

The Orissa Excise (Mohua Flower) Rules, 1976

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Rule THE-ORISSA-EXCISE-MOHUA-FLOWER-RULES-1976 of 1976

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The Orissa Excise (Mohua Flower) Rules, 1976 Published vide Notification No. 447-4-Ex.-13/76-Ex., dated 23rd March, 1976, Orissa Gazette Extraordinary No. 405/25.3.1976 Notification No. 447-IV-Ex.-13/76-Ex., the 23rd March, 1976. - Whereas the draft Orissa Excise (Mohua Flower) Rules, 1976 were published as required by Sub-section (3) of Section 89 of the Bihar and Orissa Excise Act, 1915 (Bihar and Orissa Act 2 of 1915), in the Extraordinary Gazette of Orissa No. 235, dated the 20th February, 1976 under the notification of the Government of Orissa in the Revenue and Excise Department No. 290-IV-Ex-13/76-Ex., dated the 19th February, 1976, inviting objections and suggestions from all persons likely to be affected thereby before the 10th March, 1976; And whereas no objections or suggestions have been received; Now, therefore, in exercise of the powers conferred by Section 89 of the Bihar and Orissa Excise Act, 1915 (Bihar and Orissa Act 2 of 1915), the State Government do hereby make the following rules, namely: Chapter-I General

1. Short title.

(1) These rules may be called the Orissa Excise (Mohua Flower) Rules, 1976. (2) They shall come into force on the 1st day of April, 1976.

2. Definitions.

- In these rules, unless the context otherwise requires- (1) "Act" means the Bihar and Orissa Excise Act, 1915 (Bihar and Orissa Act 2 of 1915); (2) "Board" means the Board of Revenue, Orissa; (3) "Commissioner" means the Excise Commissioner, Orissa; (4) "District" means a district as defined in the Orissa Revenue Administration (Units) Act, 1963; (5) "Form" means a Form appended to these rules; (6) "Government" means the State Government of Orissa; (7) "Inspector" means an Inspector of Excise; (8) "Mahua Flower" means the matured sugary flower otherwise called mahua, mohua, mhua, which blossom and fall or, are collected from the tree known as mohua tree (*Bassia latifolia* or *Bassia longitolia*); (9) "Section" means a section of the Act; (10) "Sub-Inspector" means a

Sub-Inspector of Excise;(11)"Superintendent" means a Superintendent of Excise;(12)"Year" means a calendar year;(13)Words and expressions used but not defined in these rules shall have the same meaning as respectively assigned to them in the Act.

Chapter-II Collection, possession or storage

3. Collection of mahua flowers.

- Mahua flower may be lawfully collected by any person from tree belonging to him or from any other tree, subject to the limit of a retail sale fixed by the Board under Section 5 and subject to restriction imposed under these rules for storage or possession for any purpose, or for its sale, import, export and transport of mahua flower.

4. Application of storage or possession beyond the limit of a retail sale.

- Any firm, person, Co-operative Society or Government establishment desiring to store or possess mahua flower for a period ordinarily not exceeding a year, and in a quantity exceeding the limit of a retail sale, fixed by the Board under Section 5 shall apply to the Collector of the district within which the storage or possession is to be made [or any other Excise Officer not below the rank of a Sub-Inspector as authorised by him] [Inserted vide Orissa Gazette Extraordinary No. 583/16.4.1976.] and the application shall contain the following particulars, namely : (i) Name and address of the applicant; (ii) Source from which mahua flower is to be collected or obtained; (iii) Location and particulars of the place and premises where mahua flower is to be stored or possessed; (iv) Total quantity of mahua flower to be stored or possessed at any one time during the year; (v) Period for which storage or possession under Clause (iv) will continue; (vi) Period for which the permit is required; and (vii) Purpose for which mahua flower is to be stored or possessed.

