



SUPPLEMENT TO THE
**CEYLON GOVERNMENT
GAZETTE**

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THE EXCISE ORDINANCE, No. 8 OF 1912.

Excise Notification No. 329.

General Conditions applicable to all Excise Licences from and after September 30, 1938.

(As published in the "Gazette" No. 8,368 of May 11, 1938.)

IT is hereby notified that the Governor has, under the provisions of section 24 of the Excise Ordinance, No. 8 of 1912, directed that with effect from September 30, 1938, the general conditions applicable to all excise licences published by Excise Notification No. 316 in the *Supplement to Gazette* No. 8,291 of May 21, 1937, shall be rescinded, and that the conditions set out in the schedule hereto shall until further notice be the general conditions applicable to all excise licences.

Ministry of Home Affairs,
Colombo, May 5, 1938.

D. B. JAYATILAKA,
Minister for Home Affairs.

SCHEDULE.

1. *Conditions for Tavern Buildings; Any alterations to be approved by Government Agent.*—(1) Sales at taverns (whether country liquor or foreign liquor) must be conducted in a suitable building of which the whole or a part must be set aside for exclusive use as a tavern. If there are means of communication between the tavern and an adjoining dwelling house, they must be kept permanently closed. In the case of all taverns there shall be no possible means of ingress or egress except by the front door. The interior of the tavern shall be sufficiently lighted by day and by night, and the tavern shall not be used as a place of residence, save by the renter or an authorized employee acting as a caretaker.

(2) No alterations or additions shall be made to any tavern building, nor shall any wall, fence, or other enclosure be erected without the approval of the Government Agent.

(3) The Government Agent may at his discretion, by special licence to be granted free of charge, permit the establishment in a particular tavern of a private bar, if he is of opinion that the furniture and equipment of the private bar and the area in which the tavern is situated justify the establishment of such private bar. Provided that the whole of the interior of such bar is visible from the entrance thereto, and that such entrance is either through the main door of the tavern, or through a separate door which is clearly labelled or provided with a signboard to indicate the nature of such bar.

2. *Signboards for Licensed Premises.*—A signboard must be affixed to the front of each licensed distillery, manufactory of any kind of liquor, brewery, wholesale warehouse, arrack renter's storehouse, bottling warehouse, premises licensed for the sale of medicated country spirits or fruit and coconut liquors, foreign liquor (off) shop, medicated wines shop, rectified spirits shop, restaurant, canteen, or tavern (including places licensed only for the sale of beer and porter), showing the number and nature of the licence, the name of the licensee, and in the case of country liquor canteens or taverns also the current rate of sale. These particulars must be legibly painted in English or the local vernacular. The licence and a printed copy of these conditions must be hung up in a conspicuous place within all licensed premises.

3. (1) *Prohibition of Possession of Liquor other than that licensed.*—The possession upon any licensed premises of any liquor or intoxicating drug, other than that to which the licence relates, or of any essence or substance used or capable of being used for colouring or flavouring liquor, is prohibited, except under a special licence granted by the Excise Commissioner. Provided that this shall not apply to harmless substances kept or used in distilleries to flavour or colour liquor, if such substances are approved by the Excise Commissioner.

(2) *Prohibition of Adulteration of Liquor.*—All liquor sold or kept for sale shall be of good quality and unadulterated. Nothing shall be added to them, either to increase their intoxicating power or for any other purpose, provided that this shall not apply to harmless substances kept or used in distilleries to flavour or colour liquor, if such substances are approved by the Excise Commissioner.

(3) *Sale Price of Liquor.*—No liquor shall be sold at country liquor canteens or taverns at a price higher than the current rate appearing on the signboard. Such rate shall be fixed for the day before the opening hour, and shall not be varied during the course of that day.

4. *Authority for Employees.*—The names of all persons proposed to be employed in godowns, warehouses, taverns, vinegar stores, toddy topes, collecting stations, restaurants, and other foreign liquor licensed premises in which a bar is permitted shall be furnished to the Superintendent of Excise, who will grant a permit authorizing the employment of such proposed persons as are approved by him, and the permit shall be exhibited in the licensed premises in which they are employed. Persons not so authorized shall not be employed in any licensed premises. It shall be competent for the Superintendent of Excise at any time to revoke any permit issued under this Condition.

5. *Who may not be employed.*—(a) The sale or transport of liquor or intoxicating drugs by the following persons and the employment of such persons for the sale or transport of the same are prohibited :—

- (i.) Those suffering from leprosy or any infectious or contagious disease.
- (ii.) Those under the age of sixteen.

6. *Opening and Closing Hours.*—(1) Of Toddy Taverns.

Toddy taverns shall remain open between the hours of 8 A.M. and 6.30 P.M., and shall be kept closed at all other hours.

Provided that the Government Agent may, after consulting the Excise Advisory Committee, in the case of any area generally or in the case of a particular tavern in any area—

- (a) prescribe a later hour of opening ;
- (b) prescribe an earlier hour of closing ;
- (c) prescribe one or more periods, between the hour of opening and that of closing, during which the tavern shall be kept closed ;
- (d) when local circumstances require it in a town or outside a town, and in the latter case for special reasons, prescribe an earlier hour of opening, which shall in no case be earlier than 7 A.M., or a later hour of closing, which shall in no case be later than the closing hour of arrack taverns in the same area ; and
- (e) at the request of the licensee permit, or without such request direct the tavern to be kept closed on Sundays or on other specified days of religious observance, either throughout the whole day or during one or more specified periods of hours.

The hours during which a toddy tavern may remain open shall be entered in the licence, and no sale shall take place except during those hours.

(2) Of Arrack Taverns.

Arrack taverns shall remain open between the hours of 8 A.M. and 6.30 P.M., and shall be kept closed at all other hours.

Provided that the Government Agent may, after consulting the Excise Advisory Committee, in the case of any area generally or in the case of a particular tavern in any area—

- (a) prescribe a later hour of opening ;
- (b) prescribe an earlier hour of closing ; *
- (c) prescribe one or more periods, between the hour of opening and that of closing, during which the tavern shall be kept closed ;
- (d) where local circumstances require it in a town or outside a town, and in the latter case for special reasons, prescribe a later hour of closing which shall in no case be later than 9 P.M. ; and
- (e) at the request of the licensee permit, or without such request direct the tavern to be kept closed on Sundays or on other specified days of religious observance, either throughout the whole day or during one or more specified periods of hours.

The hours during which an arrack tavern may remain open shall be entered in the licence, and no sale shall take place except during those hours.

(3) Of Foreign Liquor Premises.

Premises licensed for the sale of foreign liquor shall remain open between the hour of opening and the hour of closing as noted by the Government Agent on the licence, and shall be kept closed at all other hours.

Provided that in cases for which hours have been prescribed by Excise Notification No. 218 published in the *Government Gazette* No. 7,845 of April 17, 1931, the hours as so prescribed shall apply ; and that the closing hour of foreign liquor taverns (including places licensed for the sale of beer and porter only) shall not be later than the closing hour of arrack taverns in the same area.

Provided also that the Government Agent may, after consulting the Excise Advisory Committee, in the case of any area generally or in the case of particular premises in any area—

- (a) prescribe one or more periods, between the hour of opening and that of closing, during which the premises shall be kept closed ;
- (b) at the request of the licensee permit, or without such request direct the premises to be kept closed on Sundays or other specified days of religious observance, either throughout the whole day or during one or more specified periods of hours.

And provided further that in any special case the Government Agent may at his discretion permit any licensed premises other than a tavern or place licensed for the sale of beer and porter only, to be kept open until such later hour as he may appoint, or, at the request of the licensee, to be kept temporarily closed for a period not exceeding 3 days.

The hours during which any premises licensed for the sale of foreign liquor may remain open shall be entered in the licence, and no sale shall take place except during those hours.

7. *Drunkeness, Disorder, and Gaming.*—No drunkenness, disorder, or gaming shall be permitted in any licensed premises. Every person licensed to sell liquor and every keeper of any licensed premises shall refuse to admit to, and shall turn out of, the premises in respect of which the licence is granted any person who is drunk, violent, quarrelsome, or disorderly, and any person whose presence on the premises would subject him to a penalty under any Ordinance for the time being in force, nor shall any liquor be sold to any such person.

8. *Persons not to be harboured at any Time.*—No person who is a robber or thief, and no disorderly or riotous person, and no person who is reputed to be a prostitute or who is a registered criminal within the meaning of the Prevention of Crimes Ordinance, No. 2 of 1926, shall be harboured in any licensed premises. It shall be the duty of the licensee to give information to the nearest Magistrate or Police Officer of the resort of any such person to any licensed premises.

9. *No Person to be harboured after Closing Hours.*—No person shall be harboured in any licensed premises between the hours of closing and opening such premises, or during any period of closure and no constable shall be harboured in such premises during his time of duty.

10. *Closure of Taverns and other Licensed Premises for Special Reasons.*—Taverns situated on or adjacent to the line of march must be closed, if the Government Agent so orders, while a regiment or detachment of sailors or soldiers is passing, or is encamped in the vicinity ; and if the Government Agent so orders, any licensed premises must be temporarily closed in times of religious excitement, or on days of polling or when a disturbance exists or is apprehended. Every Excise licensee shall of his own motion close his licensed premises, when there is a riot or disturbance in the neighbourhood.

The licensee shall not have or make any claim for compensation for any loss or damage arising out of such closure.

11. *Occasional Licences for Race Meetings, Public Entertainments, &c.*—The right is reserved to the Government Agent to grant occasional licences to any person approved by him for the sale of foreign liquor at refreshment stalls or bars in connection with race meetings, public entertainments, or other gatherings approved by him. Such occasional licences for the sale of arrack or toddy will be granted to the renters of arrack or toddy taverns, within the local areas of

which the premises to be licensed are situated. If such premises are situated outside the local area of an arrack or toddy tavern, the Excise Commissioner may at his discretion issue an occasional licence for the sale of arrack or toddy to such person as may be approved by him. The period for which an occasional licence may be granted shall not exceed 10 days, and the fees to be paid therefor shall be fixed at the discretion of the Government Agent or the Excise Commissioner, as the case may be.

12. *Persons to whom Liquor is not to be sold or given.*—No liquor shall be sold or given—

(a) Except at licensed premises specially approved by the Naval Commander-in-Chief or Senior Naval Officer or the Officer Commanding the Troops in the Colony or the Officer Commanding the Station or Camp, and then only in respect to such liquors as shall be approved by the same authority in consultation with the Excise authorities and specified in the licence—

- (1) To sailors in the Royal Navy, soldiers, and the members of their families ; or
- (2) To any other person living in barracks.

(b) Whilst on duty to any—

- (1) Member of the Police Force or Officer of the Excise Department ; or
- (2) Railway servant ; or

(c) To a woman for consumption within the premises of a tavern.

(d) In any circumstances to any—

- (1) Person under sixteen years of age ; or
- (2) Insane person ; or
- (3) Person known or believed to be intoxicated.

13. *Non-transferability of Licence ; Manager to be approved.*—No privilege of manufacture, supply, or sale, or any interest therein shall be sold, transferred, or sub-rented without the Government Agent's previous permission ; nor, if the Government Agent so orders, shall any agent be appointed for the management of any such privilege without his previous approval.

14. *Taverns to be kept open and sufficient Stocks to be maintained.*—Taverns must be kept open during the prescribed hours, unless their temporary closure is authorized under condition No. 10 *supra*, and such minimum quantities, in sealed bottles of different descriptions or in bulk, or both in bottles and in bulk of the kind or kinds of liquor saleable under the tavern licence, as the Superintendent of Excise may consider sufficient to meet local requirements must be maintained therein. Taverns not opened by dates to be fixed by the Government Agent shall be liable to be resold at the risk of the licensees.

15. *Prohibition of Credit Sales ; Refusal to Sell.*—No liquor shall be sold in taverns, except for cash. All licensees shall, subject to any special condition limiting the quantity that may be sold, be bound to supply liquor on demand, and on tender of cash to any person entitled to demand it.

16. *Observance of Minimum and Maximum Selling Prices.*—No liquor shall be sold either below the minimum or above the maximum prices, if any, fixed for the sale of such liquor in accordance with the law for the time being in force.

17. *Observance of Maxima of Possession and Minima of Sale.*—No liquor in excess of the quantity prescribed for possession without a licence shall be permitted to be removed by any person at any one time from any licensed premises without a valid permit ; nor shall liquor be sold at any godown or warehouse in quantities less than the minima prescribed.

18. *Daily Accounts.*—True accounts of transactions shall be entered from day to day in ink in forms approved by the Excise Commissioner, and shall be kept in the licensed premises. Such accounts shall be correctly and promptly totalled at the end of each month. The accounts and passes shall be in printed books, which may be obtained from any Kacheheri on payment of cost price, or on production of receipts for the payment of the cost price into a Government Treasury. Passes for liquor received and the counterfoil of passes issued must be carefully filed in the licensed premises.

The signing of blank passes for subsequent issue is prohibited. The counterfoils of passes and, in the case of foreign liquor licences, the invoices for all receipts of liquor shall be preserved by the licensee for one year after the period covered by the licence, and shall be produced when called for by an officer not below the rank of Inspector of the Excise Department.

The licensee shall, within three days after the expiry of the licence by surrender, cancellation, lapse of time, or any other cause, deliver to the Superintendent of the Circle in which the licensed premises were situated, all books of accounts kept under the provisions of this condition as well as the inspection notebook mentioned in condition No. 22.

19. *Licensees to furnish Returns, &c.*—Licensees and their representatives, agents and employees shall be bound to furnish correctly and promptly any returns or information required from them or any of them, in writing or orally, by the Government Agent or an officer of the Excise Department not below the grade of Inspector.

20. *Approved Weights and Measures to be used or possessed.*—When any weights, measures, or instruments have been prescribed for use in any licensed premises, only such weights, measures, and instruments as have been prescribed shall be possessed or used on such premises, and they shall be tested and stamped by the stamping establishment of the district, if the Government Agent shall so direct. The possession or use of weights or measures that are incorrect on any licensed premises will render the licensee liable to punishment.

21. *Persons authorized to inspect and their Powers.*—The officers authorized to inspect licensed premises are—

- (1) Any officer of the Revenue Department of rank not lower than a Ratamahatmaya, Mudaliyar Muhandiram, or officer of like rank ;
- (2) Any officer of the Excise Department of rank not lower than Inspector ; and
- (3) Any person appointed under section 7 (c) to perform the acts and duties mentioned in sections 32, 34, and 45 (a) of the Excise Ordinance, No. 8 of 1912.

These officers are empowered—

- (a) to enter and examine the premises ;
- (b) to test weights and measures in use, and the liquor and intoxicating drugs in the possession of the licensee ;
- (c) to remove samples of the same, free of charge, for purposes of chemical analysis or where there is reason to test quality or strength, after duly sealing them in the presence of the licensee, and leaving equal quantities of the same in the hands of the licensee ;
- (d) to detain any liquor reasonably suspected to be unfit for consumption or use, or to have been tampered with, or any intoxicating drug found ;
- (e) to call for and check the accounts kept in the licensed premises ; and
- (f) to do any other acts which may be necessary to carry out the duty of ensuring the observance by the licensee of the provisions of the Excise Ordinance and of the conditions attaching to the licence.

In regard to taverns (including premises licensed for the sale of beer and porter only) such officers are further empowered to examine any private documents or books within the premises, and, if any offence is disclosed thereby, to seize and remove such documents or books.

All licensees shall give to all such officers all such facilities and assistance as they may require for the exercise of their powers.

Nothing in this condition shall be interpreted as depriving Police Officers of any powers vested in them by law.

No claim shall lie for compensation for the value of any samples removed under this condition.

22. *Inspection Notebook.*—Any inspection notebooks issued by the Superintendent of Excise shall be kept by the licensee in the licensed premises for the entry in it by Inspecting Officers of their remarks, and shall be handed over to the Superintendent of Excise, or any officer authorized by him to receive it, on a receipt being given therefor. Any such notebook left in the licensed premises shall be kept safe and intact by the licensee.

23. *Licenses to report Breaches of Rules committed by their Employees.*—Licensees are bound to report to the Superintendent of Excise all instances which come to their knowledge of persons employed by them in the manufacture, transport, or sale of liquor committing breaches of the Excise laws, and to comply with the Superintendent's orders respecting the continued employment of such persons. No person, who has been convicted under the Ceylon Penal Code or under the Excise Ordinance, No. 8 of 1912, shall be employed in the transport or sale of liquor without the Superintendent's previous permission.

24. *Pecuniary dealings between Licensees and Excise Officers prohibited.*—Pecuniary dealings of any kind whatever by licensees and their representatives, agents and employees with officers of the Excise Department are absolutely prohibited.

25. (1) *Licensed Premises, Vessels, &c., to be kept clean.*—All licensed premises, and all vessels, measures, and other articles used for the storage or sale of liquor therein or transport of liquor thereto shall be kept scrupulously clean.

