity of its use.
- (19) The State Government reserves the right to refuse grant of privilege without assigning any reason therefor and settle the privilege before expiry of three financial years in the manner as may be decided by the State Government from time to time.
- (20) In case of expiry of validity period or omission of renewal or suspension or cancellation or surrender of licence, the shop shall be settled through e-auction or be allowed to be run by the State Government agencies and Co-operative Organizations with the licence fee as decided by the Government.
- (21) If any of the requirements as mentioned under the order is found to be factually incorrect at any point of time the bid of the said person or license, as the case may be, is likely to be rejected or cancelled by the competent authorities without payment of any damage/ compensation whatsoever.
- (22) The decision of the Excise Commissioner on any grievance arising in course of the e-auction process in the State shall be final.

This order shall come into force with effect from the date on which it is published in the official Gazette.

By order of the Governor
S. P. THAKUR
Principal Secretary to Government

District Excise Office

Form 'A'

PUBLIC NOTICE

Whereas, the State Government intend to grant Exclusive Privilege of(Name of the intoxicant) by way of e-auction at (Name of the locality) within the local area mentioned below against each for the period of the grant (i.e. from to), objections, if any, by any person residing within the said local area, are invited by (date). The objections, if any, shall be addressed to the undersigned and shall reach him on or before the aforesaid date. Any objection received after the said date will not be taken into consideration.

Collector

(District)

List of the shop/ shops	Kind of exclusive privilege	Locality at which the privilege is to be granted	Local area where the privilege is to be exercised
(1)	(2)	(3)	(4)

District Excise Office

Form 'B'

SALE NOTICE

NOTICE INVITING ONLINE APPLICATIONS FOR SETTLEMENT OF IMFL 'OFF' AND C. S. SHOPS THROUGH E-AUCTION FOR THE YEAR

1. The consideration money for exercising the privilege for retail sale of India Made Foreign Liquor [IMFL 'OFF' and Country Spirit (C. S.) in the State of Odisha for District] shall be determined through "auction on a forward basis conducted Online", (hereinafter referred to as 'e-auction) in accordance with the order issued under sub-section (2) of Section 29 of the Bihar and Odisha Excise Act, 1915 (hereinafter called as Act) as for the time being in force and applicable as per Annexure-'I'.
2. The privilege to be so granted shall confer the right to open a shop in the locality named in the list. The complete list of the localities where the shops are sought to be opened with their monthly reserve price is annexed herewith in Annexure- 'I'.
3. The privilege, without prejudice to any of the provisions of the Act and the rules made thereunder, shall be subject to the following conditions :—
 - (i) The consideration money shall be payable in the manner specified in the Odisha Excise (Exclusive Privilege) Foreign Liquor Rules, 1989 and Odisha Excise Exclusive Privilege Rules, 1970.
 - (ii) The currency of the licence shall commence on the date of grant of licence for shops settled in the financial year from which date the holder of the licence shall open the shop for retail sale of IMFL / C. S. or for a period as extended by the Government from time to time. Failure to open the shop as stipulated herein shall entail cancellation of licence and recovery of any loss caused to Government, except in case of delay in granting the licence or wherein any shop is closed under Section 26 of the Act.
 - (iii) No compensation shall be paid to the holder of a privilege for retail sale of IMFL/ C.S. for closure of the shop on 2nd day of October every year on account of Gandhi Jayanti and also for closure during General Election/ By-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 Commission during the Election to Gram Panchayat/ Panchayat Samiti/ Zilla Parishad and Urban Local Bodies and for such other days as the concerned Collector may decide.

- (iv) The holder of a licence shall not be entitled to any compensation or to the refund of any consideration money paid or deposited in respect thereof, in the event of his/ her licence being cancelled or suspended before the expiration of its term under the provisions of Section 42 of the said Act.
- (v) Once a shop starts operating in its sanctioned locality, it shall not be ordinarily shifted. However, shifting of a shop to any un-objectionable site within the same sanctioned locality or 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 the Rules and Orders made thereunder.
- (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 only in the locality to which the shop is sanctioned. The place so arranged shall be free from objection from the public.
- (viii) The privilege once granted shall be valid for a period of one year, and unless and otherwise directed by the State Government, it may continue for a maximum period of three years including the year of grant. If a shop is settled in the middle of the financial year through e-auction, the privilege may continue for the remaining period of the original year and subject to maximum period of three years including the year of grant, unless and otherwise directed by the Government. Wilful omission to renew the licence for a shop or group of shops in terms and conditions generally prescribed for all shall lead to the privilege holder or his family members or his associates being disallowed under Rule 102- A of Board's Excise Rules, 1965 from taking part in subsequent settlement process of the shop or any other shops till completion of five years including the year of grant or as may be determined by the Government from time to time. At the end of the license's original three year's validity or on suspension or surrender of licence, the privilege shall be settled through e-auction or otherwise as directed by the State Government.
- (ix) The State Government reserves the right to refuse grant of privilege without assigning any reason thereof and settle the privilege before expiry of three years in the manner as may be decided by the State Government from time to time.