5. Disposal of application, issue of permit.

(1) On receipt of the application made under Rule 4, the [Collector or any other Excise Officer not below the rank of a Sub-inspector as authorised by him may cause a suitable enquiry and after due consideration as to the bona fide of the application] [Substituted vide Orissa Gazette Extraordinary No. 583/16.4.1976.] to issue on payment of fees as may be prescribed for the purpose by the Board under Sub-section (7) of Section 90 permit in Form No. 1 in favour of the applicant specifying the place or premises where mahua flower is to be stored or possessed, total quantity of mahua flower to be stored or possessed at any one time, the purpose for which the mahua flower is to be utilised, and the period, which shall not ordinarily exceed one year, for which the permit is to remain current : Provided that the fee for the permit issued under Sub-rule (1) shall not be payable by any Government establishment. (2) The permit issued under Sub-rule (1) shall be page numbered and be quadruplicate copies thereof being utilised as below : (a) one copy to be retained [by the officer authorised to issue the permit] [Inserted vide Orissa Gazette Extraordinary No. 583/16.4.1976.] for future verification; (b) one copy to be issued to the applicant; (c) one copy to be sent to the Inspector having jurisdiction over the place of storage or possession for necessary verification from time to time; and (d) [one copy to be retained in the District Excise office for record.] [Substituted vide Orissa Gazette Extraordinary No. 583/16.4.1976.] (3) The firm, person, co-operative society or Government establishment in whose favour a permit is granted under this rule shall maintain the

accounts mentioned under Rule 13. Chapter-III Import, export and transport A. Import

6. Restrictions on import of mohua flowers.

- Mohua flower may be imported on the strength of a permit issued under Rule 8, from any place outside the State by any firm, person, co-operative society, or Government establishment which possesses a permit granted under Rule 5 to store or possess mohua flower.

7. Application for import.

- Subject to the provisions of Rule 8, the Collector may allow the issue of a permit for import of mohua flower from any place outside the State in due consideration of an application from the importer which should contain the following particulars, namely: (i) Name and address of the applicant. (ii) Location and particulars of the place from which the import is desired. (iii) Name and address of the exporter. (iv) Route through which the import is to be made. (v) Number of licence or permit, if any, held by the exporter.

8. Issue of permit for import.

(1) On receipt of the application made under Rule 7 the Collector may cause a suitable enquiry and, after satisfying himself as to the bona fide of the application, direct the Superintendent to issue, on payment of fees as may be prescribed for the purpose by the Board under Sub-section (7) of Section 90 a permit in the Form No. II in favour of the applicant authorising import of mohua flower in such quantity, to such place or premises, and for such purposes, as may have been specified by the Collector: Provided that the fee for the permit issued under Sub-rule (1) shall not be payable by any Government establishment. (2) The permit granted under Sub-rule (1) shall be page numbered and be in quadruplicate copies thereof being utilised as below: (a) one copy to be retained in the office of issue for future verification; (b) two copies to be sent to the exporting district as under Sub-rule (3); (c) one copy to be issued to the importer, for being produced by him in the exporting district as under Sub-rule (4). (3) The Superintendent issuing the import permit shall forward two copies thereof to the Superintendent of exporting district or, if mohua flower is not declared as an intoxicant in such district, to the exporter. (4) The importer or, his authorised agent shall present his copy of the permit to the Superintendent of the exporting district or, if mohua flower is not declared as an intoxicant in such district, to the exporter may obtain on it the written endorsement of the Superintendent or the exporter, as the case may be, regarding the purchase and export and shall also obtain one of the two copies mentioned under Sub-rule (3), with a similar endorsement. (5) The firm, person, co-operative society or Government establishment in whose favour a permit is issued under Sub-rule (1) shall lodge the mohua flower on receipt after import at the place or premises authorised in the said permit, within a reasonable time from the date of its receipt at the source of supply. (6) The permit shall remain current for the period specified therein but the term may be extended by the Collector of the importing district for any valid reason. (7) The importer shall further comply with the rules that may be in force in the State of export regulating the movement of mohua flower out of that State and also the instructions, if any, in the exporting district conforming to such rules. (8) The mohua flower shall be brought by the route mentioned in the export pass along with

the pass and copies of import permit mentioned in Sub-rule (4) and shall on arrival in Orissa be taken direct and with all reasonable despatch to the authorised place and premises mentioned in the said pass.(9)Copy of the export pass and copies of the import permit brought alongwith consignment of mohua flower imported as aforesaid shall then be presented to the Superintendent of the importing district or, such other officer as may be authorised by the Superintendent, to check and verify the consignment of mohua flower on arrival.(10)The Superintendent or the Officer authorised by him under Sub-rule (9) shall check and verify the consignment of mohua flower at the place or premises authorised under Sub-rule (1) and report the fact of lodging and verification for information of the Collector.(11)In case of deficiency beyond five per cent noticed in the weight between the quantity of mohua flower despatched and the quantity lodged in the authorised premises, the shortage shall be duly enquired by the Collector and, if so decided by him, the importer shall be liable for infringement of these rules.