(2) *Washing of Drinking and Eating Vessels.*—Every glass, measure, vessel, utensil and receptacle used for serving liquor or food to customers shall, immediately after its return by the customer, be washed with clean water, and thereafter be completely drained of all water by being kept inverted on a perforated rack, and dried with a clean cloth, which shall be washed with soap and water every day after the closure of the premises.

(3) *Provision of a Water Tap, &c., in Licensed Premises.*—In any town or place where there is a public water service the buildings of any licensed premises shall, if so required by the Superintendent of Excise, be suitably equipped with taps, washing-sinks, and outlet drains or pipes to the satisfaction of the Superintendent of Excise.

(4) *Provision of Receptacles for keeping Water for Washing, Drinking, and Eating Vessels, &c.*—In every licensed premises which are not required to be equipped under paragraph (3) of this condition, there shall be kept in one or more receptacles an adequate supply of clean water for the purpose of washing all used glasses, measures, vessels, utensils, and receptacles, together with one or more receptacles, which shall be emptied from time to time, to hold the used or waste water. The receptacle for clean water shall be of metal, completely open at the top, but with a loose lid to cover the entire opening and fitted with a stop-cock at the bottom. It shall be capable of holding not less than 4 gallons and shall be placed on a stand at a convenient height for washing.

(5) Where the nature and situation of the licensed premises permit, the receptacle or receptacles for used or waste water shall be replaced by a masonry and cement-lined sink or sinks, each not less than 2 feet square with a lead-away pipe of at least 2 inches in diameter, opening out on a side-wall or back-wall of the building, in such position and such number as may be required by the Superintendent of Excise, for the purpose of ensuring that the water used for washing is conveniently emptied into such sink or sinks.

(6) No used glass, measure, vessel, utensil or receptacle shall, for the purpose of washing, be plunged or immersed in any receptacle containing clean water, but such washing shall be done by allowing the water from the tap or stop-cock to run into and over on the used glass, measure, vessel, utensil or receptacle so as to wash it clean.

26. *Compliance with Additional General Rules.*—All licensees shall be bound by any additional general rules that may be prescribed under the Excise law, and if so required by the Government Agent or any officer authorized by him, to deliver up their licences for amendment or for the issue of fresh ones.

27. *Possession or Sale elsewhere than at Licensed Premises prohibited.*—The possession (save under and in accordance with the law applicable to unlicensed persons) or sale by any licensee or his representative, agent or employee of any excisable article elsewhere than at the premises to which the licence refers is prohibited.

28. *Transport from Licensed Premises prohibited without Special Permit.*—In no case shall the licensee of an arrack, toddy or foreign liquor tavern, either personally or by an agent, transport from his tavern any quantity of liquor that may have been sold at such tavern, without a special permit from the Government Agent.

29. (1) *Numbering of Vessels and Marking of their Capacity; Provision of Dip-rods.*—In every arrack renter's storehouse, arrack, toddy or foreign liquor tavern, distillery, manufactory of any kind of liquor, toddy collecting station for taverns, for vinegar manufactories, and for distilleries, and in every vinegar manufactory or store, and beer and porter shop, every vessel used for the storing or transport of liquor—

(a) shall have its serial number and its correct capacity legibly engraved and painted thereon in terms of gallons and half-gallons, and

(b) shall be provided with an accurate dip-rod bearing the serial number of the vessel to which it belongs engraved and painted at its upper end, and bearing also a mark to indicate the first gallon or half-gallon, according as the unit of measurement in the case of the particular vessel is a gallon or a half-gallon, and marks above the first mark to indicate every additional unit of measurement up to the full capacity of the vessel. The unit of measurement shall be engraved over the first mark.

(2) *Dip-rods to be kept in Licensed Premises: Duplicate Keys for Casks.*—In every arrack renter's storehouse, arrack or toddy tavern, distillery, manufactory of any kind of liquor, collecting station, vinegar manufactory or store and beer and porter shop, the dip-rod provided for each cask or other receptacle shall at all times be kept in the licensed premises, and each such cask shall be provided with duplicate keys, one of which shall remain in the custody of the Superintendent of Excise.

(3) *Dip-rods to accompany Transport Vessels.*—When any such vessel, cask or other receptacle is transported, the dip-rod belonging to it shall also be taken with it in the same vehicle.

L. D.—B 23/38

E. C.—L. T. 35

TODDY RENT SALE CONDITIONS FOR 1938-39 AND SUBSEQUENT PERIODS.

(As published in the "Gazette" No. 8,368 of May 11, 1938.)

THE Governor, has, under section 18 of the Excise Ordinance, No. 8 of 1912, directed that the grant of the exclusive privilege of selling fermented toddy by retail within any local area, during the period from October 1, 1938, to September 30, 1939, and subsequent periods shall until further notice be subject—

- (1) to the General Conditions for the time being in force and applicable to all Excise Licences; and
- (2) to the special conditions set out hereunder.

The Ministry of Home Affairs,
Colombo, May 5, 1938.

D. B. JAYATILAKA,
Minister for Home Affairs.

SPECIAL CONDITIONS.

1. (1) *Periods of Privilege.*—

(a) The privilege shall be granted—

- (i.) for the period from July 1 of any one year to June 30 of the next succeeding year, in respect of all toddy taverns in the Mannar District of the Northern Province, in the Mullaittivu District of the Northern Province, and in the Eastern Province (except in the case of Alampil, Valayanmadam, Kanagarayankulam, and Kurisuddakulam taverns); and
- (ii.) for the period from October 1 of any one year, to September 30 of the next succeeding year, in respect of all toddy taverns in other Provinces,

or for any shorter period within these twelve months, on application by way of tender in the form or by auction in the manner, prescribed in these conditions.

(b) In the case of Alampil, Valayanmadam, Kanagarayankulam, and Kurisuddakulam toddy taverns in the Mullaittivu District of the Northern Province, the privilege shall be granted for the period from March 1 of any one year to September 30 of the same year, or for any shorter period within these seven months on application as aforesaid.

(2) Areas for which Privilege granted.—

The privilege may be granted for the local area of an individual tavern, or for the respective local areas of each tavern in a group of taverns, as the Government Agent may decide.

2. Tapping areas, and Number of Trees allowed for Tapping.—

(1) Tapping areas, particulars of which may be obtained from the Superintendent of Excise of each Circle, will be allotted for all taverns other than those situated within the limits of the Colombo Municipality or in the Chilaw District, and licences to tap trees outside the tapping area allotted to a tavern will not be issued without the sanction of the Excise Commissioner previously obtained in writing.

(2) The number of trees that will be allowed to be licensed for tapping will be estimated on the basis of the previous period's sale figures, with due regard to the likely increase or decrease of sales.

(3) Trees situated even within the tapping areas allotted are liable to be disallowed on the ground of inaccessibility, distance from one another, situation in relation to places of worship, or of cemeteries, or of illicit consumption or sale, or for other similar reasons. The final arrangements for the lease of the trees should therefore be made only after the tops specified in the application are approved by the Superintendent of Excise.

3. Tender Form.—

Every tender shall be made on the form set out hereunder. Forms may be obtained from the offices indicated in the sale notice.

4. Tender Deposit.—

(1) The Government Agent may, if he considers it necessary, require the deposit of a sum not exceeding Rupees Five hundred (Rs. 500) by the tenderer in respect of each tender.

(2) Every tender shall be accompanied by a Treasury or Kachcheri receipt acknowledging the deposit of the sum required by the Government Agent under the foregoing paragraph of this condition, and the number and date of the receipt shall be entered on the face of the tender form.

5. Prohibition of Tenders by Agents or of more than one tender by any person.—

(1) Every tender or bid shall be made by the tenderer or bidder in his own name. No tender or bid, made through an agent, will be accepted.

(2) No person shall send in more than one tender for any one tavern, or group of taverns.

6. Disqualifications against Acceptance of Tenders ; Acceptance under Ignorance null and void.—

(1) No tender will be accepted from any person—

(a) whose name appears on the list of defaulting contractors, or on the list of defaulters in respect of any kind of Excise licence or of toll rents, or on the list of persons precluded for other reasons from having any concern in any Government rent or contract ; or

(b) whose name is on the Excise register of offenders ; or

(c) who is a registered criminal within the meaning of the Prevention of Crimes Ordinance, No. 2 of 1926, or who has been convicted of any grave crime or of any Excise offence ; or

(d) who at any time held a licence which has been cancelled under section 26 of the Excise Ordinance, No. 8 of 1912.

(2) If any tender of any such person has been accepted in ignorance of the existence of any such disqualification, the Government Agent may in his sole discretion cancel the acceptance within a period of 30 days from the date of such acceptance, and shall communicate his order of cancellation to the grantee. On the making of any such order of cancellation, the original acceptance shall become null and void.

No such order of cancellation shall however be made in pursuance of this condition after the commencement of the period of the privilege.

7. Delivery of Tenders.—

(1) Every tender shall be placed in a sealed envelope, on the top left hand corner of which shall be clearly marked the name of the tavern in respect of which the tender is made and its number on the list of sanctioned taverns, or the designation of the group of taverns in respect of which the tender is made as given in the notice calling for tenders, as the case may be.

(2) Every sealed envelope containing a tender shall—

(a) be deposited in the Kachcheri tender box ; or

(b) be handed to the Government Agent or to his Assistant ; or

(c) be sent by registered post addressed to the Government Agent so as to reach the Kachcheri,

before the time fixed for closing the tenders.

8. (1) Power of Rejection of Tender.—

The Government Agent may in his discretion reject any or all of the tenders received ; and in the event of his so rejecting all tenders, he may call for tenders again or put up the privilege, either at once or after further notice, for sale by auction.

(2) Restriction of Bidding at Auction.—

At such auction no person shall be allowed to bid, unless he shall have either—

(a) submitted a tender accompanied by the Treasury or Kachcheri receipt prescribed in condition 4, whether such tender be for the particular privilege to be auctioned or for any other privilege ; or,

(b) produced the receipt prescribed in condition 4, notwithstanding his failure to submit a tender for the particular privilege to be auctioned or for any other privilege.

Provided that no person who is duly declared the purchaser of any privilege, whether by way of tender or of auction, shall use or be permitted to use the same receipt for the purpose of a tender or a bid for any other privilege, until he has completed in respect of the privilege already granted to him the steps prescribed hereinafter in condition 9 (1) (a).

(3) Power of Rejection of Bid.—

The privilege shall be granted to the highest bidder at such auction : Provided that the Government Agent may in his discretion reject any or all of the bids made at such auction.

(4) Procedure after Rejection of all Bids.—

In the event of the rejection of all bids as aforesaid, the Government Agent may in his discretion—

(a) call for further tenders for the privilege for any single tavern or for sub-groups of two or more taverns included in any group of taverns, or for any combination of parts of groups or of whole groups of taverns either at once or after further notice, and accept or reject all or any tenders so received, and thereafter, put up for sale by auction the privilege for any single tavern or sub-groups or combinations as aforesaid for which the further tenders were rejected, either at once or after further notice, and accept or reject all or any bids so received ; or

- (b) put up for sale by auction the privilege for any single tavern or for sub-groups of two or more taverns included in any group of taverns, or for any combination of parts of groups or of whole groups of taverns either at once or after further notice, and accept or reject all or any bids so received ; or
- (c) grant the privilege for the tavern, or group, or any single tavern or sub-group of two or more taverns included in a group or for any combination of parts of groups or of whole groups of taverns to any person, who is approved by the Government Agent, and who agrees to pay by way of rent such amount as the Government Agent may fix.

(5) Procedure after Rejection of further Bids.—

In the event of the rejection of the bids received under paragraph 4 (a) and 4 (b) of this condition, the Government Agent may in his discretion take action under paragraph 4 (c).

9. (1) (a) Security Deposit.—

The grantee shall, immediately on being declared to be the purchaser of the privilege, sign these conditions, and pay to the Government Agent as a security deposit a sum equivalent to two months' rent payable for that privilege.

(b) Signing of Bond.—

The grantee shall also within fourteen days of his being declared to be the purchaser of the privilege enter into a bond with the Government Agent for the full amount for which he has purchased it, and he shall specially hypothecate by such bond the said security deposit.

(c) Consequences of Breach of Condition of Bond.

The said security deposit shall be liable to be confiscated, either in whole or in part, by the Government Agent, at his sole discretion and without any process of law, for breach of any of these conditions or of any of the conditions of the licence or licences referred to in condition 12 (2) below, or for non-payment of any instalment, and such confiscation shall be in addition to any other penalty prescribed by these conditions for such breach or non-payment, and to any other amount which the Crown may have the right to claim and recover by due process of law.

(2) Banking of Security Deposit.—

Security money so paid will be deposited in a bank only on the grantee's application and only at his risk, and when such deposit is made, no withdrawal will be allowed till the date of maturity.

(3) Warrant or Power of Attorney to confess Judgment.—

If the highest bid or tender under condition 8 exceeds the sum of Rs. 2,000 the grantee shall at the time of the execution of the bond as aforesaid execute, if so required by the Government Agent, a warrant or power of attorney in the form sanctioned by law, to confess judgment in any action which may be instituted against him for the recovery of any moneys due in respect of this privilege, and shall also furnish to the Government Agent within fifteen days of the date of the execution of such warrant or power of attorney a duly certified copy thereof for filing in the District Court under section 32 of the Civil Procedure Code.

(4) Registered Postal Address.—

The grantee shall, on signing these conditions, elect and signify under his hand a post office or postal address to which all notices and processes whatever in connection with the privilege may be addressed under registered cover; and all such notices or processes so addressed to such post office or to such postal address, and posted in due course, shall be deemed to have been duly served and be as effectual for all purposes, as if they had been served upon the grantee in person upon the day on which such notice or process was so posted.

10. Failure to complete Purchase of Privilege.—

If any tenderer or bidder, on being declared to be the purchaser of the privilege, declines or fails to sign these conditions of sale, or fails to furnish the security prescribed in condition 9 (1) (a) when called upon to do so, the deposit made under condition 4 will be declared forfeited, and the defaulter will render himself liable to have his name entered in the list of defaulters in respect of all Excise licences. Subject to this exception, the deposits of all tenderers or bidders will be returned, after the conditions of sale have been signed and the aforesaid security given by the successful tenderer or bidder.

11. Grantee to have no Interests in Arrack and Foreign Liquor Sales or in Toddy Estate Canteens.—

The grantee shall not acquire or hold any share or any interests whether direct or indirect (a) in the sale of arrack, or (b) in the purchase of any privilege of selling arrack, or (c) in the sale of foreign liquor, or (d) in the purchase of any privilege of selling foreign liquor, or (e) in any toddy estate canteen, within the local area to which the privilege of selling toddy relates.

12. (1) Opening of Tavern on due Date and Approval of Site.—

(a) The grantee shall open the tavern or taverns on the day on which the privilege commences to run.

(b) The Government Agent shall not be bound to find a site for any tavern in the event of the grantee not being able to procure a site.

(c) The grantee shall not open a tavern on any site otherwise than with the approval of the Government Agent, such approval being obtained from the Government Agent at least fourteen days before the privilege commences to run.

(2) Obtaining of Licences for Sale of Toddy.—

The grantee shall, not less than five days before the date on which the privilege commences to run, obtain from the Government Agent a licence or licences for the sale by retail of fermented toddy at the tavern or taverns within the local area covered by this privilege.

13. (1) Application for Licensing of Trees.—

The grantee shall, at least twenty-one days before the date on which the privilege commences to run, furnish to the Superintendent of Excise an application on the prescribed form, showing the numbers and the situation of the trees which he proposes to tap for the supply of fermented toddy for sale at each tavern, and the situation and numbers of the collecting stations for toddy which he proposes to establish ; and no trees shall be tapped or toddy drawn in pursuance of this privilege otherwise than under cover of a tapping licence setting forth the numbers and the situation of such trees, the name of the drawer, the name of the owner or possessor of such trees, and the tavern for which the fermented toddy is intended.

(2) Licences for Additional Trees.—

Any application for a licence to tap additional trees for any tavern shall be made to the Superintendent of Excise in like manner three weeks before the grantee intends to commence the tapping of such trees.

(3) Tapping Areas for Taverns.—

Except in cases where the Excise Commissioner's previous sanction has been obtained in writing the Superintendent of Excise will not issue any licence to tap any tree situated outside the tapping area allotted to that tavern.

(4) Power to refuse or cancel Licences.—

Subject to appeal to the Excise Commissioner, whose decision shall be final, the Superintendent of Excise shall have power to refuse any application for a licence to tap additional trees for any tavern, and to cancel any tapping licence, the continuance of which appears to him to be unnecessary or open to objection.

(5) Special Temporary Licences.—

Special licences for tapping and drawing fermented toddy from trees already licensed for sweet (unfermented) toddy will be allowed in order to meet a temporary special demand for festivals and such other contingencies for any period not exceeding two weeks duration, provided however that such special licences will not be granted in respect of trees tapped for sweet toddy in dry areas.