- (x) No bidding shall be allowed to any person who is having a doubtful solvency. Besides no license shall be granted to a person having doubtful solvency. This shall be scrutinized by the EAC during pre-bid qualification scrutiny as well as by the Collector of the district at the District Level at the time of physical verification of the original documents.

Any person 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 or has criminal antecedents shall not be allowed to bid nor any licence shall be granted to such person. The applicant shall file an affidavit duly executed before an Executive Magistrate affirming that he/ she has not been convicted in any criminal case nor is involved in any excise case nor being tried in any Court of competent jurisdiction. This shall be scrutinized by the EAC during pre-bid qualification scrutiny as well as by the Collector of the district at the District Level at the time of physical verification of the original documents.

4. The e-auction shall be held subject to the following conditions :—

- (i) The e-auction shall be conducted individually and separately under one unique e-auction Id for each shop/ group of shops as notified in Sale Notice in Annexure–'I'. A bidder can apply for one or more shops/ groups of shops of any district and of the State. Bidders shall be required to obtain Digital Signature Certificates (DSCs) through certified agencies, followed by self-registration on e-auction Website with valid D.S.C. Bidders may also obtain multiple D.S.Cs.with self-registration of multiple Online bidder profiles for participation in e-auction of multiple shops in the event of these auctions being conducted simultaneously.
- (ii) To qualify for participation in e-auction, the bidders shall be required to upload against each auction Id / shop he/ she is interested in; the scanned, legible copies of following original documents/ certificates on their registered, DSC validated profile on e-auction website before the end date of submission of documents Online as notified in Sale Notice in Annexure –'I'.
- (a) Challans of deposit (s) under the Head of 0039-State Treasury towards payment of non-refundable application fee for each shop as notified in Sale Notice (Annexure– 'I').
- (b) Financial instrument in the form of Fixed Deposit receipt of Scheduled Bank/ Post Office Saving Bank Account/ National Savings Certificate/ Post Office

Time Deposit Account only having validity of 90 (ninety) days from the date of publication of Sale Notice and duly pledged in favour of the concerned District Collector and payable at the concerned district towards Earnest Money Deposit (EMD) of each shop for the amount notified in Sale Notice Annexure-‘I’. No cheque/ B. D./ cash payment shall be accepted as EMD.

- (c) Up-to-date Solvency Certificate in respect of immovable property situated in the State of Odisha obtained from Revenue Authority of the State, equal to not less than six times of the monthly reserve price of shop or shops as notified in Sale Notice (Annexure-‘I’) for which the bidder intends to bid.
 - (d) VAT Clearance Certificate of the assessee for the assessment year preceding the publication of Sale Notice or Non-essential Certificate in case of non-assessee.
 - (e) Original Income Tax Return of the Income Tax assessee for the assessment year preceding the publication of Sale Notice.
 - (f) Original Excise No-dues Certificate (in case of existing licensee) from the concerned authority up to two months preceding the publication of Sale Notice.
 - (g) An affidavit in original as in Form ‘C’ as prescribed from time to time duly shown and executed before an Executive Magistrate/ Notary.
 - (h) PAN Card.
 - (i) Voter ID or Adhar Card or Pass Port or Driving License or any other valid Photo Identity Card issued by the State Government.
- (iii) The registered bidder shall also be required to sign the ‘Terms and Conditions’ form Online through his registered, DSC validated profile, acknowledging the following terms and conditions of e-auction :—
- (a) Bidder or his associate is familiar with and understands the e-auction process on Website and has the technical and/ or human resources to participate in e-auction process.
 - (b) Bidder must have access to hardware and internet connectivity for participating in e-Auction process.
 - (c) Bidder shall honor each bid digitally signed and submitted by him in e-auction;
 - (d) The onus of Online uploading of genuine stipulated documents shall lie on the bidder.