9. Restrictions on export.

- [(1) [* * *] [Substituted vide Orissa Gazette Extraordinary No. 1892/25.11.1976.] Subject to the provisions of Rule 10, mohua flower may be exported to any place outside the State, by any firm, person, Co-operative Society or Government establishment in possession of a permit granted under Rule 5 and a licence for sale granted under Rule 12.](2)An application for export of mohua flower shall be made to the Collector of the district from which the export is desired and shall contain the following particulars, namely : (i)Name and address of the applicant; (ii)Name and address of the importer; (iii)Location and particulars of the place to which the mohua flower is to be exported; (iv)Quantity of mohua flower which is to be exported; (v)Route through which the export is to be made; and (vi)Number of pass or permit, if any, of the importer to whose address the mohua flowers are to be exported.

10. Issue of pass for export.

- [(1) On receipt of the application made under Rule 9, the Collector of the district from which export is desired may cause a suitable enquiry and in due consideration as to the bona fide of the application may issue on payment of fee, as may be prescribed for the purpose by the Board under Sub-section (7) of Section 90, an export pass in Form No. Ill in favour of the exporter and while so authorising, the Collector shall specify the period within which the export, is to be completed, the quantity of mohua flower allowed for export the route to be followed for the export and the name and address of the exporter to whom the consignment is to be addressed : Provided that fees payable under Sub-rule (1) shall not be paid by any Government establishment.] [Substituted vide Orissa Gazette Extraordinary No. 839/26.6.1990-SRO No. 285/90/7.6.1990.](2)[* * *] [Deleted vide Orissa Gazette Extraordinary No. 839/26.6.1990-SRO No. 285/90/7.6.1990.](3)[The pass granted under Sub-rule (1) shall indicate the place or premises from which the export is made and the period for which the pass shall remain in force unless the term is extended by the Collector for any valid reason.] [Substituted vide Orissa Gazette Extraordinary No. 839/26.6.1990-SRO No. 285/90/7.6.1990.](4)The pass granted under [Sub-rule (1)] [Substituted vide Orissa Gazette Extraordinary No. 839/26.6.1990-SRO No. 285/90/7.6.1990.] shall be in quadruplicate for being utilised as below : (a)one copy to be retained in the office of issue for future verification; (b)one copy

to be sent to the Superintendent of the importing district or, if mohua flower is not declared as an intoxicant in such district, to the importer ; and(c)two copies to be issued to the exporter, one of which is to accompany the consignment to be delivered with it to the importer and the other to be returned by the exporter to the office of issue with the endorsement of the Superintendent of the importing district or, if mohua flower is not declared as an intoxicant in such district, of the importer regarding receipt of the consignment at the place of import.(5)Mohua flower under export shall be channelled by the route mentioned in the pass along with one of the two copies thereof mentioned in [Sub-rule (1)] [Substituted vide Orissa Gazette Extraordinary No. 839/26.6.1990-SRO No. 285/90/7.6.1990.] any deviation from which shall tender the holder of the pass liable for infringement of these rules.(6)While issuing\the pass for export the Collector shall instruct the Superintendent to verify and report the date of export and the actual quantity of mohua flower exported for being communicated to the Excise Commissioner.C. Transport

11. [[Substituted vide Orissa Gazette Extraordinary No 757/11.5.1976.]