14. (1) (a) Marking of Trees.—

The grantee shall not—

permit any tree to be tapped or toddy to be drawn from any tree for the supply of fermented toddy for sale at any tavern, unless such tree has first been marked for the purpose in the manner prescribed by the Excise Commissioner ; or

(b) Transport Passes.—

permit any toddy to be transported to any tavern otherwise than under cover of a pass issued to him under the hand of the Superintendent of Excise, and setting forth the name of the person who is to transport the toddy.

(2) Separate Pass for each Carrier.—

The grantee shall obtain separate passes for the transport of toddy by pingo carrier from the tree tope to the tavern or collecting station and for its transport by cart, lorry, or other vehicle from the collecting station to the tavern, and shall deliver the appropriate pass to such pingo carrier or to the person in charge of such cart, lorry, or other vehicle.

(3) Separate Passes for each Person handling Toddy.—

The grantee shall obtain a separate pass for each person employed in collecting or otherwise handling toddy at topes, collecting stations, or taverns.

15. Establishment of Collecting Stations.—

If toddy is to be transported in pursuance of this privilege by motor vehicle, cart, or railway, the grantee shall establish collecting stations on a road suitable for use by all motor traffic in places approved by the Superintendent of Excise, and shall obtain licences for such collecting stations. The grantee shall be bound by and conform to the conditions prescribed in the notifications relating to such collecting stations.

16. (1) Vinegar Licence.—

If the grantee wishes to make vinegar from surplus toddy, he may apply for a vinegar licence to the Government Agent, who shall however have full discretion to refuse to issue such licence.

(2) Vinegar Store to be approved and Accounts kept.—

If a licence to make vinegar from surplus toddy has been issued to the grantee, he shall store such vinegar in premises approved by the Government Agent, and shall keep a true account in the form prescribed by the Excise Commissioner of all toddy converted into vinegar, and of all sales of vinegar.

(3) Inspection by Excise Officers.—

The grantee shall cause such vinegar store to be opened for inspection at the request of any Excise Officer not below the rank of Inspector, and shall produce the accounts kept therein whenever called upon to do so.

17. Bottling of Toddy.—

The Excise Commissioner may, in his absolute discretion and subject to such conditions and restrictions as he may impose, authorize the issue of a licence to the grantee to bottle toddy for sale.

18. (1) Payment of Rent.—

The grantee shall pay the purchase money or rent to the Government Agent in twelve equal monthly instalments.

(2) Due date of Instalment.—

The first instalment of the rent shall be deemed to be due and payable on the last day of the month preceding the commencement of the period of the privilege as in condition 1, and succeeding instalments shall be deemed to be severally due and payable on the last day of each succeeding month.

(3) Interest and Penalty.—

Interest at the rate of 9 per centum per annum shall be payable in respect of all arrears of rent. The payment of interest shall not be deemed to prejudice or affect the powers which may be exercised by the Government Agent under section 53 of the Ordinance in any case in which the licence issued to the grantee is liable to be cancelled under section 26.

19. (1) Payments not valid without Kachcheri Receipt.—

No payment of any sum due by the grantee to the Crown shall be deemed to have been duly made, unless the grantee produces a Kachcheri receipt in respect thereof.

(2) Money left with Officers not reckoned as Money paid.—

No money which, for his own convenience, the grantee may think fit to leave in the hands of any Shroff or any other officer of any Kachcheri shall be deemed to be money paid under this contract.

20. Limit of Sale and Transport.—

The limit of sale by retail with respect to the whole Island and as regards purchasers generally shall be one-third of an imperial gallon, and no toddy in excess of that quantity may be removed at any one time from the tavern by any person without a valid permit or pass.

21. Prohibition of Possession of Toddy in certain Dry Areas.—

The transport or possession of toddy in any quantity whatsoever is entirely prohibited within the areas specified in Excise Notification No. 261 published in *Gazette* No. 8,046 of May 4, 1934, as amended by Excise Notification No. 323 published in *Gazette* No. 8,301 of July 9, 1937, except under a pass or permit granted in accordance therewith.

22. Grantee responsible for Agent's Acts.—

The grantee shall be responsible for all acts of his agents or employees in relation to the privilege.

23. Non-transferability of Privilege.—

The privilege shall not be transferable otherwise than with the sanction of the Excise Commissioner first had and obtained.

24. (1) (a) *Cancellation of Licences and Privilege for Non-payment of Rent, &c.—*

If any instalment or part of any instalment of the purchase money or rent, or any duty, fee, composition fee, or other sum due to the Crown from the grantee, in respect of the grant or of the licence issued to him, remains unpaid, after the date on which it becomes due and payable, the grantee shall be deemed to have committed a breach of these conditions and of the conditions of the licence issued to him, and the Government Agent shall accordingly have power, without further process of law, either (i.) to suspend or cancel the licence or licences issued to the grantee in pursuance of the provisions of section 26 of the Excise Ordinance, No. 8 of 1912, or (ii.) to take the licence or grant under management at the risk of the grantee, or to declare the licence or grant forfeited and reissue or resell it at the risk and loss of the grantee in pursuance of the provisions of section 30 of the said Ordinance.

This condition does not in any way affect the Government Agent's powers to confiscate the security deposit in pursuance of the provisions of condition 9 above.

(b) *Intimation or Notice of Cancellation, &c.—*

Intimation of any order of suspension or cancellation, under the said section 26, or the statutory notice or order under the said section 30 may be served personally on the grantee, or addressed under registered cover to the post office or postal address elected and signified under condition 9 (4), and duly posted, as the Government Agent thinks fit.

(2) *Regrant of Privilege between Cancellation and Resale.—*

In the event of the cancellation of a licence, the Government Agent shall have power to grant the privilege to any person approved by him for any period intervening between such cancellation and the resale of the privilege, and for this purpose may issue to such approved person a temporary licence upon such terms as he may think fit.

(3) *No Remission of Rent.—*

No remission of the rent payable in respect of the privilege will be granted on any plea of the grantee's having overestimated the value of any tavern or on any other ground.

(4) *No Compensation of Losses.—*

The grantee shall not have or make any claim to any reduction, or to the remission, of any sum due and owing by him to the Crown by reason of any loss alleged to have been sustained by him—

- (a) whether on account of any closing of the tavern or taverns during the passage of troops, or during the encampment of troops in the vicinity of the tavern or taverns, or during the holding of any poll ; or
- (b) whether on account of the opening of any new arrack, or foreign liquor tavern or estate canteen for arrack or toddy or foreign liquor, or any new foreign or country liquor premises of any other description licensed after the sale of the privilege under these conditions ; or
- (c) whether on account of the manufacture and drawing of fermented toddy on special licences issued by the Assistant Commissioner for *bona fide* domestic consumption on medical grounds, and not for sale ; or
- (d) whether on account of the manufacture and drawing of fermented toddy within the local area or areas of the privilege hereby granted for supply to licensed manufactories in which toddy is used in the process of manufacture ; or
- (e) through any other cause whatsoever.

25. *Termination of Privilege.—*

The privilege shall terminate on (a) the expiry of the term for which it is granted, (b) the death of the grantee or (c) a breach of any of the conditions governing it.

Excise T. 34

GOVERNMENT OF CEYLON.

TODDY RENT TENDER FORM.

(Condition 3.)

Tender for the purchase of the exclusive privilege of selling fermented toddy by retail within the local area/areas of _____ in the _____ district.

To the Assistant/Government Agent _____.

I/We, the undersigned, hereby tender the sum of Rupees _____ only for the purchase of the exclusive privilege of selling fermented toddy by retail within the above-mentioned local area/areas for the period of one year from _____ to _____ in accordance with your advertisement dated _____.

I/We have deposited the sum of Rupees _____ only in the General Treasury _____ Kachcheri, and subjoin hereto receipt No. _____, dated _____ in respect thereof.

Witnesses :

Signature : _____
Address : _____.

REVERSE SIDE OF TENDER FORM.

Notes.

1. A deposit receipt of Rs. _____ is to be annexed to this tender. No tender unaccompanied by a deposit receipt will be accepted. The deposit of Rs. _____ will, subject to the provisions of Toddy Rent Sale Condition No. 10, be refunded.

2. This form must be enclosed in a sealed envelope bearing on its left hand top corner the name and number of the toddy tavern concerned and must be deposited in the Kachcheri tender box or handed to the Government Agent or to the Office Assistant or posted by registered post in time for delivery at the Kachcheri before the time fixed for closing tenders.

3. A separate form must be used in respect of each tavern, or when taverns are sold in groups, of each such group.

AGREEMENT.

(Condition 9 (1) (a).)

I/We _____ of _____ and _____ do hereby acknowledge that I/we have this day been granted the hereinbefore mentioned exclusive privilege for the sum of Rupees _____ on the conditions set forth above, and I/we do hereby bind myself/ourselves to perform the said conditions.

Witnesses : _____.

Grantee(s) : _____.

I hereby acknowledge receipt of the sum of Rs. _____ paid by _____ and _____ as security deposit under condition 9 (1) (a) of these conditions.

Government Agent.

ADDRESS FOR NOTICES.

(Condition 9 (4).)

I/We, the undersigned, do hereby as required by condition 9 (4) appoint the under-mentioned post office/postal address as the post office/postal address to which all notices and processes whatever in connection with the hereinbefore mentioned privilege may be addressed and posted to me (us) under registered cover.

Witnesses : _____.

Grantee(s) : _____.

L. D.—B 28/38
E. C.—L. T. 35

TODDY TAVERN LICENCE.

Excise Notification No. 330.

(As published in the "Gazette" No. 8,368 of May 11, 1938.)

The Governor has, under section 24 of the Excise Ordinance, No. 8 of 1912, directed that no fee shall be recovered on licences for the sale of toddy by retail and that the following shall on and after October 1, 1938, until further notice be the form and conditions of such licences.

Excise Notification No. 317 published in the *Gazette* No. 8,288 of May 7, 1937, shall cease to have effect on October 1, 1938.

Serial No. and Machine No. _____.

Excise T. 15.

Hour of Opening : _____.

Hour of Closing : _____.

Tavern Licence for the Sale of Toddy by Retail.

_____ of _____ is/are hereby licensed under the provisions of the Excise Ordinance, No. 8 of 1912, to sell toddy by retail at the premises more fully described below during the official year ending September 30, 19—, subject to—

- (a) the General Conditions for the time being in force and applicable to all Excise licences,
- (b) The Toddy Rent Sale Conditions, under which the exclusive privilege of selling toddy by retail at the said premises was granted, and which the said licensee(s) by agreement bound himself/themselves to observe, and
- (c) the following special conditions applicable to this licence :—

1. *Accounting of Toddy received.*—

The licensee/licensees shall keep in his/their tavern a register in the form T. 22, and shall cause to be entered therein the quantity of toddy received from each collecting station. Every collecting station shall be designated in such register by its number and by its name.

2. *Filing of Advice Note for each Consignment.*—

The advice note, accompanying each consignment of toddy forwarded to the tavern from a Collecting Station, shall be filed in the tavern, until ordered to be destroyed by an Excise Officer not below the rank of Inspector.

3. (1) (a) *Furniture, &c., in Taverns to be kept clean.*—

The licensee/licensees shall cause all tables and chairs provided for the use of Inspecting Officers, Rent Managers, and Accountants, to be kept scrupulously clean, and shall cause the tops of all such tables to be covered at all times with clean paper.

(b) *Prohibition of other than Prescribed Articles in Taverns.*—

The licensee/licensees shall not, except as hereinafter in sub-clause (c) provided, and except with the written sanction of an Excise Officer not below the rank of Inspector, permit the introduction into his/their tavern of any articles other than—

- (i.) The storage vessels and stands,
- (ii.) The drinking vessels,
- (iii.) Two tables,
- (iv.) Two chairs,
- (v.) Authorized account books, inspection notebooks, and writing materials,
- (vi.) Cash, and receptacles for its safe-keeping,
- (vii.) Frames or notice boards on which the licence, the general conditions applicable to all Excise licences, and such other notices as the Excise Commissioner may require, may be exhibited,
- (viii.) One receptacle for disinfectants,
- (ix.) One stool for each authorized employee, and
- (x.) Separate receptacles for clean and for dirty water for use as prescribed in General Condition No. 25 (4).

(c) *Provision of Spittoons in Taverns.*—

The licensee/licensees shall provide in his/their tavern at least three spittoons, which shall be kept in a scrupulously clean and sanitary condition, and be washed daily with disinfectants.

(2) *Sanitary Requirements for Taverns in Municipal Areas.*—

If his/their tavern is situated within any Municipality or the administrative limits of any Urban District Council, the licensee/licensees shall further—

- (a) provide a water tap where a water service is available and cause the floor of the tavern and all utensils used in the tavern to be washed at frequent intervals ;
- (b) provide—
 - (i.) A cement floor sloping to one side of the building in the direction of the drain hereinafter referred to ;
 - (ii.) A drain on one side of the building, so designed as to carry away washings from the floor ;
 - (iii.) A screen for such drain, so designed as to prevent any solid bodies from gaining access to the sewer ;
 - (iv.) Stands for all vessels used on the premises, not less than one foot in height and so constructed as to permit of the floor being scrubbed under them ;
- (c) cause the walls of the taverns to be lined with approved glazed tiles to a height of six feet from the level of the floor and to be washed at least once daily ; and
- (d) cause the top of the counter to be covered with approved glazed tiles, and provide it with wooden supports, and cause such tiles and such supports to be kept scrupulously clean.

4. *Removal of Proceeds of Sale, &c.*—

(1) The licensee/licensees shall cause all the proceeds of any one day's sale of toddy to be removed from the tavern between the closing hour on that day and 8 A.M. on the following day, but before such removal of the proceeds the licensee/licensees shall cause all the accounts for the day to be duly entered in the books required to be kept at the tavern.

(2) He/they shall not permit any money other than the proceeds of the sale of toddy to be kept in the tavern.

(3) He/they shall not permit any part of the proceeds of any one day's sale of toddy to be removed from the tavern before the closing hour on that day, unless before such removal a statement is filed in the tavern duly signed and dated by himself/themselves or an authorized employee, and setting out in words and figures the exact sum of money so removed.

(4) The statement aforesaid shall be produced for inspection, when called for by any officer of the Excise Department, and shall be kept in the tavern for a period of one month from the date set out in it.

5. *Keeping of Accounts.*—

The licensee/licensees shall cause all accounts kept at his/their tavern to be written in English, Sinhalese, or Tamil.

6. *Toddy from Marked Trees only to be sold.*—

The licensee/licensees shall not, otherwise than with the written authority of the Assistant Commissioner of Excise, keep, offer for sale, or sell in his/their tavern any toddy other than toddy drawn from trees licensed and marked for that tavern.

7. *Stale Toddy.*—

The licensee/licensees shall not keep any stale toddy, that is to say, toddy containing more than 0·6 per cent. of acid (other than carbonic acid) calculated as acetic acid, in his/their tavern. Any Excise Officer not below the rank of Inspector shall have power to order the destruction or removal to a distillery or licensed vinegar store of any stale toddy, and the licensee/licensees shall cause such order to be carried out immediately.

8. *Inspection by Excise Officers.*—

All toddy kept or exposed for sale in a tavern shall at all times be made available for inspection and test by officers of the Excise Department.

9. *Selling Price of Toddy.*—

(1) No toddy shall be sold at a tavern at a less price per gallon (or proportionately in respect of any smaller quantity) than that prescribed in the following scale :—

	Per Gallon.
	Rs. c.
If the tavern is situated in the Northern or Eastern Province	0 48
If the tavern is situated in the distillery area	0 48
If the tavern is situated in any other province	0 84

(2) (a) At or before the opening hour of the tavern each day, the selling price per gallon (or proportionately in respect of any smaller quantity) shall be fixed for that day, and shall be entered in the appropriate column in the form of Toddy Tavern Account of Daily Transactions (Form Excise T 5);

(b) The selling price so fixed for any day shall not be varied during the course of that day.

10. *Opening and Closing Hours.*—

The licensee/licensees shall cause his/their tavern to be opened at _____ A.M., and to be closed at _____ P.M., and no toddy shall be sold between the hour of closing and that of opening.

11. *Employment of Managers, &c.*—

The licensee/licensees shall not employ as manager, tope manager, or collecting station manager, any person who is a registered criminal within the meaning of the Prevention of Crimes Ordinance, No. 2 of 1926, or any notorious illicit seller, and shall forthwith cease to employ any person the employment or further employment of whom is not approved by the Superintendent of Excise.

Dated the _____ day of _____, 19____.
_____ Kachcheri.

_____,
Government Agent.

Counterpart Agreement.

Serial No. and Machine No. _____.

Tavern Licence for the Sale of Toddy by Retail.

Name of licensee : _____.

Description of licensed premises : _____.

Date of Issue : _____.

Date of expiry : _____.

Stamp of 50 cents.

Kachcheri,
Government Agent.