- (e) The bidder shall abide by the decisions of the Excise Commissioner in case of any grievances arising in course of the e-auction process.
- (iv) After the last date of Online submission of pre-qualification documents by registered bidders, [the EAC Members with assistance of IT support staff, shall conduct Online scrutiny of pre-qualification documents of the bidders including verification of content of all scanned documents stipulated in paragraph (6) through their Department authorized DSs.] If the Online documents, on scrutiny are found to be defective or inadequate, the bidder's profile shall be summarily rejected. Online assigning reason therefore which can be viewed Online by the concerned bidder and he shall not be permitted by the system to participate in e-auction process. Bidders who are found to be eligible in Online scrutiny shall be approved in the system by the EAC members with assistance of IT support staff. The e-auction pre-qualification status shall be updated which can be viewed by the bidder through their Online login profile before the start date of e-auction. The e-auction system facilitates auto generated e-mails and SMS to the bidder registered e-mail Id and Mobile No. on pre-qualification status. However, it is the responsibility of the bidder to verify the status through his login Id.
- (v) Qualified bidders shall log on to e-auction Website using registered DSCs. before start time of e-auction of the shops, as notified in Sale Notice and as per terms and conditions form signed Online by the bidders.
- (vi) The e-auction process shall be governed by the e-auction principles specified below, as determined by the Government in Excise Department from time to time and which shall be available on e-auction Website and official Departmental Website:
- (a) Only the qualified bidders can participate in e-Auction after signing the 'terms & conditions' Form Online.
 - (b) E-auction start time and end time for each auction Id with details of time extensions, if any, shall be displayed Online with details of each auction Id.
 - (c) The e-auction shall be Online, incremental/ forward auction, with bids submitted in terms of monthly consideration money for each shop/ group of shops.
 - (d) Highest bid for a particular shop/ auction Id shall be displayed in real time to all bidders of that particular shop/ auction Id only.
 - (e) System-generated, random masking of identity of each bidder of a particular shop/auction Id shall be in effect, with each bidder being able to see only his own masked Id, the real time bid amounts for the concerned shop/ shops and the masked Id of the corresponding bidders.

- (f) The minimum and maximum permissible increments per bid shall be displayed in Online details of each auction Id.
 - (g) No reduction in bid shall be permitted once it has been digitally signed and submitted by a bidder and accepted by the system. Also, the system shall disallow new bids that are same as the current highest bid, thereby preventing tie of bids.
 - (h) The masked Id and highest bid amount of a particular shop shall be displayed to all the bidders after end of e-auction for all the shops/ auction Ids subject to validation by EAC.
 - (i) In case of districtwide or areawide communication network failure, only if duly certified by competent authorities from concerned network service providers of that area/ district, the e-auction for all shops/ auction/ Ids affected during that network failure may be settled afresh at a later date by the EAC.
- (vii) If no bid is received in a e-auction for any shop/ group of shops, the Excise Commissionier may notify another date for settlement of shops through e-auction or otherwise as directed by the State Government from time to time.
- (viii) After successful completion of e-auction for all auction Ids/ shops, the list of provisional highest bidders with their respective bid amount for all shops/ auction Ids shall be submitted by EAC to respective district Collectors.
- (ix) Verification of original documents, including challan deposit towards non-refundable application fee of each shop and realization of EMD payment towards each shop, shall be made in respect of the provisional highest bidders for each shop, as recommended by EAC before the license is actually granted by the Collector. Such verification shall be done by the Superintendent of Excise assisted by at least one Inspector (and Deputy Superintendent of Excise wherever such posts are available), as nominated by the Collector before the license is actually granted by the Collector. For the purpose of original verification, all provisional highest bidders for respective shop/ shops shall be required to submit the following to respective District Collectors on the date (s) of physical verification:—
- (a) Original documents as well as self-attested copies of documents under sub-paragraphs A, B, C, D, E, F, G, H and I of Paragraph 4 (ii) which were earlier scanned by the bidder at the time of submission of application through Online for pre-qualification before e-auction.

- (b) After physical scrutiny of original documents, the successful highest registered bidder shall be asked to deposit three month's advance consideration money in respect of the said shop or shops and upon realization of the amount within a period of three days, the highest evaluated responsive bidder shall be confirmed with the settlement of the shop. He shall then put his signature in the Register of settlement and Register of Undertaking to lift the monthly minimum guaranteed quantity (MGQ) of the shop as may be determined by the Government and shall be granted license by the Collector. Thereafter, the EMD in shape of fixed deposit of the highest bidder, pledged with the Collector of the concerned district shall be returned/released. In case of EMD of other unsuccessful bidders, the same will also be returned/ released after settlement of the shop. For the subsequent year (s), after physical scrutiny of original documents, upon realization of advance consideration money, as may be determined by the Government from time to time, the license will be renewed if he/ she fulfils all the terms and conditions under provisions of law.
- (c) If the final e-auction winner declines or refuses or wilfully omits to take licence on some plea or other or fails to open shop on grant of license, the amount of fixed deposit pledged by him towards advance consideration money 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. Further, he or his family member or his associates shall not be permitted to take part in the settlement of that shop/ group of shops or any shop for five years including the year of his default as per Rule 102A of Board's Excise Rules, 1965.