There shall be no restriction for transport of mohua flower inside the State.]Chapter-IV Sale

12. Restriction on sale procedure for grant of licence.

(1)Mohua flower may be sold by any person to any other person in a quantity at any one time within the limit of a retail sale fixed by the Board under Section 5 and when the quantity exceeds such limit, by any firm, person. Co-operative Society or Government establishment having licence under Sub-rule (4) to sell mohua flower to a firm, person. Cooperative Society or Government establishment possessing a permit under Rule 5 to possess mohua flower beyond the said limit of a retail sale.(2)Subject to Sub-rule (3) and Sub-rule (4), the licence for sale of mohua flower may be granted by the Collector of the district within which the sale is to be made [or any other excise officer not below the rank of a Sub-Inspector as authorised by him] [Substituted vide Orissa Gazette Extraordinary No. 583/16.4.1976.] in favour of a firm, person, Co-operative Society or Government establishment possessing a permit granted under Rule 5.(3)The firm, person, Co-operative Society or Government establishment desiring to sell mohua flower shall apply to the [Collector or any other Excise Officer not below the rank of a Sub-Inspector as authorised by him stating] [Substituted vide Orissa Gazette Extraordinary No 757/11.5.1976.] the place and premises from which the sale is to be made and the total quantity of mohua flower to be sold during the year.(4)[On receipt of the application, the Collector or any other Excise Officer not below the rank of a Sub-Inspector as authorised by him may make suitable enquiries and after due consideration as to the bona fide of the application issue a licence in Form No. IV in favour of the applicant :Provided that no licence fee shall be payable by a Government establishment in favour of which a licence is granted under Sub-rule (4).] [Substituted vide Orissa Gazette Extraordinary No. 1223/1978.]Chapter-V Accounts, returns and inspection

13. Maintenance of daily accounts.

(1)Any firm, person, Co-operative Society or Government establishment authorised under Rule 5 to store or possess mohua flower or, under Section 12 to sell mohua flower, shall maintain correct and

up-to-date accounts from day-to-day in the Form No. V.(2)The accounts maintained under Sub-rule (1) shall contain the particulars on stock, sale, import, export and/or transport of mohua flower and shall contain The name and address of the firm, person, Co-operative Society or Government establishment to which any quantity of mohua flower is sold, transported or exported and shall also contain the name and address of the exporter from whom any mohua flower is imported.

14. Submission of monthly returns.

(1)In addition to the accounts maintained under Rule 13a firm, person, Co-operative Society or Government establishment mentioned in the said rule shall also prepare a monthly return and submit copies in the Form No. VI to the Superintendent of the district within which the mohua flower is stored or possessed, sold, exported, imported, and/or transported so as to reach the Superintendent on or before the 10th of each month succeeding the one to which the return relates.(2)On receipt of the returns mentioned under Sub-rule (1), the Superintendent shall submit to the Commissioner, on or before the 20th of each month, a consolidated monthly return in the prescribed Form No. VI indicating the total stock of mohua flower in the district, the quantity sold, transported, exported or imported from or into the district in the month preceding the month of report.

15. Inspection.

(1)Any place or premises authorised under Rule 5 for storage or possession of mohua flower, the accounts maintained thereon, and copies of all import and transport passes or permits shall remain open for inspection at any time by day or night by any officer of the Excise or Police Department not below the rank of Sub-Inspector.(2)It shall be the duty of the firm, person, Co-operative Society or Government establishment to allow all reasonable facility, for the inspection under Sub-rule (1) failure in respect of which will amount to an infringement of the rules.

16. Supplementary Instructions.

- The Excise Commissioner may issue written instructions providing tor any supplemental matters arising out of these rules in so far as they are not inconsistent therewith.

17. Penalty for infringement of these rules.

- An infringement of any of the provisions of these rules or of any permit or pass issued thereunder shall be punishable under the Act

18. Interpretation of these rules.

- In case of any doubt as to the meaning or interpretation of these rules the same be referred to the State Government for decision.Form - M. F. I[See Rule 5 of the Orissa Excise (Mohua Flower) Rules, 1976]Original/Duplicate/Triplicate/QuadruplicatePermit No.....District.....Permit

for the storage or possession of mohua flowers. Note - Duplicate of this permit is to be signed by the holder of the permit and filed in the office of issue. Permit is hereby granted to Shri/M/s.....S/o village..P. S :.....district.....on advance payment of a fee of Rs.....authorising him to store or possess mohua flowers subject to the provisions of the Bihar and Orissa Excise Act, 1915 and the Orissa Excise (Mohua Flower) Rules, 1976 during the period commencing fromto.....(both the days inclusive). It is required of the holder of this permit as a condition of this permit remaining in force that he duly and faithfully performs and abides by the following articles : Conditions

1. He does not have in his possession more than..... kilos of mohua flowers at any one time. He shall not obtain or use more than kilos during any year/month.