I/We, _____, the afore-mentioned licensee(s) for myself/ourselves, hereby agree with the Government Agent that I/we will well and truly observe and perform the terms and conditions contained in the licence (of which this is a counterfoil) to sell toddy by retail at the premises more fully described above, during the official year ending September 30, 19____, subject to the following conditions to be observed by me/us the said licensee(s), viz.—

- (a) the General conditions for the time being in force and applicable to all Excise licences,
- (b) the Toddy Rent Sale Conditions, under which the exclusive privilege of selling toddy by retail at the said premises was granted, and which the said licensee(s) by agreement bound himself/themselves to observe, and
- (c) the following special conditions applicable to this licence :—

1. *Accounting of Toddy received.*—

The licensee/licensees shall keep in his/their tavern a register in the form T 22, and shall cause to be entered therein the quantity of toddy received from each collecting station. Every collecting station shall be designated in such register by its number and by its name.

2. *Filing of Advice Note for each Consignment.*—

The advice note, accompanying each consignment of toddy forwarded to the tavern from a collecting station shall be filed in the tavern, until ordered to be destroyed by an Excise Officer not below the rank of Inspector.

3. (1) (a) *Furniture, &c., in Taverns to be kept clean.*—

The licensee/licensees shall cause all tables and chairs provided for the use of Inspecting Officers, Rent Managers, and Accountants, to be kept scrupulously clean, and shall cause the tops of all such tables to be covered at all times with clean paper :

(b) *Prohibition of other than Prescribed Articles in Taverns.*—

The licensee/licensees shall not except as hereinafter in sub-clause (c) provided, and except with the written sanction of an Excise Officer not below the rank of Inspector, permit the introduction into his/their tavern of any articles other than—

- (i.) The storage vessels and stands,
- (ii.) The drinking vessels,
- (iii.) Two tables,
- (iv.) Two chairs,
- (v.) Authorized account books, inspection notebooks, and writing materials,
- (vi.) Cash and receptacles for its safe-keeping,
- (vii.) Frames or notice boards on which the licence, the general conditions applicable to all Excise licences, and such other notices as the Excise Commissioner may require, may be exhibited,
- (viii.) One receptacle for disinfectants,
- (ix.) One stool for each authorized employee, and
- (x.) Separate receptacles for clean and for dirty water for use as prescribed in General Condition No. 25 (4).

(c) Provision of Spittoons in Taverns.—

The licensee/licensees shall provide in his/their tavern at least three spittoons, which shall be kept in a scrupulously clean and sanitary condition, and be washed daily with disinfectants.

(2) Sanitary Requirements for Taverns in Municipal Areas.—

If his/their tavern is situated within any Municipality or the administrative limits of any Urban District Council the licensee/licensees shall further—

(a) provide a water tap where a water service is available, and cause the floor of the tavern and all utensils used in the tavern to be washed at frequent intervals.

(b) provide—

- (i.) A cement floor sloping to one side of the building in the direction of the drain hereinafter referred to ;
- (ii.) A drain on one side of the building, so designed as to carry away washings from the floor ;
- (iii.) A screen for such drain, so designed as to prevent any solid bodies from gaining access to the sewer ;
- (iv.) Stands for all vessels used on the premises, not less than one foot in height and so constructed as to permit of the floor being scrubbed under them ;

(c) cause the walls of the tavern to be lined with approved glazed tiles to a height of six feet from the level of the floor and to be washed at least once daily ; and

(d) cause the top of the counter to be covered with approved glazed tiles, and provide it with wooden supports, and cause such tiles and such supports to be kept scrupulously clean.

4. Removal of Proceeds of Sale, &c.—

(1) The licensee/licensees shall cause all the proceeds of any one day's sale of toddy to be removed from the tavern between the closing hour on that day and 8 A.M. on the following day, but before such removal of the proceed the licensee/licensees shall cause all the accounts for the day to be duly entered in the books required to be kept at the tavern.

(2) He/they shall not permit any money other than the proceeds of the sale of toddy to be kept in the tavern.

(3) He/they shall not permit any part of the proceeds of any one day's sale of toddy to be removed from the tavern before the closing hour on that day, unless before such removal a statement is filed in the tavern duly signed and dated by himself/themselves or an authorized employee, and setting out in words and figures the exact sum of money so removed.

(4) The statement aforesaid shall be produced for inspection, when called for by any officer of the Excise Department, and shall be kept in the tavern for a period of one month from the date set out in it.

5. Keeping of Accounts.—

The licensee/licensees shall cause all accounts kept at his/their tavern to be written in English, Sinhalese, or Tamil.

6. Toddy from Marked Trees only to be sold.—

The licensee/licensees shall not, otherwise than with the written authority of the Assistant Commissioner of Excise, keep, offer for sale, or sell in his/their tavern any toddy other than toddy drawn from trees licensed and marked for that tavern.

7. Stale Toddy.—

The licensee/licensees shall not keep any stale toddy, that is to say, toddy containing more than 0.6 per cent. of acid (other than carbonic acid) calculated as acetic acid, in his/their tavern. Any Excise Officer not below the rank of Inspector shall have power to order the destruction or removal to a distillery or licensed vinegar store of any stale toddy, and the licensee/licensees shall cause such order to be carried out immediately.

8. Inspection by Excise Officers.—

All toddy kept or exposed for sale in a tavern shall at all times be made available for inspection and test by officers of the Excise Department.

9. Selling Price of Toddy.—

(1) No toddy shall be sold at a tavern at a less price per gallon (or proportionately in respect of any smaller quantity) than that prescribed in the following scale :—

	Per Gallon.
	Rs. c.
If the tavern is situated in the Northern or Eastern Province	0 48
If the tavern is situated in the distillery area	0 48
If the tavern is situated in any other province	0 84

(2) (a) At or before the opening hour of the tavern each day, the selling price per gallon (or proportionately in respect of any smaller quantity) shall be fixed for that day, and shall be entered in the appropriate column in the form of Toddy Tavern Account of Daily Transactions (Form Excise T 5) ;

(b) The selling price so fixed for any day shall not be varied during the course of that day.

10. Opening and Closing Hours.—

The licensee/licensees shall cause his/their tavern to be opened at _____ A.M., and to be closed at _____ P.M., and no toddy shall be sold between the hour of closing and that of opening.

11. Employment of Managers, &c.—

The licensee/licensees shall not employ as manager, tope manager, or collecting station manager, any person who is a registered criminal within the meaning of the Prevention of Crimes Ordinance, No. 2 of 1926, or any notorious illicit seller, and shall forthwith cease to employ any person the employment or further employment of whom is not approved by the Superintendent of Excise.

Signature : _____.

Witnesses : _____.

Dated the _____ day of _____, 19--.

L. D.—B 37/38
E. C.—L.—A 29

ARRACK RENT SALE CONDITIONS FOR 1938-39 AND SUBSEQUENT PERIODS.

(As published in the "Gazette" No. 8,369 of May 20, 1938.)

THE Governor has, under section 18 of the Excise Ordinance, No. 8 of 1912, directed that the grant of the exclusive privilege of selling arrack by retail within any local area, during the period from October 1, 1938, to September 30, 1939, and subsequent periods shall until further orders be subject—

- (1) to the General Conditions for the time being in force and applicable to all Excise licences ; and
- (2) to the special conditions set out hereunder.

The Ministry of Home Affairs,
Colombo, May 5, 1938.

D. B. JAYATILAKA,
Minister for Home Affairs.

SPECIAL CONDITIONS.

1. *Granting of Exclusive Privilege, subject to Sale by Holder of Foreign Liquor Licence (see also condition 23).—*

The privilege will be exclusive, subject to the right of any holder of a foreign liquor licence in the same area, to whom the Excise Commissioner may have given special permission in that behalf, to sell on his licensed premises arrack bought exclusively from the grantee of the privilege, in bulk or in sealed bottles, as the case may be.

2. (1) *Period of Privilege.—*

The privilege will be granted for the period from October 1 of any one year to September 30, of the next succeeding year on application by way of tender in the form, or by auction in the manner prescribed in these conditions.

(2) *Areas for which Privilege granted.—*

The privilege may be granted for the local area of an individual tavern, or for the respective local areas of each tavern in a group of taverns, as the Government Agent may decide.

3. *Tender Form.—*

Every tender shall be made in the form set out hereunder. Forms may be obtained from the offices indicated in the sale notice.

4. *Tender Deposit.—*

(1) The Government Agent may, if he considers it necessary, require the deposit of a sum not exceeding Rupees One thousand (Rs. 1,000) by the tenderer in respect of each tender.

(2) Every tender shall be accompanied by a Treasury or Kacheheri receipt, acknowledging the deposit of the sum required by the Government Agent under the foregoing paragraph of this condition, and the number and date of the receipt shall be entered on the face of the tender form.

5. *Prohibition of Tenders by Agents or of more than one Tender by any Person.—*

(1) Every tender or bid shall be made by the tenderer or bidder in his own name. No tender or bid, made through an agent, will be accepted.

(2) No person shall send in more than one tender for any one tavern, or group of taverns.

6. *Disqualifications against Acceptance of Tenders ; Acceptance under Ignorance null and void.—*

(1) No tender will be accepted from any person—

(a) whose name appears on the list of defaulting contractors, or on the list of defaulters in respect of any kind of Excise licences or of toll rents, or on the list of persons precluded for other reasons from having any concern in any Government rent or contract ; or

(b) whose name is on the Excise register of offenders ; or

(c) who is a registered criminal within the meaning of the Prevention of Crimes Ordinance, No. 2 of 1926, or who has been convicted of any grave crime or of any Excise offence ; or

(d) who at any time held a licence which has been cancelled under section 26 of the Excise Ordinance, No. 8 of 1912 ; or

(e) who holds a contract with Government for the bottling of arrack.

(2) If any tender of any such person has been accepted in ignorance of the existence of any such disqualification, the Government Agent may in his sole discretion cancel the acceptance within a period of 30 days from the date of such acceptance, and shall communicate his order of cancellation to the grantee. On the making of any such order of cancellation, the original acceptance shall become null and void.

No such order of cancellation shall however be made in pursuance of this condition after the commencement of the period of the privilege.

7. *Delivery of Tenders.—*

(1) Every tender shall be placed in a sealed envelope on the top left hand corner of which shall be clearly marked the name of the tavern in respect of which the tender is made and its number on the list of sanctioned taverns, or the designation of the group of taverns in respect of which the tender is made as given in the notice calling for tenders, as the case may be.

(2) Every sealed envelope containing a tender shall—

(a) be deposited in the Kacheheri Tender Box ; or

(b) be handed to the Government Agent or to his Assistant ; or

(c) be sent by registered post addressed to the Government Agent so as to reach the Kacheheri, before the time fixed for closing the tenders.

8. (1) *Power of Rejection of Tender.—*

The Government Agent may in his discretion reject any or all of the tenders received ; and in the event of his so rejecting all tenders, he may call for tenders again or put up the privilege either at once or after further notice for sale by auction.

(2) *Restriction of Bidding at Auction.—*

At such auction no person shall be allowed to bid, unless he shall have either—

(a) submitted a tender accompanied by the Treasury or Kacheheri receipt prescribed in condition 4, whether such tender be for the particular privilege to be auctioned or for any other privilege ; or

(b) produced the receipt prescribed in condition 4, notwithstanding his failure to submit a tender for the particular privilege to be auctioned or for any other privilege.

Provided that no person, who is duly declared the purchaser of any privilege, whether by way of tender or of auction, shall use or be permitted to use the same receipt for the purpose of a tender or a bid for any other privilege, until he has completed in respect of the privilege already granted to him the steps prescribed hereinafter in condition 9 (1) (a).

(3) *Power of Rejection of Bid.*—

The privilege shall be granted to the highest bidder at such auction : Provided that the Government Agent may in his discretion reject any or all of the bids made at such auction.

(4) *Procedure after Rejection of all Bids.*—

In the event of the rejection of all bids as aforesaid, the Government Agent may in his discretion—

- (a) call for further tenders for the privilege for any single tavern or for sub-groups of two or more taverns included in any group of taverns, or for any combination of parts of groups or of whole groups of taverns either at once or after further notice, and accept or reject all or any tenders so received, and thereafter, put up for sale by auction the privilege for any single tavern or sub-groups or combinations as aforesaid for which the further tenders were rejected, either at once or after further notice, and accept or reject all or any bids so received ; or
- (b) put up for sale by auction the privilege for any single tavern or for sub-groups of two or more taverns included in any group of taverns, or for any combination of parts of groups or of whole groups of taverns either at once or after further notice, and accept or reject all or any bids so received ; or
- (c) grant the privilege for the tavern or group, or any single tavern or sub-group of two or more taverns included in a group or for any combination of parts of groups or of whole groups of taverns to any person, who is approved by the Government Agent, and who agrees to pay by way of rent such amount as the Government Agent may fix.

(5) *Procedure after Rejection of further Bids.*—

In the event of the rejection of the bids received under paragraphs 4 (a) and 4 (b) of this condition, the Government Agent may in his discretion take action under paragraph 4 (c).

9. (1) (a) *Security Deposit.*—

The grantee shall, immediately on being declared to be the purchaser of the privilege, sign these conditions and pay to the Government Agent as a security deposit a sum equivalent to two months' rent payable for that privilege.

(b) *Signing of Bond.*—

The grantee shall also within fourteen days of his being declared to be the purchaser of the privilege enter into a bond with the Government Agent for the full amount for which he has purchased it, and he shall specially hypothecate by such bond the said security deposit.

(c) *Consequences of Breach of Condition of Bond.*—

The said security deposit shall be liable to be confiscated, either in whole or in part, by the Government Agent, at his sole discretion and without any process of law, for breach of any of these conditions or of any of the conditions of the licence or licences referred to in condition 12 (2) below, or for non-payment of any instalment, and such confiscation shall be in addition to any other penalty prescribed by these conditions for such breach or non-payment, and to any other amount which the Crown may have the right to claim and recover by due process of law.

(2) *Banking of Security Deposit.*—

Security money so paid will be deposited in a bank only on the grantee's application and only at his risk and when such deposit is made, no withdrawal will be allowed till the date of maturity.

(3) *Warrant or Power of Attorney to Confess Judgment.*—

If the highest bid or tender under condition 8 exceeds the sum of Rs. 2,000, the grantee shall at the time of the execution of the bond as aforesaid execute, if so required by the Government Agent, a warrant or power of attorney in the form sanctioned by law, to confess judgment in any action which may be instituted against him for the recovery of any moneys due in respect of the privilege, and shall also furnish to the Government Agent within fifteen days of the date of the execution of such warrant or power of attorney a duly certified copy thereof for filing in the District Court under section 32 of the Civil Procedure Code.

(4) *Registered Postal Address.*—

The grantee shall, on signing these conditions, elect and signify under his hand a post office or postal address to which all notices and processes whatever in connection with the privilege may be addressed under registered cover : and all such notices or processes, so addressed to such post office or to such postal address, and posted in due course, shall be deemed to have been duly served and be as effectual for all purposes, as if they had been served upon the grantee in person upon the day on which any such notice or process was so posted.

10. *Failure to complete purchase of Privilege.*—

If any tenderer or bidder, on being declared to be the purchaser of the privilege, declines or fails to sign these conditions of sale, or fails to furnish the security prescribed in condition 9 (1) (a) when called upon to do so, the deposit made under condition 4 will be declared forfeited, and the defaulter will render himself liable to have his name entered in the list of defaulters in respect of all Excise licences. Subject to this exception, the deposits of all tenderers or bidders will be returned after the conditions of sale have been signed and the aforesaid security given by the successful tenderer or bidder.

11. *Grantee to have no Interests in Toddy and Foreign Liquor Sales and in Arrack Estate Canteens.*—

The grantee shall not acquire or hold any share or any interest, whether direct or indirect, (a) in the sale of fermented toddy, or (b) in the purchase of any privilege of selling toddy, or (c) in the sale of foreign liquor, or (d) in the purchase of any privilege of selling foreign liquor, or (e) in any arrack estate canteen, within the local area to which the privilege of selling arrack relates, or (f) in any contract with Government for the bottling of arrack.

12. (1) *Opening of Tavern on due Date, and Approval of Site.*—

- (a) The grantee shall open the tavern or taverns on the day on which the privilege commences to run.
- (b) The Government Agent shall not be bound to find a site for any tavern in the event of the grantee not being able to procure a site.
- (c) The grantee shall not open a tavern on any site otherwise than with the approval of the Government Agent, such approval being obtained from the Government Agent at least fourteen days before the privilege commences to run.

(2) *Obtaining of Licences for sale of Arrack.*—

The grantee shall, not less than five days before the date on which the privilege commences to run, obtain from the Government Agent a licence or licences for the sale by retail of arrack at the tavern or taverns within the local area covered by this privilege.