District Collector

Place :

Date :

Important Dates & Data for e-auction

- (1) e-auction Website : auctionodisha.gov.in
- (2) Submission of pre-qualification documents :
- (a) Start date time
- (b) End date time
- (3) Online scrutiny of uploaded pre-qualification documents :
- (a) Start date time
- (b) End date time
- (4) Date of publishing provisional list of highest bidders :—
- (5) Physical scrutiny of original documents and payment of EMD of provisional highest bidders at district Collector Level :
- (a) Start date time
- (b) End date time
- (6) Non-refundable application fee (for each shop) to be paid in form of Challan deposit under the Head "0039—State Excise—800—Other Receipt—9915780".

(7)

Sl. No.	Shop type	Shop Id No.	Shop location Area	G.P.	P.S.	Dist.	Monthly Reserve price	Monthly MGQ based on MRP* LPL	Monthly MGQ based on MRP* BL	e-Auction time duration Start Date	e-Auction time duration Start time	e-Auction time duration End date	e-Auction time duration End time	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
	(IMFL, 'OFF'/ C. S.)													

NB: * MGQ of Country Spirit (C.S.) @ 65 LPL per Rs.1000 of consideration money.

The MGQ of IMFL 'OFF' shops are as follows :

- (1) For Urban Areas – 30 LPL of IMFL & 40 BL of Beer per Rs.1000 of Consideration money
- (2) For Rural Areas – 25 LPL of IMFL & 35 BL of Beer per Rs.1000 of Consideration money

District Excise Office

Form 'C'
Affidavit

I, S/o age
..... occupation..... Resident of
..... (village/ name of the street in case of town)
..... (Tahasil) District

do hereby solemnly affirm and state as follows:

A. I have submitted application (s) in my name with PAN number
for the following auction Ids:—

Sl. No.	Shop type (IMFL, 'OFF', C. S.)	Shop Id No.	Shop location (Area G.P. P. S. Dist.)				Monthly Reserve price for the year	Details of solvency certificate submitted for each auction Ids. (Solvency certificate No. & Date)			Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)

B. I hereby declare that —

- (1) I am solvent to the extent of Rs.
- (2) I have neither been convicted in any criminal case nor facing trial in any Criminal Court. I have no criminal antecedents and I am not involved in any excise case under the Act.
- (3) I am not a defaulter under Rule 45 of the Odisha Excise Rules, 1965 and that I am also not defaulter under Rule 102–A of the Board’s Excise Rules, 1965.
- (4) No Government dues are outstanding against me.
- (5) This affidavit is required to be produced before the Excise Authority in connection with e-auction for grant of exclusive privilege.
- (6) The Excise No Dues Certificate required to be submitted along with the application is applicable/ not applicable to me.
- (7) I have never been declared as defaulter under the aforesaid Act/ Rules. I am also not in arrears of Government revenue for any period.
- (8) I shall be liable for penal action besides cancellation of licence granted to me, if any, in case any of the facts sworn in here are found to be false.
- (9) The facts stated above are true to the best of my knowledge and belief.

DEPONENT

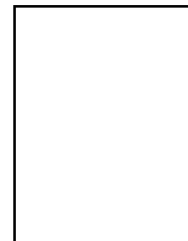
Solemnly affirmed this day of
20 the contents of this affidavit having been read over audibly and explained to the deponent who having understood the same put his signature/ thumb impression in my presence at time on (date).

Executive Magistrate/ Notary

Form 'D'

**APPLICATION FOR GRANT OF LICENCE OF INDIA MADE FOREIGN LIQUOR
'OFF' / C.S. SHOP / SHOPS THROUGH e-AUCTION**

1. Name of the applicant (in Capital letter) ..
2. Father's Name ..
3. Permanent address in full ..
4. Present postal address ..
5. Shop/ Group of shops for which application is made ..
6. Locality of the shop (or each shop in case group of shops is sought to be opened). ..
7. Solvency Amount (Solvency certificate No., Date, Issuing Authority, Scan copy of the original certificate to be uploaded). ..
8. VAT Clearance/ Non-assessment Certificate (No., Date, Issuing Authority) (Attested copy to be uploaded) for the assessee. ..
9. Income Tax Returns for the assessee or PAN Card No. for non-assessee. (duly attested to be uploaded) ..
10. Excise No Dues Certificate (to be uploaded) ..
11. Monthly Consideration Money of the shop/ shops. ..
12. Affidavit executed before the Executive Magistrate/ Notary (to be uploaded) ..
13. Copy of the challan showing deposit of application fee (to be uploaded) ..
14. Copy of financial instrument pledged in favour of District Collector (to be uploaded).
(a) Amount
(b) Name of the Bank/ Post Office
(c) Financial instrument No. and Date ..



DECLARATION

Certified that the information furnished above are true to the best of my knowledge and belief.

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

Place :

Date :