2. He does not store or keep mohua flower in any place other than the permitted premises.

3. (a) He does not use the mohua flower for any purpose other than that specified below (here specify purpose or purposes).

(b) He does not sell any mohua flowers to any person not authorised to purchase or possess mohua flowers beyond the limit of a retail sale.

4. He does not possess nor use under this permit any mohua flower other than mohua flowers which are collected, purchased and imported by him under the rules.

5. He does maintain from day-to-day true and correct accounts in a book paged and stamped with the seal of the Superintendent of Excise of the district in Form M. F. V.

6. He does furnish in Form No. M. F. VI to the Superintendent of the district within whose jurisdiction the premises authorised in this permit are situated not later than the 5th day of each month, a monthly return containing a suitable abstract of the monthly accounts relating to the previous month.

7. The premises authorised in this permit including all receptacles within such premises, the accounts and records maintained by him shall remain open for inspection by any officer competent to inspect under rule of the Orissa Excise (Mohua Flower) Rules, 1976 at any time by day or night.

- 8. He does keep his premises and other receptacles used for storage of mohua flowers in clean and good condition.**
- 9. He does not sell, transfer or sublet the right conferred upon him by this permit or be in connection with the said right except under written permission of the Collector of the district, or enter into any agreement or arrangement which in the opinion of the Collector of the district is of the nature of a sub-lease. If any dispute arises whether any agreement or arrangement is in the nature of a sub-lease the decision of the Collector shall be final and binding on the holder of this permit.**
- 10. No person shall be recognised as the partner of the permit for purpose of his permit unless the partnership is disclosed to the permitting authority before the permit is granted and the names of the partners have been entered jointly in the permit or, if the partnership has been entered into after the granting of this permit unless the Collector of the district agrees on application made to him to alter the permit and to add the name or the names of the partners in the said permit.**
- 11. He does maintain in the premises authorised in this permit an inspection book, paged and stamped with the seal of the officer granting this permit, in which inspecting officers may record their remarks on inspections.**
- 12. He does on the termination of the permit deliver up the inspection book, the accounts, other records relevant to the accounts, and the expired permit to the Sub-Inspector of Excise in whose jurisdiction the premises authorised in this permit are situated.**
- 13. He and/or his agents/servants authorised as below shall comply with all rules, orders and directions which may be made or issued by the State Government and/or any competent officer by or under the Bihar and Orissa Excise Act, 1915.**
- 14. The possession is made in the permitted premises either personally by the holder of this permit or his authorised agents/servants numbering not mote than five in number duly authorised by him on this permit to be recorded and signed by himself and countersigned by the Superintendent of Excise of the district :**

Provided that the Superintendent may refuse to countersign the list of agents/servants employed by the licensee, if any such agent or servant has been convicted of any non-bailable offence or is notoriously of bad character, or is below eighteen years of age in which case the licensee shall employ other suitable agent servant.

15. He, his heirs, legal representatives or assignees shall have no claim whatsoever to the continuance or renewal of this permit.

16. This permit may be suspended or cancelled or withdrawn by the granting authority in accordance with the provision of Section 42 or Section 43 of the Bihar and Orissa Excise Act, 1915.

Granted this..... day of..... 20..... Seal Signature and designation of the Officer granting the permit Station..... N.B. - An infringement of any of the aforesaid conditions or of the general conditions applicable to excise, vend licences will render this permit liable for cancellation or suspension and render the holder of the permit liable to all penalty under the Bihar and Orissa Excise Act, 1915. List of authorised agents/servants of the holder of this permit

Name Father's name Village, P.O. Age and district Signature of licensee

Form - M. F. II [See Rules 8 and 11 of the Orissa Excise (Mohua Flower) Rules, 1976]
Original/Duplicate/Triplicate/Quadruplicate *Permit/Pass for import/transport of mohua flower *Permit/Pass No..... dated.....