13. Taking over of Balance Arrack by Incoming Grantee by Mutual Agreement.—

The grantee shall take over from the outgoing grantee and pay to him an amount, which may be agreed on, in respect of the cost of—

- (a) the balance of arrack, in bulk and in bottles, remaining in a tavern, after the closing hour of the date of expiry of the privilege of the outgoing grantee, and
- (b) transport, wastage, and other miscellaneous charges.

14. In default of Agreement, Outgoing Grantee to deliver Balance Arrack at nearest Warehouse.—

(1) Where the incoming and outgoing grantees cannot agree with regard to the sum to be paid as aforesaid, the outgoing grantee shall forthwith remove the balance of arrack of a strength not below 29 degrees underproof, on a permit, to the nearest Excise Warehouse, and deliver it to the Warehouse Officer in charge thereof, and obtain a receipt.

(2) The outgoing grantee shall present such receipt to the Excise Commissioner, who shall pay to such grantee the value of the arrack as delivered at the rates of duty, cost price, and additional cost price, of bottled arrack, if any, at which such grantee purchased such arrack.

(3) If the sum payable as duty, cost price, and additional cost price, if any, by the incoming grantee at the time the arrack is so taken over by him, is higher than the sum actually paid for the said arrack by the outgoing grantee, the incoming grantee shall, within fourteen days of the commencement of his privilege, pay the difference to the nearest Kachcheri.

15. (1) Payment of Rent.—

The grantee shall pay the purchase money or rent to the Government Agent in twelve equal monthly instalments.

(2) Due Date of Instalment.—

The first instalment of the rent shall be deemed to be due and payable on the last day of the month preceding the commencement of the privilege, and succeeding instalments shall be deemed to be severally due and payable on the last day of each succeeding month.

(3) Interest and Penalty.—

Interest at the rate of 9 per centum per annum shall be payable in respect of all arrears of rent.

The payment of interest shall not be deemed to prejudice or affect the powers which may be exercised by the Government Agent under section 53 of the Ordinance in any case in which the licence issued to the grantee is liable to be cancelled under section 26.

16. Duty, Cost Price, and Additional Cost Price payable.—

In addition to the rent the grantee shall pay to the Government Agent in respect of every gallon of arrack (at 27 degrees or not more than 29 degrees underproof) removed from a Government Warehouse the duty, cost price, and additional cost price at the rates set out in Schedule A.

17. (1) Payments not valid without Kachcheri Receipt.—

No payment of any sum due by the grantee to the Crown shall be deemed to have been duly made, unless the grantee produces a Kachcheri receipt in respect thereof.

(2) Money left with Officers not reckoned as Money Paid.—

No money which, for his own convenience, the grantee may think fit to leave in the hands of any Shroff or any other officer of any Kachcheri shall be deemed to be money paid under this contract.

18. (1) Purchase of Arrack from Warehouse ; Minimum Quantity.—

The grantee shall purchase arrack only from the Government Warehouse, specified in Schedule B hereto in respect of the district within which the tavern is situated, and in quantities not less than those prescribed in the said schedule.

(2) No issue on Sundays and Holidays.—

No arrack will be issued from a Warehouse on Sundays or Public Holidays without the prior approval of the Superintendent of Excise.

(3) Transport Passes.—

Where arrack is transported by road from a warehouse to a tavern, the Warehouse Officer will not issue a transport pass available for use at a later hour than 6.30 P.M. on the date of issue.

19. Grantee to accept such Arrack as is available ; Loose Capsules on Bottles.—

The grantee shall accept such arrack as is available at the Government Warehouse, whether in bulk or in bottles, and shall test all bottles issued to see whether the capsules are firmly fixed. If the capsules are not firmly fixed, he shall refuse to accept such bottles.

20. Proportion of Sealed Bottles to Bulk.—

The grantee shall draw such proportion of each consignment drawn by him, as the Excise Commissioner or his Deputy or Assistant may require, in sealed bottles of each description.

21. No Compensation for Failure to deliver Full Quantity.—

The grantee shall have no claim against the Crown for compensation (beyond a proportionate refund of the amount paid) in respect of any failure by the Crown for any reason whatsoever to deliver the quality and quantity of arrack for which the grantee has made payment at the Kachcheri as aforesaid.

22. Limit of Sale and Transport.—

The limit of sale by retail with respect to the whole Island and as regards purchasers generally shall be one-third of an imperial gallon, and no arrack in excess of that quantity may be removed at any one time from the tavern by any person without a valid permit or pass.

23. Exclusive Right to supply Arrack for Sale at Foreign Liquor Premises ; Allocation of such Premises to Grantee.—

(1) The grantee of every tavern or group of taverns specified in column 1 of Schedule C hereto shall have the exclusive right of supplying for sale in each of the foreign liquor premises specified against such tavern or group in column 2 of that schedule arrack (in bulk only or in sealed bottles only, as the case may be) in quantities not less than those prescribed from time to time by the Excise Commissioner, on payment at rates to be mutually agreed upon between the grantee and the licensee of such foreign liquor premises, but not exceeding the prices fixed for the sale of bottled arrack at the taverns, and not below the minimum price fixed for the sale of bulk arrack at the tavern, and on production of a valid transport pass issued by the Superintendent of Excise in that behalf.

(2) Where the grantee so supplies arrack to any foreign liquor premises, he will, for the protection of his exclusive privilege, have the supervisory rights provided for in the conditions of the special licence to sell arrack issued to such foreign liquor premises.

(3) Special licences to sell arrack in sealed (or unopened) bottles only will be issued by the Excise Commissioner at his discretion only to the Foreign Liquor Retail (Off) Licensees mentioned in Schedule C below, and such licensees shall buy the arrack only from the grantee and only in bottles. Likewise, special licences to sell arrack in bulk only, will be issued to all licensees other than Foreign Liquor Retail (Off) Licensees mentioned in Schedule C below, and such licensees shall buy the arrack only from the grantee and only in bulk. Such special licences will not be issued without the grantee's consent ; such consent may not be withdrawn in the middle of a licence period, but the grantee shall be at liberty to withhold supplies to the licensee, if the grantee so chooses.

24. *Grantee to account for Arrack : Wastage Allowance.*—

The grantee shall account for all arrack purchased by him from time to time. The allowance made on account of wastage will in no circumstances exceed two per centum of the total quantity purchased since the last date of stocktaking.

25. *Grantee responsible for Agent's Acts.*—

The grantee shall be responsible for all acts of his agents and employees in relation to the privilege.

26. *Non-transferability of Privilege.*—

The privilege shall not be transferable otherwise than with the sanction of the Excise Commissioner first had and obtained.

27. (1) (a) *Cancellation of Licence and Privilege for Non-payment of Rent, &c.*—

If any instalment or part of any instalment of the purchase money or rent, or any fee, duty, cost price, additional cost price, composition fee or other sum due to the Crown from the grantee, in respect of the grant or of the licence issued to him, remains unpaid after the date on which it becomes due and payable, the grantee shall be deemed to have committed a breach of these conditions and of the conditions of the licence issued to him, and the Government Agent shall accordingly have power, without further process of law, either (i.) to suspend or cancel the licence or licences issued to the grantee in pursuance of the provisions of section 26 of the Excise Ordinance, No. 8 of 1912, or (ii.) to take the licence or grant under management at the risk of the grantee, or to declare the licence or grant forfeited and reissue or resell it at the risk and loss of the grantee in pursuance of the provisions of section 30 of the said Ordinance. This condition does not in any way affect the Government Agent's powers to confiscate the security deposit in pursuance of the provisions of condition 9 above.

(b) *Intimation or Notice of Cancellation, &c.*—

Intimation of any order of suspension or cancellation, under the said section 26, or the statutory notice or order under the said section 30 may be served personally on the grantee, or addressed under registered cover to the post office or postal address elected and signified under condition 9 (4), and duly posted, as the Government Agent thinks fit.

(2) *Regrant of Privilege between Cancellation and Resale.*—

In the event of the cancellation of a licence, the Government Agent shall have power to grant the privilege to any person approved by him for any period intervening between such cancellation and the resale of the privilege, and for this purpose may issue to such approved person a temporary licence upon such terms as he may think fit.

(3) *No Remission of Rent.*—

No remission of the rent payable in respect of the privilege will be granted on any plea of the grantee's having over-estimated the value of any tavern or on any other ground.

(4) *No Compensation for Losses.*—

The grantee shall not have or make any claim to any reduction, or to the remission of any sum due and owing by him to the Crown by reason of any loss alleged to have been sustained by him—

- (a) whether on account of any closing of the tavern or taverns during the passage of troops, or during the encampment of troops in the vicinity of the tavern or taverns, or during the holding of any poll ; or
- (b) whether on account of the opening of any new toddy or foreign liquor tavern or estate canteen for arrack or toddy or foreign liquor, or any new foreign or country liquor premises of any other description and licensed after the sale of the privilege under these conditions ; or
- (c) whether on account of the manufacture and drawing of fermented toddy on special licences issued by the Assistant Commissioner for *bona fide* domestic consumption on medical grounds, and not for sale ; or
- (d) whether on account of the manufacture and drawing of fermented toddy within the area or areas of the privilege hereby granted for supply to licensed manufactories in which toddy is used in the process of manufacture ;
- (e) whether on account of the refusal of the Excise Commissioner to issue special arrack licences in terms of condition 23 above ; or
- (f) through any other cause whatsoever.

28. *Termination of Privilege.*—

The privilege shall terminate on (a) the expiry of the term for which it is granted, (b) the death of the grantee, or (c) a breach of any of the conditions governing it.

Excise C. S. 26

GOVERNMENT OF CEYLON.

ARRACK RENT TENDER FORM.

(Condition 3.)

Tender for the purchase of the exclusive privilege of selling arrack by retail within the local area/areas of _____ in the _____ District.
To the Government Agent _____.

I/We, the undersigned, hereby tender the sum of Rs. _____ only (exclusive of duty and cost price) for the purchase of the exclusive privilege of selling arrack by retail within the above-mentioned local area/areas for the period of one year from October 1, _____, to September 30, _____ in accordance with your advertisement dated _____.

I/We have deposited the sum of Rs. _____ only in the General Treasury/ _____ Kachcheri, and subjoin hereto receipt No. _____, dated _____ in respect thereof.

Witnesses :

1. _____.
2. _____.

Signature : _____.

Address : _____.

REVERSE SIDE OF TENDER FORM.

Notes.

1. A deposit receipt for Rs. ——— is to be annexed to this tender: No tender unaccompanied by a deposit receipt will be accepted. The deposit of Rs. ——— will, subject to the provisions of arrack rent sale condition No. 10 be refunded.

2. This form must be enclosed in a sealed envelope bearing on its left hand top corner the name and number of the arrack tavern concerned, and must be deposited in the Kacheheri tender box or handed to the Government Agent, or to the Office Assistant, or posted by registered post in time for delivery at the Kacheheri before the time fixed for closing tenders.

3. A separate form must be used in respect of each tavern, or when taverns are sold in groups, for each such group.

AGREEMENT.

(Condition 9 (1) (a))

I/We ——— of ——— and ——— do hereby acknowledge that I/we have this day been granted the hereinbefore mentioned exclusive privilege for the sum of Rupees ——— on the conditions set forth above, and I/we do hereby bind myself/ourselves to perform the said conditions.

Witnesses : ———.

Grantee(s) : ———.

I hereby acknowledge receipt of the sum of Rs. ——— paid by ——— and ——— as security deposit under condition 9 (1) (a) of these conditions.

Government Agent.

ADDRESS FOR NOTICES.

(Condition 9 (4).)

I/We, the undersigned, do hereby as required by condition 9 (4) appoint the under-mentioned Post Office/postal address as the Post Office/postal address to which all notices and processes whatever in connection with the hereinbefore mentioned privilege may be addressed and posted to me/us under the registered cover.

Witnesses : ———.

Grantee(s) : ———.

SCHEDULE A.

(Vide Condition 16.)

Supply Warehouse.	Duty Per Gallon at 27° u.p. of Arrack.		Cost Price Per Gallon at 27° u.p. for Arrack in Bulk and in Bottles.	Additional Cost Price Per Gallon at 27° u.p. for the Ordinary Quality of Arrack in Bottles.	Additional Cost Price Per Gallon at 27° u.p. for the Special Quality of Arrack in Bottles.	Additional Cost Price Per Gallon at 27° u.p. for the Extra Special Quality of Arrack in Bottles.
	in Bulk.	in Bottle.				
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	Rs. c.	Rs. c.	Rs. c.	Rs. c.	Rs. c.	Rs. c.
Negombo, Kalutara, Kandy	8 50	.. 7 50	.. 3 0	.. 1 0	.. 2 0	.. 3 50
Batticaloa, Trincomalee, Badulla, Jaffna, Vavuniya	8 50	.. 7 50	.. 3 50	.. 1 0	.. 2 0	.. 3 50

N.B.—(1) 6 white reputed quarts, each containing 8 drams more or less, 8 black imperial pints, each containing 6 drams more or less, and 12 black reputed pints, each containing 3 3/7 drams more or less will be reckoned as the equivalent of 1 gallon.

(2) The arrack of Special and Extra Special Qualities will be sold in white reputed quarts and black reputed pint bottles only, and will not be available in bulk.

SCHEDULE B.

(Condition 18.)

Situation of Warehouse.	Province, District, or Tavern served.	Minimum to be purchased at any one time.
Kalutara town or Mirishena as may be directed.	(1) Colombo Municipality	} 10 gallons
	(2) Colombo District outside Municipality and south of the Kelaniya river	
	(3) Kalutara District	
	(4) Galle District	
	(5) Ratnapura District	
Negombo	(1) Colombo District outside Municipality and north of the Kelaniya river	
	(2) Puttalam District	
	(3) Chilaw District	
	(4) Taverns in group 2 and 3 of the Kurunegala District	
Kandy	(1) Central Province	
	(2) Kegalla District	
	(3) Ganegoda tavern and taverns in group 1 of the Kurunegala District	
Batticaloa	Batticaloa District	} 10 gallons
Badulla	Province of Uva	
Trincomalee	Trincomalee District	
Jaffna	Jaffna District	
Vavuniya	(1) Anuradhapura District	
	(2) Vavuniya District	
	(3) Mullaivivu District	
	(4) Mannar District	

SCHEDULE C.
(Vide Condition 23.)

(1) Name of Arrack Tavern or Group of Taverns.	(2) Foreign Liquor Premises assigned.	
<i>Colombo Municipality.</i>		
Group I. Arrack Taverns.	<ul style="list-style-type: none"> Metropolitan Hotel and Bar, Pettah New Colonial Hotel and Bar, Pettah Prince of Wales Hotel and Bar, Pettah Victor Restaurant, Pettah Victoria Restaurant, Pettah Messrs. Togo & Co., Fort, Retail Off Shop, Pettah Victoria Hotel and Bar, Pettah 	
(a) Front street ..		
(b) 4th Cross street ..		
(c) Dam street ..	<ul style="list-style-type: none"> F. L. Tavern No. 6, Sea street F. L. Tavern No. 7, Wolfendahl street Mrs. A. Bastianpulle, Retail Off Shop, Main street, Pettah S. T. Kanakasabai, Retail Off Shop, Main street, Pettah V. Kailasapillai, Retail Off Shop, Main street, Pettah A. Suppiah, Retail Off Shop, Main street, Pettah J. M. S. Miranda, Retail Off Shop, Chekku street J. B. Peter, Retail Off Shop, Main street, Pettah J. M. S. Miranda, Retail Off Shop, Main street, Pettah Richmond Restaurant, Pettah Imperial Restaurant, Pettah 	
Group II. Arrack Taverns.	<ul style="list-style-type: none"> F. L. Tavern No. 2, Main street, Pettah F. L. Tavern No. 3, Main street, Pettah F. L. Tavern No. 4, Main street, Pettah F. L. Tavern No. 5, 5th Cross street, Pettah H. Lawrence Fernando, Retail Off Shop, Main street, Pettah Mrs. D. B. Wijetunga and A. P. Casie Chitty, Retail Off Shop, 4th Cross street, Pettah J. P. A. de Mel, Retail Off Shop, Main street, Pettah A. P. Casie Chitty, Retail Off Shop, 4th Cross street, Pettah Mrs. A. P. L. Casie Chitty, Retail Off Shop, St. John's road, Pettah Union Restaurant, Pettah A. S. F. Wijeguneratne, Retail Off Shop, Main street, Pettah S. Costa & A. P. Casie Chitty, Retail Off Shop, 2nd Cross street, Pettah R. A. Fernando, Retail Off Shop, Norris road, Pettah C. Peeris, Retail Off Shop, Norris road, Pettah J. M. S. Miranda, Retail Off Shop, Norris road, Pettah J. A. D. Victoria, Retail Off Shop, 1st Cross street, Pettah 	
(a) St. John's road ..		
(b) Chekku street ..		
(c) Sea street ..		
Group III. Arrack Taverns.		<ul style="list-style-type: none"> Dockland Hotel and Bar, Mutwal F. L. Tavern, Mutwal street, Mutwal H. Lawrence Fernando, Retail Shop, No. 9, St. Andrew's place, Mutwal City Restaurant F. L. Tavern No. 8, Jampettah street Shaw Wallace & Co., Retail Off Shop, Lascorreen street V. Casie Chitty, Retail Off Shop, Jampettah street A. Suppiah, Retail Off Shop, Skinner's road North M. G. Fernando, Retail Off Shop, Skinner's Road North
(a) Korteboam street ..		
(b) Kotahena street ..		
(c) Mutwal street ..		
Group IV. Arrack Taverns.			National Restaurant, Grandpass F. L. Tavern No. 10, St. Joseph's street S. T. P. Rodrigo, Retail Off Shop, Nagalagam street
(a) Ferguson road ..		
(b) Madampitiya ..		
Group V. Arrack Taverns.		<ul style="list-style-type: none"> Galle Face Hotel and Bar, Colpetty Isabel Court, Colpetty Castle Hotel and Bar, Ingham street, Slave Island Hotel de L'Univers, 122, Union place, Slave Island Nippon Hotel and Bar, Slave Island V. R. Motha, Retail Off Shop, Union place, Slave Island A. M. S. Rodrigo, Retail Off Shop, Shorts road, Slave Island Liptons, Ltd., Retail Off Shop, Union place, Slave Island J. A. S. Agar, Cumberbatch & Co., Retail Off Shop, Vauxhall street, Slave Island A. M. S. Rodrigo, Retail Off Shop, Rifle street, Slave Island J. M. S. Miranda & Son, Retail Off Shop, Union place, Slave Island Dodwell & Co., Retail Off Shop, Glenie street, Slave Island Cargills, Ltd., Retail Off Shop, Alexandra place, Cinnamon Gardens The Orient Club, Colpetty Princes Restaurant, Colpetty J. A. D. & J. P. R. B. Victoria, Retail Off Shop, Colpetty J. A. D. Victoria, Retail Off Shop, Turret road, Colpetty
(a) Malay street ..		
(b) Barandeniya ..		
(c) Kollupitiya ..		
Group VI. Arrack Taverns.	<ul style="list-style-type: none"> Coronation Hotel and Bar, Negombo Miss F. Tissera and S. V. Lawrentsz, Restaurant, Negombo F. L. Tavern, Negombo F. L. Tavern, Green road, Negombo Miss F. Tissera and S. V. Lawrentsz, Retail Off Shop, Negombo Messrs. P. G. Gomez & Co., Retail Off Shop, Main street, Negombo M. S. Pillai & W. D. Fernando, Retail Off Shop, Green's road, Negombo 	
(a) Udayartoppu ..		
(b) Kudapaduwa ..		
(c) Periyamulla ..		
Group VIII. Arrack Taverns.	<ul style="list-style-type: none"> Mrs. A. P. L. Casie Chitty, Retail Off Shop, Kochchikade 	
(a) Henmulla ..		
(b) Etgala ..		
(c) Kandewela ..		
(d) Daluwakotuwa ..		
(e) Kochchikade ..		
Group IX. Arrack Taverns.	<ul style="list-style-type: none"> Mr. A. P. Casie Chitty, F. L., Restaurant, Ja-ela Mr. A. P. Casie Chitty, Retail Off Shop, Ja-ela 	
(a) Kepungoda ..		
(b) Seeduwa ..		
(c) Bopitiya ..		
(d) Dandugama ..		
(e) Kanuwana ..		
(f) Weligampitiya ..		

(1)	(2)
Name of Arrack Tavern or Group of Taverns.	Foreign Liquor Premises assigned.
Digarolla ..	{ F. L. Tavern, Moratuwa Mr. B. M. P. Mendis, Retail Off Shop, Moratuwa
<i>Puttalam District.</i>	
Group IV. Arrack Taverns.	
(a) Jetty street ..	.. { F. L. Tavern, Ward No. 2, Chilaw
(b) Dhobies quarters ..	.. { Mrs. S. M. J. Fernando and Mr. J. N. Leon, Retail Shop, Chilaw
(c) Bandarawatta ..	.. { F. L. Tavern, Ward No. 4, Chilaw
(d) Ambakandawila ..	.. { L. Gomez, Retail Off Shop, Chilaw
(e) Pambala }
<i>Kurunegala District.</i>	
Group II. Arrack Taverns.	
(a) Kuliyaipitiya ..	.. { L. C. Fernando, Restaurant, Kuliyaipitiya
(b) Akarawatta ..	.. { L. C. Fernando, Retail Off Shop, Kuliyaipitiya
(c) Hantihawa }
<i>Jaffna District.</i>	
Group I.	
No. 1, Jaffna ..	.. { A. M. Ratnam, Imperial Hotel and Bar, Jaffna
No. 2, Karayoor ..	.. { A. Suppiah, Retail F. L. Shop, Main street, Jaffna
No. 3, Nallur ..	.. { T. Sabaratnam, Retail F. L. Shop, Chemma street, Jaffna
	.. { A. Suppiah, Retail F. L. Shop, Chemma street, Jaffna
	.. { A. Velupillai, Retail F. L. Shop, Chemma street, Jaffna
	.. { V. Thuraiappah, Grand Hotel and Bar, Jaffna
	.. { N. M. Vanniasingam, Jaffna Restaurant, Bankshall street, Jaffna
	.. { S. Rasiah, Colombo Restaurant, Chemma street, Jaffna
Group III.	
No. 6, Point Pedro ..	.. { V. Vallipuram and partners, Retail F. L. Shop, Point Pedro
No. 7, Valvettiturai }
<i>Mannar District.</i>	
No. 1, Periyakadai ..	.. { Foreign Liquor Tavern, Mannar
	.. { W. P. Perera, Retail Off Shop, Mannar
<i>Trincomalee District.</i>	
Group I. Arrack Taverns.	
No. 1, Dhoby street ..	.. { T. Balasubramaniyam, Mansion Hotel, Trincomalee
No. 2, Oilmonger street ..	.. { D. Subramaniyam and Miller & Co., Ltd., Off Shop, Division No. 7, Trincomalee
No. 3, Uppuveli ..	.. { T. Balasubramaniyam, Maysland Hotel, Trincomalee
	.. { J. B. & S. S. Miranda, Retail Off Shop, Dockyard street, Trincomalee
	.. { Mrs. E. McLeod, Welcombe Hotel, Trincomalee
<i>Anuradhapura District.</i>	
No. 1, Anuradhapura ..	.. { Mr. A. S. Ephraums, Grand Hotel and Bar, Anuradhapura
	.. { J. D. Victor, Central Hotel, Anuradhapura
	.. { S. S. M. Mirando, Retail Off Shop, Anuradhapura
	.. { J. Don Victor, Retail Off Shop, Anuradhapura
<i>Kandy District.</i>	
Group I. Arrack Taverns.	
(a) Colombo street ..	.. { Queen's Hotel and Bar, Kandy
(b) Katukele ..	.. { Suisse Hotel and Bar, Kandy
	.. { Castle Hotel and Bar, Kandy
	.. { Royal Hotel and Bar, Kandy
	.. { Kings Hotel and Bar, Kandy
	.. { Empire Hotel and Bar, Kandy
	.. { Victory Hotel and Bar, Kandy
	.. { F. L. Tavern, Ward No. 3, Kandy
	.. { F. L. Tavern, Ward No. 4, Kandy
	.. { Empire Theatre Bar, Kandy
	.. { C. F. Fernando, Retail Off Shop, Trincomalee street, Kandy
	.. { S. Costa and A. P. Casie Chitty, Retail Off Shop, Ward street, Kandy
	.. { Messrs. Miller & Co., Ltd., Retail Off Shop, Kandy
	.. { Messrs. Cargills, Ltd., Retail Off Shop, Kandy
Group II. Arrack Taverns.	
(a) Wahugepitiya ..	.. { F. L. Tavern, Pussellawa
(b) Pussellawa ..	.. { Costa & Sons, Retail Off Shop, Pussellawa
Hatton ..	.. { Castro Hotel and Bar, Hatton
	.. { Arms Hotel and Bar, Hatton
	.. { F. L. Tavern, Ward No. 1, Dikoya
	.. { F. L. Tavern, Ward No. 2, Dikoya
	.. { Adams Peak Hotel, Hatton
	.. { Messrs. Brown & Co., Retail Off Shop, Hatton
	.. { O. Don Peter, Retail Off Shop, Dikoya
	.. { Messrs. Miller & Co., Retail Off Shop, Dikoya
Maskeliya ..	.. { Maskeliya Hotel and Bar, Maskeliya
Kotiyagala ..	.. { G. Miranda, Retail Off Shop, Maskeliya
	.. { R. A. Fernando, Retail Off Shop, Bogawantalawa
<i>Nuwara Eliya District.</i>	
Bambarakelle ..	.. { F. L. Restaurant, Nuwara Eliya
	.. { F. L. Tavern, Nuwara Eliya
	.. { Pedro Hotel and Bar, Nuwara Eliya
	.. { Grand Hotel and Bar, Nuwara Eliya
	.. { Windsor Hotel and Bar, Nuwara Eliya
	.. { Carlton Hotel, Nuwara Eliya
	.. { Maryhill Hotel, Nuwara Eliya
	.. { Maysland Hotel, Nuwara Eliya
	.. { St. Andrew's Hotel, Nuwara Eliya
	.. { Messrs. Cargills, Ltd., Retail Off Shop, Nuwara Eliya
	.. { Messrs. Miller & Co., Ltd., Retail Off Shop, Nuwara Eliya
	.. { J. L. Pimanda, Retail Off Shop, Nuwara Eliya
	.. { Ponniah Peeris, Retail Off Shop, Nuwara Eliya

(1)	(2)		
Name of Arrack Tavern or Group of Taverns.	Foreign Liquor Premises assigned.		
Padiyapelella ..	.. T. L. Jusey Perera and K. T. T. de Silva, Retail Off Shop, Padiyapelella	
Ragala ..	.. M. J. Caravelho, Retail Off Shop, Ragala	
<i>Badulla District.</i>			
Badulla ..	.. { Costa & Sons, Hotel and Bar, Badulla Paul Soris & Co., Hotel and Bar, Badulla F. L. Tavern, Central Ward No. 5, Badulla F. L. Tavern, Central Ward No. 5, Badulla Costa & Sons, Retail Off Shop, King street, Badulla Messrs. Don & Millers Co., Ltd., Retail Off Shop, Bazaar street, Badulla J. Soris and G. Brown, Retail Off Shop, Lower street, Badulla	
		.. S. A. Peeris, Retail Off Shop, Bazaar street, Lunugala	
		.. Mrs. D. A. W. Fernando and Miller & Co., Ltd., Retail Shop, Haputale	
		<i>Batticaloa District.</i>	
		Koddaimunai { S. S. M. Miranda, Hotel, Koddaimunai K. Santiyapillai, Hotel, Puliyantivu Mrs. S. Sunderam, Hotel and Bar, Koddaimunai F. L. Tavern, Puliyantivu A. B. M. S. de Silva, Amarasuriya and W. S. C. Pounds, Retail Off Shop, Main street, Puliyantivu S. S. M. Miranda, Retail Off Shop, Central road, Puliyantivu
Periyanilavanai ..	.. { Excelsior Hotel and Bar, Kalmunai W. Denes de Silva, Retail Off Shop, Kalmunai	
Group of Olagama and Yattagoda Arrack Taverns ..	.. { J. M. S. Miranda and Sons, Restaurant, Kegalla F. L. Tavern, Kegalla J. M. S. Miranda and Sons, Retail Shop, Kegalla N. L. Peiris, Retail Shop, Kegalla	
		Balangoda F. L. Gomez and Mrs. T. Gomez, Retail Off Shop, Balangoda
		<i>Kabutara District.</i>	
(a) Walapolapattiya ..	.. { M. X. Motha, Restaurant, Panadure M. X. Motha, Retail Off Shop, Panadure	
		(b) Nalluruwa

L. D.—B 27/38
E. C.—L.—A 29

ARRACK TAVERN LICENCE.

(As published in the "Gazette" No. 8,369 of May 20, 1938.)

Excise Notification No. 331.

The Governor has, under section 24 of the Excise Ordinance, No. 8 of 1912, directed that on and after October 1, 1938, no fee shall be recovered on licences for the sale of arrack by retail and that the following shall be the form and conditions of such licences.

Excise Notification No. 318 published in *Supplement to Gazette* No. 8,291 of May 21, 1937, shall cease to have effect on October 1, 1938.

Serial No. and Machine No. _____.

Excise C. S. 5.

Hour of Opening : _____.

Hour of Closing : _____.

Tavern Licence for the Sale of Arrack by Retail.

_____ of _____ is/are hereby licensed under the provisions of the Excise Ordinance, No. 8 of 1912, to sell arrack by retail at the premises more fully described below during the official year ending September 30, 19—, subject to—

- (a) the General Conditions for the time being in force and applicable to all Excise licences ;
 (b) the Arrack Rent Sale Conditions, under which the exclusive privilege of selling arrack by retail at the said premises was granted, and which the said licensee(s) by agreement bound himself/themselves to observe, and
 (c) the following special conditions applicable to this licence :—

1. *Selling Prices of Arrack.*—

The licensee/licensees—

- (a) shall affix in a prominent place in the tavern, so as to be clearly visible to and legible by the customers at the bar, lists printed in bold letters and figures in English, Sinhalese, and Tamil of the selling price of all kinds of arrack offered for sale, by the dram and by sealed bottles.
 (b) shall not sell arrack in sealed bottles at any other rates than the following except to licensees of foreign liquor premises holding a special arrack permit :—

Strength.	Quality.	Kinds of Bottles.							
		White Reputed Quarts (6 to a Gallon).		Black Imperial Pints (8 to a Gallon).		Black Reputed Pints (12 to a Gallon).			
		Per Bottle. Equivalent per Gallon.		Per Bottle. Equivalent per Gallon.		Per Bottle. Equivalent per Gallon.			
		(3)	(4)	(5)	(6)	(7)	(8)		
(1)	(2)	Rs. c.	Rs. c.	Rs. c.	Rs. c.	Rs. c.	Rs. c.		
27° u.p.	Ordinary	.. 2 50	.. 15 0	.. 1 95	.. 15 60	.. 1 30	.. 15 60		
	Special	.. 2 75	.. 16 50	.. —	.. —	.. 1 45	.. 17 40		
	Extra Special	.. 3 0	.. 18 0	.. —	.. —	.. 1 60	.. 19 20		

- (c) shall not sell any kind of arrack by the dram or glass at a lower rate than Rs. 15.36 a gallon or 32 cents a dram at 27 degrees under proof, even to licensees of foreign liquor premises holding a special arrack permit.

Provided that the Government Agent may for special reasons and on the application of the licensee/licensees permit the sale of arrack at such other rates as he may in his discretion determine.

2. *Sealed Bottle Sales and Stocks.*—

(a) All arrack sold by the bottle on this licence shall be sold in sealed bottles bearing intact the capsule of the Excise Department.

The licensee/licensees shall not keep in a tavern any sealed bottles other than those bearing the capsule and label of the Excise Department. He/they shall put aside any bottle bearing a damaged or obliterated capsule and label and shall show it to the Inspecting Officer on his next visit, and any such bottle shall, if so ordered by the Assistant Commissioner of Excise for the division, be exchanged for a fresh bottle.

(b) The licensee/licensees shall at all times keep at least one dozen sealed bottles or such quantity as may be prescribed as the minimum by the Superintendent of Excise under the provisions of the General Conditions for the time being in force and applicable to all Excise licences, whichever is the lesser quantity, of each kind of bottled arrack on a shelf or rack hung on a wall of the tavern prominently in view of customers at the bar.

(c) No arrack shall be bottled in a tavern. No corks, empty bottles, capsules, labels, sealing wax, or other appliances used in bottling arrack shall be kept in the tavern.

(d) Sealed bottles of arrack shall be supplied by the licensee/licensees on demand and tender of cash.

(e) No sealed bottles shall be opened by the licensee/licensees and the arrack in them poured into casks or sold by the glass.

3. *Strength of Arrack : Prohibition against Adulteration.*—

All arrack exposed or kept for sale in a tavern shall be of a strength not below 29 degrees under proof as tested in compliance with Excise Notification No. 178 published in *Gazette* No. 7,654 of July 13, 1928. No water and no colouring, flavouring, or other matter whatsoever shall be added thereto.

4. (a) *Furniture, &c., in Taverns to be kept clean.*—

The licensee/licensees shall cause all tables and chairs provided for the use of Inspecting Officers, Rent Managers, and Accountants, to be kept scrupulously clean, and shall cause the tops of all such tables to be covered at all times with clean paper.