1. This *import permit/transport pass is granted on payment of Rs.....

2. Name and address of the import permit/transport pass-holder.....

3. No. of the permit for storage or possession of mohua flowers held by the *import permit/transport pass-holder.....

4. Quantity of mohua flowers to be imported/transported

5. Places from and to which mohua flowers are to be *imported/transported

6. Route by which mohua flowers are to be *imported/transported.....

7. Period of validity of the *import permit/transport pass.....

8. Name and address of the licensee, if any, in or outside the State by whom mohua flowers are to be sold to the holder of the *import permit/transport pass and the number and location of such licence.....

Conditions for the *import permit/transport pass are as below : (a) The bulk on the consignment of mohua flowers shall not be broken in transit. (b) The consignment shall be *imported/transported by the route specified in this permit/pass and shall be deposited at the place or premises so specified. (c) The *permit/pass-holder shall abide by the rules quoted above and by all orders and directions which may be issued to him by a competent authority in conformity with the said rules or under the Bihar and Orissa Excise Act, 1915 and any other rules and orders made thereunder.

Station.....Date..... Signature and seal of the Officer issuing the permit

N.B. - An infringement of any of the aforesaid conditions or of the general conditions applicable to excise vend licences will render this permit/pass liable for cancellation or suspension and render the holder of the permit/pass liable to all or any penalty under the Bihar and Orissa Excise Act, 1915.*

Strike out words which are not applicable in case of import or transport, as the case may be. Form -

M. F. III [See Rule 10 of the Orissa Excise (Mohua Flower) Rules,

1976] Original/Duplicate/Triplicate/Quadruplicate Pass for export of mohua flowers

No.....Date.....

1. This pass is granted on payment of Rs.....

2. Name and address of the pass-holder.....

3. Number and location of the permit for storage or possession of mohua flower by the pass-holder.....

4. No. and date of the import permit or no objection certificate issued in favour of the importer by the authority at the place to which mohua flowers are to be exported.....

6. Place from and to which mohua flowers are to be exported.....

6. Route by which mohua flowers are to be exported

7. Period of validity of the pass.....

Conditions for the export pass are as below : (a) The bulk of the consignment of mohua flower shall not be broken in transit. (b) The consignment shall be exported by the route specified in this export

pass and shall be delivered at the place or premises so specified.(c)The permit-holder shall abide by the rules quoted above and by all orders and direction which may be issued by a competent authority in conformity with the said rules or under the Bihar and Orissa Excise Act, 1915 and any other rules and orders thereunder.

Station..... Seal and signature of the Collector

Date..... District.....

N. B. - An infringement of any of the aforesaid conditions or of the general conditions applicable to excise vend licences will render this pass liable for cancellation or suspension and render the holder of the pass liable to all or any penalty under the Bihar and Orissa Excise Act, 1915.

Form - M. F. IV[See Rule 12 of the Orissa Excise (Mohua Flower) Rules, 1976]Licence for sale of mohua flowers

Licence No..... District.....

Note - The counterfoil of this licence is to be signed by the licensee and filed in the office of issue.Licence is hereby granted to Shri/Mis (hereinafter called the licensee) [* * *] [Omitted vide Orissa Gazette Extraordinary No. 1223/1978.] authorising him to sell mohua flowers under and subject to the provisions of the Bihar and Orissa Excise Act, 1915, and rules, regulations, Orders made thereunder, at.....(hereinafter called the 'licensed premises') during the period from.....to.....(both the days inclusive) subject to the following conditions, namely :It is required of the holder of the licence as a condition of this licence remaining in force that he duly and faithfully performs and abides by the following articles :Conditions

1. The total quantity of mohua flowers sold by the licensee during the currency of licence period together with the unsold balance of mohua flowers does not exceed kilos.

2. He does not store or keep the mohua flowers in any place other than the licensed premises.

3. He does not use mohua flowers for any purpose other than sale, export or transport.

4. He does not possess nor sell under this licence any mohua flowers other than those which are collected, purchased or imported by him.

5. He does not, without permission from the licensing authority, sell mohua flower to any person except-

(a)in Orissa, to a person holding a valid permit for possession, sale of mohua flower under Orissa Excise (Mohua Flower) Rules, 1976 and a pass for the transport/export of the same under the said rules; and(b)outside the State of Orissa to a person holding an import authorisation or a no objection certificate from a duly authorised officer of the place to which mohua flower is to be sent.

- 6. He does not, except with the permission of the licensing authority effect any sale of mohua flower before 6 a. m. or after 6 p. m.**
- 7. He does maintain from day-to-day true and correct accounts in a book (Form No. M. F. V) paged and stamped with the seal of the Superintendent of Excise of the district.**
- 8. He does furnish to the Superintendent of Excise of the district not later than the fifth day of each month a monthly return in Form No. M. F. VI containing suitable abstract of the accounts maintained by him relating to the preceding month.**
- 9. The licensed premises including all receptacles within the licensed premises, the accounts and records maintained by the licensee under this licence shall remain open for inspection at any time by day or night by any officer competent to inspections under rule of the Orissa Excise (Mohua Flower) Rules, 1976.**
- 10. Except with the permission of the licensing authority the licensee shall not sell, transfer or subject the right conferred upon him by this licence, nor shall be in connection with the said right, except under written permission of the Collector of the district, enter into any agreement or arrangement which in the opinion of the Collector is of the nature of a sub-lease. If any dispute arises whether any agreement or arrangement is in the nature of a sub-lease the decision of the Collector in the matter shall be final and binding on the licensee.**
- 11. No person shall be recognised as the partner of the licensee for the purpose of this licence unless the partnership is disclosed to the licensing authority before the licence is granted and the names of the partners has been entered jointly in the licence or, if the partnership has been entered into after the granting of this licence unless the Collector agrees on application made to him to alter the licence and to add the name or names of the partner or partners in the said licence.**

12. He does maintain in the licensed premises as inspection book paged and stamped with the seal of the Superintendent of Excise of the district on which inspecting officers may record their remarks while inspecting the licensed premises.

13. He does not, on termination of the period of this licence, deliver the inspection book, the accounts, other records relevant to the accounts, and the expired licence to the Sub-Inspector of Excise in whose jurisdiction the licensed premises are situated.

14. He does comply with all the rules, orders and directions which may be made or issued by the State Government or any competent officer.

15. The licensee shall exhibit in a conspicuous place in the licensed premises a sign-board bearing the following inscription in Oriya and English in which the licensed premises are situated.

Licensed premises for sale of mohua flower Name of
licensee.....Hours
of
sale.....Name
of locality.....P. S.....District.....

16. He does carry on the business in the licensed premises either personally or by an agent or servant not more than five in number duly authorised' by him on this licence to be recorded and signed by himself below this licence and countersigned by the Superintendent of Excise :

Provided that the Superintendent may refuse to countersign the list of agents/servants employed by the licensee, if any such agent or servant has been convicted of any non-bailable offence or is notoriously of bad character, or is below eighteen years of age in which case the licensee shall employ other suitable agent/servant.

17. The licensee, his heirs, legal representative or assignee shall have no claim whatsoever to the continuance or renewal of this licence.

18. This licence may be suspended or cancelled or withdrawn by the licensing authority in accordance with the provisions of Section 42 or Section 43 of the Bihar and Orissa Excise Act, 1915.

Granted thisday

of.....20.....Seal.....Station.....Signature and

designation of Officer granting the licence N.B. - An infringement of any of the aforesaid conditions or of the general conditions applicable to excise vend licences will render the licence for sale of mohua flower, cancellation or suspension and render the licence-holder liable to all or any penalty under the Bihar and Orissa Excise Act, 1915. List of authorised agents/servants of the licensee

Name Father's name Village, P.O. and District Age Signature of licensee

1 2 3 4 5

Form No. M.F.V[See Rule 13 of Orissa Excise (Mohua Flower) Rules, 1976] Register of Accounts of mohua flower for possession, sale, transport, import and export or mohua flower maintained by Shri/M/s.....at.....P.S.....District.....for the year.....19.....Number of permit/licence held for storage or possession/sale of mohua flower No...../No.....