(b) *Prohibition of other than Prescribed Articles in Taverns.*—

The licensee/licensees shall not, except as hereinafter in sub-clause (c) provided, and except with the written sanction of an Excise Officer not below the rank of Inspector, permit the introduction into his/their tavern of any articles other than—

- (i.) The storage vessels and stands,
- (ii.) The drinking vessels,
- (iii.) Two tables,
- (iv.) Two chairs,
- (v.) Authorized account books, inspection notebooks, and writing materials,
- (vi.) Cash, and receptacles for its safe-keeping,
- (vii.) Frames or notice boards on which the licence, the general conditions applicable to all Excise licences, and such other notices as the Excise Commissioner may require, may be exhibited,
- (viii.) One receptacle for disinfectants,
- (ix.) One stool for each authorized employee, and
- (x.) Separate receptacles for clean and for dirty water for use as prescribed in General Condition No. 25 (4).

(c) *Provision of Spittoons in Taverns.*—

The licensee/licensees shall provide in his/their tavern at least three spittoons, which shall be kept in a scrupulously clean and sanitary condition, and be washed daily with disinfectants.

5. *Special Measuring Taps, if required.*—

All sales from bulk shall, if the Excise Commissioner at any time so directs by writing under his hand addressed to the licensee/licensees, be made by means of special measuring taps of a pattern to be approved by him.

6. *Standard Measures to be kept.*—

Standard measures approved by the Excise Commissioner, viz., $1\frac{1}{2}$ drams, 1 dram, $\frac{3}{4}$ dram, $\frac{1}{2}$ dram, and $\frac{1}{4}$ dram shall be kept in every tavern and shall on demand by any customer be used in measuring the arrack he has purchased.

7. *Drinking Vessels to be of transparent material and to be marked.*—

Every drinking vessel used or kept at a tavern other than the standard measures referred to in condition 6 shall be made of glass or of some other transparent material and shall have clearly marked on it in coloured figures its capacity and the current authorized price for that quantity. The quantity shall further be indicated by a horizontal line, coloured red, cut at least 2 inches round the circumference of such vessel and not less than one-half of an inch below the top of the vessel. The price shall be marked in bold red figures immediately above the centre of the cut red line aforesaid and the quantity shall be marked on the opposite side, i.e., on the exterior side of the vessel furthest from the price. No arrack shall be served for consumption on the premises otherwise than in a drinking vessel marked as hereinbefore prescribed and filled up to such mark.

8. *Inspection by Excise Officers.*—

All arrack kept or exposed for sale in a tavern shall at all times be made available for inspection and test by officers of the Excise Department.

9. *Accounting of Arrack.*—

(a) The licensee/licensees shall account for all arrack in the prescribed form of tavern register. He/they shall also keep separate accounts on Form Excise C. S. 1 in respect of arrack in bulk and of arrack in bottles.

(b) The total wastage at every tavern shall be written off at the end of each month and the actual balance in hand of each kind of arrack brought forward on the 1st of the month following.

(c) He/they shall keep a separate account of the sales, if any, to foreign liquor licensees.

(d) The licensee/licensees shall cause all accounts kept at his/their tavern to be written in English, Sinhalese, or Tamil.

10. *Removal of Proceeds of Sale, &c.*—

(1) The licensee/licensees shall cause all the proceeds of any one day's sale of arrack to be removed from the tavern between the closing hour on that day and 8 A.M. on the following day, but before such removal of the proceeds the licensee/licensees shall cause all the accounts for the day to be duly entered in the books required to be kept at the tavern.

(2) He/they shall not permit any money other than the proceeds of the sale of arrack to be kept in the tavern.

(3) He/they shall not permit any part of the proceeds of any one day's sale of arrack to be removed from the tavern before the closing hour on that day, unless before such removal a statement is filed in the tavern, duly signed and dated by himself/themselves or an authorized employee, and setting out in words and figures the exact sum of money so removed.

(4) The statement aforesaid shall be produced for inspection when called for by any officer of the Excise Department, and shall be kept in the tavern for a period of one month from the date set out in it.

11. The licensee/licensees shall cause his/their tavern to be opened at _____ A.M., and to be closed at _____ P.M., and no arrack shall be sold between the hour of closing and that of opening.

Government Agent.

Dated the _____ day of _____, 19____,
_____ Kachcheri.

Counterpart Agreement.

Serial No. and Machine No. _____.

Tavern Licence for the Sale of Arrack by Retail.

Name of Licensee : _____.
Date of Issue : _____.
Stamp of 50 cents.

Description of licensed premises : _____.
Date of expiry : _____.
_____ Kachcheri.
_____ Government Agent.

I/We—_____, the afore-mentioned licensee(s) for myself/ourselves, hereby agree with the Government Agent that I/We will well and truly observe and perform the terms and conditions contained in the licence (of which this is a counterfoil) to sell arrack by retail at the premises more fully described above during the official year ending September 30, 193—, subject to the following conditions to be observed by me/us the said licensee(s), viz. :—

- (a) the General Conditions for the time being in force and applicable to all Excise licences ;
- (b) the Arrack Rent Sale Conditions, under which the exclusive privilege of selling arrack by retail at the said premises was granted, and which the said licensee(s) by agreement bound himself/themselves to observe, and
- (c) The following special conditions applicable to this licence :—

1. *Selling Prices of Arrack.*—

The licensee/licensees—

- (a) shall affix in a prominent place in the tavern, so as to be clearly visible to and legible by the customers at the bar, lists printed in bold letters and figures in English, Sinhalese, and Tamil of the selling price of all kinds of arrack offered for sale, by the dram and by sealed bottles.
- (b) shall not sell arrack in sealed bottles at any other rates than the following except to licensees of foreign liquor premises holding a special arrack permit :—

Strength.	Quality.	Kinds of Bottles.							
		White Reputed Quarts. (6 to a Gallon.)		Black Imperial Pints. (8 to a Gallon.)		Black Reputed Pints. (12 to a Gallon.)			
		Per Bottle.	Equivalent per Gallon.	Per Bottle.	Equivalent per Gallon.	Per Bottle.	Equivalent per Gallon.		
		(3)	(4)	(5)	(6)	(7)	(8)		
(1)	(2)	Rs. c.	Rs. c.	Rs. c.	Rs. c.	Rs. c.	Rs. c.		
27° u.p.	Ordinary	.. 2 50	.. 15 0	.. 1 95	.. 15 60	.. 1 30	.. 15 60		
	Special	.. 2 75	.. 16 50	.. —	.. —	.. 1 45	.. 17 40		
	Extra Special	.. 3 0	.. 18 0	.. —	.. —	.. 1 60	.. 19 20		

- (c) shall not sell any kind of arrack by the dram or glass at a lower rate than Rs. 15·36 a gallon or 32 cents a dram at 27 degrees under proof, even to licensees of foreign liquor premises holding a special arrack permit.

Provided that the Government Agent may for special reasons and on the application of the licensee/licensees permit the sale of arrack at such other rates as he may in his discretion determine.

2. *Sealed Bottle Sales and Stocks.*—

- (a) All arrack sold by the bottle on this licence shall be sold in sealed bottles bearing intact the capsule of the Excise Department.

The licensee/licensees shall not keep in a tavern any sealed bottles other than those bearing the capsule and label of the Excise Department. He/they shall put aside any bottle bearing a damaged or obliterated capsule and label and shall show it to the Inspecting Officer on his next visit, and any such bottle shall, if so ordered by the Assistant Commissioner of Excise for the division, be exchanged for a fresh bottle.

- (b) The licensee/licensees shall at all times keep at least one dozen sealed bottles or such quantity as may be prescribed as the minimum by the Superintendent of Excise under the provisions of the General Conditions for the time being in force and applicable to all Excise licences, whichever is the lesser quantity, of each kind of bottled arrack on a shelf or rack hung on a wall of the tavern prominently in view of customers at the bar.

- (c) No arrack shall be bottled in a tavern. No corks, empty bottles, capsules, labels, sealing wax, or other appliances used in bottling arrack shall be kept in the tavern.

- (d) Sealed bottles of arrack shall be supplied by the licensee/licensees on demand and tender of cash.

- (e) No sealed bottles shall be opened by the licensee/licensees and the arrack in them poured into casks or sold by the glass.

3. *Strength of Arrack : Prohibition against Adulteration.*—

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4. (a) *Furniture, &c., in Taverns to be kept clean.*—

The licensee/licensees shall cause all tables and chairs provided for the use of Inspecting Officers, Rent Managers, and Accountants, to be kept scrupulously clean, and shall cause the tops of all such tables to be covered at all times with clean paper.

(b) *Prohibition of other than prescribed Articles in Taverns.*—

The licensee/licensees shall not, except as hereinafter in sub-clause (c) provided, and except with the written sanction of an Excise Officer not below the rank of Inspector, permit the introduction into his/their tavern of any articles other than—

- (i.) The storage vessels and stands,
- (ii.) The drinking vessels,
- (iii.) Two tables,
- (iv.) Two chairs,
- (v.) Authorized account books, inspection notebooks, and writing materials,
- (vi.) Cash, and receptacles for its safe-keeping,
- (vii.) Frames or notice boards on which the licence, the general conditions applicable to all Excise licences, and such other notices as the Excise Commissioner may require, may be exhibited,
- (viii.) One receptacle for disinfectants,
- (ix.) One stool for each authorized employee, and
- (x.) Separate receptacles for clean and for dirty water for use as prescribed in General Condition No. 25 (4).

(c) Provision of Spittoons in Taverns.—

The licensee/licensees shall provide in his/their tavern at least three spittoons, which shall be kept in a scrupulously clean and sanitary condition, and be washed daily with disinfectants.

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Standard measures approved by the Excise Commissioner, viz., $1\frac{1}{2}$ drams, 1 dram, $\frac{3}{4}$ dram, $\frac{1}{2}$ dram, and $\frac{1}{4}$ dram shall be kept in every tavern and shall on demand by any customer be used in measuring the arrack he has purchased.

7. Drinking Vessels to be of transparent Material and to be marked.—

Every drinking vessel used or kept at a tavern other than the standard measures referred to in condition 6 shall be made of glass or of some other transparent material and shall have clearly marked on it in coloured figures its capacity and the current authorized price for that quantity. The quantity shall further be indicated by a horizontal line, coloured red, cut at least 2 inches round the circumference of such vessel and not less than one-half of an inch below the top of the vessel. The price shall be marked in bold red figures immediately above the centre of the cut red line aforesaid and the quantity shall be marked on the opposite side, *i.e.*, on the exterior side of the vessel furthest from the price. No arrack shall be served for consumption on the premises otherwise than in a drinking vessel marked as hereinbefore prescribed and filled up to such mark.

8. Inspection by Excise Officers.—

All arrack kept or exposed for sale in a tavern shall at all times be made available for inspection and test by officers of the Excise Department.

9. Accounting of Arrack.—

(a) The licensee/licensees shall account for all arrack in the prescribed form of tavern register. He/they shall also keep separate accounts on Form Excise C. S. 1 in respect of arrack in bulk and of arrack in bottles.

(b) The total wastage at every tavern shall be written off at the end of each month and the actual balance in hand of each kind of arrack brought forward on the 1st of the month following.

(c) He/they shall keep a separate account of the sales, if any, to foreign liquor licensees.

(d) The licensee/licensees shall cause all accounts kept at his/their tavern to be written in English, Sinhalese, or Tamil.

10. Removal of Proceeds of Sale, &c.—

(1) The licensee/licensees shall cause all the proceeds of any one day's sale of arrack to be removed from the tavern between the closing hour on that day and 8 A.M. on the following day, but before such removal of the proceeds the licensee/licensees shall cause all the accounts for the day to be duly entered in the books required to be kept at the tavern.

(2) He/they shall not permit any money other than the proceeds of the sale of arrack to be kept in the tavern.

(3) He/they shall not permit any part of the proceeds of any one day's sale of arrack to be removed from the tavern before the closing hour on that day, unless before such removal a statement is filed in the tavern, duly signed and dated by himself/themselves or an authorized employee, and setting out in words and figures the exact sum of money so removed.

(4) The statement aforesaid shall be produced for inspection when called for by any officer of the Excise Department, and shall be kept in the tavern for a period of one month from the date set out in it.

11. The licensee/licensees shall cause his/their tavern to be opened at _____ A.M., and to be closed at _____ P.M., and no arrack shall be sold between the hour of closing and that of opening.

Licensee.

Dated the _____ day of _____, 19____,
_____Kacheheri.

The Ministry of Home Affairs,
Colombo, May 5, 1938.

D. B. JAYATILAKA,
Minister for Home Affairs.

L. D.—B 42/38

E. C.—L.—F 20

FOREIGN LIQUOR TAVERN RENT SALE CONDITIONS FOR 1938-39 AND SUBSEQUENT PERIODS.

(As published in the "Gazette" No. 8,369 of May 20, 1938.)

The Governor has, under section 18 of the Excise Ordinance, No. 8 of 1912, directed that the grant of the exclusive privilege of selling foreign liquor by retail under a tavern licence within any local area during the period from October 1, 1938, to September 30, 1939, and subsequent periods shall until further notice be subject—

- (1) to the General Conditions for the time being in force and applicable to all Excise Licences; and
- (2) to the special conditions set out hereunder.

The Ministry of Home Affairs,
Colombo, May 5, 1938

D. B. JAYATILAKA,
Minister for Home Affairs.

Special Conditions.

1. (1) Privilege to be exclusive.—

(a) The privilege will be exclusive, and will extend only to the sale of potable foreign liquor under a tavern licence to be obtained from the Government Agent in form Excise F. L. 5 as published by Excise Notification No. 319 in the *Supplement to the Gazette* No. 8,291 of May 21, 1937.

(b) If so desired by the grantee of the privilege for any local area in which the sale of arrack is permitted, and if the Arrack Renter of that area consents in writing, the privilege will extend to the sale also of arrack in bulk only under a licence to be obtained from the Excise Commissioner in form Excise A. (F. L.) 1 as published in Excise Notification No. 328 in the *Government Gazette* No. 8,362 of April 1, 1938.

The Excise Commissioner shall have the sole discretion to refuse to issue such licence to sell arrack.

- (2) The privilege shall not be deemed to be infringed by the sale of foreign liquor within the same local area under any class or kind of foreign liquor licence other than the foreign liquor tavern licence.

2. (1) *Period of Privilege.*—

The privilege will be granted for the period from October 1 of any one year, to September 30 of the next succeeding year, or for any shorter period within these 12 months, on application by way of tender or by auction in the form and manner prescribed in these conditions.

(2) *Areas for which Privilege granted.*—

The privilege may be granted for the local area of an individual tavern, or for the respective local areas of each tavern in a group of taverns as the Government Agent may decide.

3. *Tender Form.*—

Every tender shall be made on the form prescribed in these conditions, which may be obtained from the offices indicated in the sale notice.

4. *Tender Deposit.*—

(1) The Government Agent may, if he considers it necessary, require the deposit of a sum not exceeding Rupees one hundred (Rs. 100) by the tenderer in respect of each tender.

(2) Every tender shall be accompanied by a Treasury or Kachcheri receipt acknowledging the deposit of the sum required by the Government Agent under the foregoing paragraph of this condition, and the number and date of the receipt shall be entered on the face of the tender form.

5. *Prohibition of Tenders by Agents or of more than One Tender by any Person.*—

(1) Every tender or bid shall be made by the tenderer or bidder in his own name. No tender or bid made through an agent, will be accepted.

(2) No person shall send in more than one tender for any one tavern, or group of taverns.

6. *Disqualifications against Acceptance of Tenders ; Acceptance under Ignorance null and void.*—

(1) No tender will be accepted from any person—

(a) whose name appears on the list of defaulting contractors, or on the list of defaulters in respect of any kind of Excise licences or of toll rents, or on the list of persons precluded for other reasons from having any concern in any Government rent or contract ; or

(b) whose name is on the Excise Register of offenders ; or

(c) who is a registered criminal within the meaning of the Prevention of Crimes Ordinance, No. 2 of 1926, or who has been convicted of any grave crime or of any Excise offence ; or

(d) who at any time held a licence which has been cancelled under section 26 of the Excise Ordinance, No. 8 of 1912.

(2) If any tender of any such person has been accepted in ignorance of the existence of any such disqualification the Government Agent may in his sole discretion cancel the acceptance within a period of 30 days from the date of such acceptance, and shall communicate his order of cancellation to the grantee. On the making of any such order of cancellation, the original acceptance shall become null and void.

No such order of cancellation shall however be made in pursuance of this condition after the commencement of the period of the privilege.

7. *Delivery of Tenders.*—

(1) Every tender shall be placed in a sealed envelope, on the top left hand corner of which shall be clearly marked the name of the tavern in respect of which the tender is made and its number on the list of sanctioned taverns, or the designation of the group of taverns in respect of which the tender is made as given in the notice calling for tenders, as the case may be.

(2) Every sealed envelope containing a tender shall—

(a) be deposited in the Tender Box ; or

(b) be handed to the Government Agent or to his Assistant ; or

(c) be sent by registered post addressed to the Government Agent so as to reach the Kachcheri,

before the time fixed for closing the tenders.