No. and date of import permit/transport pass/certificate of export	No. and date of import permit/transport pass/certificate of export	No. and date of import permit/transport pass/certificate of export	No. and date of import permit/transport pass/certificate of export	No. and date of import permit/transport pass/certificate of export	No. and date of import permit/transport pass/certificate of export	No. and date of import permit/transport pass/certificate of export	No. and date of import permit/transport pass/certificate of export	No. and date of import permit/transport pass/certificate of export
Quantity of mohua flowers imported/transported into the licensed place or premises	Quantity of mohua flowers imported/transported into the licensed place or premises	Quantity of mohua flowers imported/transported into the licensed place or premises	Quantity of mohua flowers imported/transported into the licensed place or premises	Quantity of mohua flowers imported/transported into the licensed place or premises	Quantity of mohua flowers imported/transported into the licensed place or premises	Quantity of mohua flowers imported/transported into the licensed place or premises	Quantity of mohua flowers imported/transported into the licensed place or premises	Quantity of mohua flowers imported/transported into the licensed place or premises
Names and addresses of persons from whom mohua flower under Column (3) was purchased in respect of each individual	Names and addresses of persons from whom mohua flower under Column (3) was purchased in respect of each individual	Names and addresses of persons from whom mohua flower under Column (3) was purchased in respect of each individual	Names and addresses of persons from whom mohua flower under Column (3) was purchased in respect of each individual	Names and addresses of persons from whom mohua flower under Column (3) was purchased in respect of each individual	Names and addresses of persons from whom mohua flower under Column (3) was purchased in respect of each individual	Names and addresses of persons from whom mohua flower under Column (3) was purchased in respect of each individual	Names and addresses of persons from whom mohua flower under Column (3) was purchased in respect of each individual	Names and addresses of persons from whom mohua flower under Column (3) was purchased in respect of each individual
Quantity purchased from persons collecting mohua flowers	Quantity purchased from persons collecting mohua flowers	Quantity purchased from persons collecting mohua flowers	Quantity purchased from persons collecting mohua flowers	Quantity purchased from persons collecting mohua flowers	Quantity purchased from persons collecting mohua flowers	Quantity purchased from persons collecting mohua flowers	Quantity purchased from persons collecting mohua flowers	Quantity purchased from persons collecting mohua flowers
Opening balance	Opening balance	Opening balance	Opening balance	Opening balance	Opening balance	Opening balance	Opening balance	Opening balance
Date	Date	Date	Date	Date	Date	Date	Date	Date
1	2	3	4	5	6	7	8	9
Total of Columns (2), (3), (5) and (7)	Quantity of mohua flowers sold during the month	Quantity of mohua flowers transported during the month out of the licensed premises	Quantity of mohua flower exported during the month	Names and addresses of the recipients and his permit/ pass number for possession, transport or	Total of columns (10), (11) and (12)	Closing balance	Signature of the licensee with date	

import of
mohua flower
held by such
recipient

9 10 11 12 13 14 15 16

Form No. M.F.VI[See Rule 14(1) of the Orissa Excise (Mohua Flower) Rules, 1976]Permit
No.....Monthly Return furnished by holder of a permit for possession/licence for
sale of mohua flowersNumber of permit/licence held for storage or possession/sale of mohua flower
..... No...../No.....

Receipt during the month	Disposal during the month	Closing balance at the end of the month	Remarks			
Month and year	Opening balance at the beginning of the month	Total receipt by purchase/ transport/ exportduring the month	Quantity sold/ and transported during the month	Quantity exported during the month	Total of Columns (4) and (6)	
1	2	3	4	5	6	7 8

Signature of the permit/licence-holderForm No. M.F.VII[See Rule 14(2) of the Orissa Excise
(Mohua Flower) Rules, 1976]Monthly Return furnished by Superintendent of
Excise.....district, on stock, disposal and balance of mohua flowers in the district during the
month of 20.....

Month and year	Opening balance at the beginning of the month	Total No. of permit holders/ license holders forpossession/ sale of mohua flowers in the district	Total quantity of mohua flowers receivedpermit-holders/ licence-holders during the month
1	2	3	4

Total quantity sold/ transported during the month	Total quantity exported during the month	Total of Columns (5) and (6)	Closing balance at the end of the month	Remarks, if any
5	6	7	8	9

Signature of the Superintendent of Excise District