8. (1) *Power to reject Tender.*—

The Government Agent may in his discretion reject any or all of the tenders received ; and in the event of his so rejecting all tenders, he may call for tenders again or put up the privilege, either at once or after further notice, for sale by auction.

(2) *Restriction of Bidding at Auction.*—

At such auction no person shall be allowed to bid, unless he shall have either—

(a) submitted a tender accompanied by the Treasury or Kachcheri receipt prescribed in condition 4, whether such tender be for the particular privilege to be auctioned or for any other privilege ; or

(b) produced the receipt prescribed in condition 4, notwithstanding his failure to submit a tender for the particular privilege to be auctioned or for any other privilege.

Provided that no person who is duly declared the purchaser of any privilege, whether by way of tender or of auction, shall use or be permitted to use the same receipt for the purpose of a tender or a bid for any other privilege, until he has completed in respect of the privilege already granted to him the steps prescribed hereinafter in condition 9 (1) (a).

(3) *Power to reject Bid.*—

The privilege shall be granted to the highest bidder at such auction : Provided that the Government Agent may in his discretion reject any or all of the bids made at such auction,

(4) *Procedure after Rejection of all Bids.*—

In the event of the rejection of all bids as aforesaid, the Government Agent may in his discretion—

(a) call for further tenders for the privilege for any single tavern or for sub-groups of two or more taverns included in any group of taverns, or for any combination of any parts of groups, or combination of whole groups, either at once or after further notice, and accept or reject all or any tenders so received, and thereafter put up for sale by auction the privilege for any single tavern or sub-groups or combinations as aforesaid for which the further tenders were rejected, either at once or after further notice, and accept or reject all or any bids so received ; or

(b) put up for sale by auction the privilege for any single tavern or for sub-groups of two or more taverns included in any group of taverns, or for any combination of any parts of groups, or combination of whole groups, either at once or after further notice, and accept or reject all or any bids so received ; or

(c) grant the privilege for the tavern, or group, or any single tavern or sub-group of two or more taverns included in a group or for any combination of any parts of groups, or combination of whole groups, to any person, who is approved by the Government Agent, and who agrees to pay by way of rent such amount as the Government Agent may fix.

(5) *Procedure after Rejection of further Bids.*—

In the event of the rejection of the bids received under paragraphs 4 (a) and 4 (b) of this condition, the Government Agent may in his discretion take action under paragraph 4 (c).

9. (1) (a) *Security Deposit.*—

The grantee shall, immediately on being declared to be the purchaser of the privilege, sign these conditions and pay to the Government Agent as a security deposit a sum equivalent to two months' rent payable for that privilege.

(b) *Signing of Bond.*—

The grantee shall also within fourteen days of his being declared to be the purchaser of the privilege enter into a bond with the Government Agent for the full amount for which he has purchased it, and he shall specially hypothecate by such bond the said security deposit.

(c) *Consequences of Breach of Condition of Bond.*—

The said security deposit shall be liable to be confiscated, either in whole or in part by the Government Agent, at his sole discretion and without any process of law, for breach of any of these conditions or of any of the conditions of the licence or licences referred to in condition 12 (2) below, or for non-payment of any instalment, and such confiscation shall be in addition to any other penalty prescribed by these conditions for such breach or non-payment, and to any other amount which the Crown may have the right to claim and recover by due process of law.

(2) *Banking of Security Deposit.*—

Security money so paid will be deposited in a bank only on the grantee's application and only at his risk, and when such deposit is made, no withdrawal will be allowed till the date of maturity.

(3) *Warrant or Power of Attorney to confess Judgment.*—

If the highest bid or tender under condition 8 exceeds the sum of Rs. 2,000, the grantee shall at the time of the execution of the bond as aforesaid execute, if so required by the Government Agent, a warrant or power of attorney in the form sanctioned by law, to confess judgment in any action which may be instituted against him for the recovery of any moneys due in respect of this privilege, and shall also furnish to the Government Agent within fifteen days of the date of the execution of such warrant or power of attorney a duly certified copy thereof for filing in the District Court under section 32 of the Civil Procedure Code.

(4) *Registered Postal Address.*—

The grantee shall, on signing these conditions, elect and signify under his hand a post office or postal address to which all notices and processes whatever in connection with the privilege may be addressed under registered cover; and all such notices or processes so addressed to such post office or to such postal address, and posted in due course, shall be deemed to have been duly served and be as effectual for all purposes, as if they had been served upon the grantee in person upon the day on which such notice or process was so posted.

10. *Failure to complete Purchase of Privilege.*—

If any tenderer or bidder, on being declared to be the purchaser of the privilege, declines or fails to sign these conditions of sale, or fails to furnish the security prescribed in condition 9 (1) (a) when called upon to do so, the deposit made under condition 4 will be declared forfeited, and the defaulter will render himself liable to have his name entered in the list of defaulters in respect of Excise licences. Subject to this exception, the deposits of all tenderers or bidders will be returned, after the conditions of sale have been signed and the aforesaid security given by the successful tenderer or bidder.

11. *Grantee to have no Interests in Arrack and Toddy Sales.*—

The grantee shall not acquire or hold any share or any interests whether direct or indirect (a) in the sale of arrack, except as provided for in condition 1 (1) (b), or (b) in the purchase of any privilege of selling arrack, or (c) in the sale of fermented toddy, or (d) in the purchase of any privilege of selling toddy within the local area to which the privilege of selling foreign liquor relates.

12. (1) *Opening of Tavern on due Date and Approval of Site.*—

(a) The grantee shall open the tavern or taverns on the day on which the privilege commences to run.

(b) The Government Agent shall not be bound to find a site for any tavern in the event of the grantee not being able to procure a site.

(c) The grantee shall not open a tavern on any site otherwise than with the approval of the Government Agent, such approval being obtained from the Government Agent at least 14 days before the privilege commences to run.

(2) *Obtaining of Licences for Sale of Foreign Liquor and Arrack.*—

The grantees shall, not less than five days before the date on which the privilege commences to run, obtain from the Government Agent a licence or licences for the sale of foreign liquor by retail at the tavern or taverns within the local area covered by this privilege, and if the grantee desires to sell arrack he shall also obtain a licence as provided in condition 1 (1) (b) in respect of all or any of his taverns within the area in which the sale of arrack is permitted.

13. (1) *Payment of Rent.*—

The grantee shall pay the purchase money or rent to the Government Agent in twelve equal monthly instalments.

(2) *Due Date of Instalment.*—

The first instalment of the rent shall be deemed to be due and payable on the last day of the month preceding the commencement of the privilege, and succeeding instalments shall be deemed to be severally due and payable on the last day of each succeeding month.

(3) *Interest and Penalty.*—

Interest at the rate of 9 per centum per annum shall be payable in respect of all arrears of rent.

The payment of interest shall not be deemed to prejudice or affect the powers which may be exercised by the Government Agent under section 53 of the Ordinance in any case in which the licence issued to the grantee is liable to be cancelled under section 26.

14. (1) *Payments not valid without Kachcheri Receipt.*—

No payment of any sum due by the grantee to the Crown shall be deemed to have been duly made, unless the grantee produces a Kachcheri receipt in respect thereof.

(2) *Money left with Officers not reckoned as Money paid.*—

No money which, for his own convenience, the grantee may think fit to leave in the hands of any Shroff or any other officer of any Kachcheri shall be deemed to be money paid under this contract.

15. *Limit of Sale and Transport of Arrack, if allowed.—*

The limit of sale by retail of arrack in bulk only, if allowed under condition 1 (1) (b) above, with respect to the whole Island and as regards purchasers generally, shall be one-third of an imperial gallon, and no arrack in excess of that quantity may be removed at any one time from the tavern by any person without a valid permit or pass.

16. (1) *Purchase of Arrack, if Sale of Arrack allowed.—*

If a licence to sell arrack in bulk only by retail has been granted by the Excise Commissioner, under condition 1 (1) (b) above, the grantee shall buy all such arrack—

- (a) only in bulk ;
- (b) only from the arrack tavern or any arrack tavern in the group of arrack taverns to which his foreign liquor tavern is assigned ;
- (c) at a price to be mutually agreed upon between the grantee and the renter of the said arrack tavern ;
- (d) in quantities not less than the quantity specified in the licence ;
- (e) only on a valid transport pass issued by the Superintendent of Excise.
- (f) subject to the provisions of conditions 16 and 12 of forms—Excise A. (F. L.) 1 and 2 respectively published by Excise Notification No. 328 in *Gazette* No. 8,362 of April 1, 1938.

Provided, however, that the renter of the said arrack tavern may at any time and for any reason whatsoever refuse at his sole discretion to supply arrack to the grantee.

(2) *Supervisory Rights of Renter of Arrack Tavern.—*

Where a renter of an arrack tavern so supplies arrack to the grantee, such renter will, for the protection of his own exclusive privilege of sale of arrack, have the supervisory rights provided for in the conditions of the licence form Excise A. (F. L.) 1.

17. *Grantee to account for all Foreign Liquor and Arrack ; Wastage Allowance.—*

The grantee shall account for all foreign liquor and arrack purchased by him from time to time. The allowance made on account of wastage for all kinds of foreign spirits and arrack stocked in bulk, will in no circumstances exceed two per centum of the total quantity purchased since the last date of stock-taking.

18. *Grantee responsible for Agent's Acts.—*

The grantee shall be responsible for all acts of his agents or employees in relation to the privilege.

19. *Non-transferability of Privilege.—*

The privilege shall not be transferable otherwise than with the sanction of the Excise Commissioner first had and obtained.

20. (1) (a) *Cancellation of Licences and Privilege for Non-payment of Rent, &c.—*

If any instalment or part of any instalment of the purchase money or rent, or any duty, fee, or other sum due to the Crown from the grantee, in respect of the grant or of the licence issued to him, remains unpaid after the date on which it becomes due and payable, the grantee shall be deemed to have committed a breach of these conditions and of the conditions of the licence issued to him, and the Government Agent shall accordingly have power without further process of law, either (i.) to suspend or cancel the licence or licences to the grantee in pursuance of the provisions of section 26 of the Excise Ordinance, No. 8 of 1912, or (ii.) to take the licence or grant under management at the risk of the grantee, or to declare the licence or grant forfeited and reissue or resell it at the risk and loss of the grantee in pursuance of the provisions of section 30 of the said Ordinance.

This condition does not in any way affect the Government Agent's powers to confiscate the security deposit in pursuance of the provisions of conditions 9 above.

(b) *Intimation or Notice of Cancellation, &c.—*

Intimation of any order of suspension or cancellation, under the said section 26, or the statutory notice or order under the said section 30 may be served personally on the grantee, or addressed under registered cover to the post office or postal address elected and signified under condition 9 (4), and duly posted, as the Government Agent thinks fit.

(c) Where the foreign liquor licence is so cancelled, the Excise Commissioner shall have power to cancel the arrack licence also, after the like notice served in like manner.

(2) *Regrant of Privilege between Cancellation and Resale.—*

In the event of the cancellation of the foreign liquor licence, the Government Agent shall have power to grant the privilege of the sale of foreign liquor to any person approved by him for any period intervening between such cancellation and the resale of the privilege for the sale of foreign liquor, and for this purpose he may issue to such approved person a temporary licence upon such terms as he may think fit.

The Excise Commissioner may in such case issue, if he thinks fit, the arrack licence referred to in condition 1 (1) (b) to such approved person if any such arrack licence had been issued to the holder of the foreign liquor tavern licence which is cancelled.

(3) *No Remission of Rent.—*

No remission of the rent payable in respect of the privilege will be granted on any plea of the grantee's having overestimated the value of any tavern or on any other ground.

(4) *No Compensation for Losses.—*

The grantee shall not have or make any claim to any reduction, or to the remission, of any sum due and owing by him to the Crown by reason of any loss alleged to have been sustained by him—

- (a) whether on account of any closing of the tavern or taverns during the passage of troops, or during the encampment of troops in the vicinity of the tavern or taverns, or during the holding of any poll ; or
- (b) whether on account of the opening of any new arrack or toddy tavern, or estate canteen for arrack or toddy or foreign liquor, or premises licensed for the sale of country liquor or of foreign liquor under any class or kind of foreign liquor licence other than a foreign liquor tavern licence after the sale of the privilege under these conditions ; or
- (c) whether on account of the manufacture and drawing of fermented toddy on special licences issued by the Assistant Commissioner for *bona fide* domestic consumption on medical grounds, and not for sale ; or
- (d) whether on account of the manufacture and drawing of fermented toddy within the area or areas of the privilege hereby granted for supply to licensed manufactories in which toddy is used in the process of manufacture ; or
- (e) whether on account of the refusal of the Excise Commissioner to issue special arrack licences in terms of condition 1 (1) (b) above ; or
- (f) whether on account of the issue of any Occasional or Special licences, described in paragraphs 14 and 16 of Excise Notification No. 218 published in *Gazette* No. 7,845 of April 17, 1931, for the sale of foreign liquor ; or
- (g) through any other cause whatsoever.

21. *Termination of Privilege.*—

The privilege shall terminate on (a) the expiry of the term for which it is granted, (b) the death of the grantee, or (c) a breach of any of the conditions governing it.

GOVERNMENT OF CEYLON.

Excise F. L. 26

FOREIGN LIQUOR TAVERN RENT TENDER FORM.

(Condition 3.)

Tenders for the purchase of the exclusive privilege of selling foreign liquor by retail under a tavern licence within the local area/areas of _____ in the _____ District.

To the Government Agent _____.

I/We, the undersigned, hereby tender the sum of Rs. _____ only for the purchase of the exclusive privilege of selling foreign liquor by retail under a tavern licence within the above-mentioned local area/areas for the period of one year from October 1, _____, to September 30, _____, in accordance with your advertisement dated _____.

I/We have deposited the sum of Rs. _____ only in the General Treasury/_____ Kachcheri, and subjoin hereto receipt No. _____, dated _____ in respect thereof.

Witnesses :

- (1) _____.
- (2) _____.

Signature : _____.
Address : _____.

Reverse Side of Tender Form.

Notes.

1. A deposit receipt for Rs. _____ is to be annexed to this tender. No tender unaccompanied by a deposit receipt will be accepted. The deposit of Rs. _____ will, subject to the provisions of foreign liquor taverns rent sale condition No. 10 be refunded.

2. This form must be enclosed in a sealed envelope bearing on its left hand top corner the name and number of the foreign liquor tavern concerned, and must be deposited in the Kachcheri tender box or handed to the Government Agent, or to the Office Assistant, or posted by registered post in time for delivery at the Kachcheri before the time fixed for closing tenders.

3. A separate form must be used in respect of each tavern, or when taverns are sold in groups, for each such group.

AGREEMENT.

(Condition 9 (1) (a).)

I/We _____ of _____ and _____ do hereby acknowledge that I/we have this day been granted the hereinbefore mentioned exclusive privilege for the sum of Rs. _____ on the conditions set forth above, and I/we do hereby bind myself/ourselves to perform the said conditions.

Witnesses : _____.

Grantee(s) : _____.

I hereby acknowledge receipt of the sum of Rs. _____ paid by _____ and _____ as security deposit under condition 9 (1) (a) of these conditions.

Government Agent.

ADDRESS FOR NOTICES.

(Condition 9 (4).)

I/We, the undersigned, do hereby as required by condition 9 (4) appoint the under-mentioned Post Office/postal address as the Post Office/postal address to which all notices and processes whatever in connection with the hereinbefore mentioned privilege may be addressed and posted to me/us under registered cover.

Witnesses : _____.

Grantee(s) : _____.

L. D.—B 42/38
E. C.—L.—F 20

THE EXCISE ORDINANCE, No. 8 OF 1912.

Form of Foreign Liquor Tavern Licence.

(As published in the "Gazette" No. 8,369 of May 20, 1938.)

It is hereby notified for general information that with effect from October 1, 1938, the Foreign Liquor Tavern Licence will be in the form prescribed by Excise Notification No. 319 published in the *Supplement to Gazette* No. 8,291 of May 21, 1937, and reproduced in the schedule hereto.

The Ministry of Home Affairs,
Colombo, May 5, 1938.

D. B. JAYATILAKA,
Minister for Home Affairs.

SCHEDULE.

Excise F. L. 5

Serial No. and Machine No. _____.

Fee : Rs. _____.
Hour of opening : _____.
Hour of closing : _____.

TAVERN LICENCE FOR THE SALE OF FOREIGN LIQUOR (INCLUDING LOCALLY-MADE MALT LIQUOR)
TO BE CONSUMED ON THE PREMISES

_____ of _____ is hereby licensed under the provisions of the Excise Ordinance, No. 8 of 1912, to sell potable foreign liquor (including locally-made malt liquor) by retail under a tavern licence at the premises more fully described below during the official year ending September 30, 19____, subject to—

- (a) the General Conditions for the time being in force and applicable to all Excise licences,
- (b) the Foreign Liquor Tavern Rent Sale Conditions, under which the exclusive privilege of selling foreign liquor by retail under a tavern licence at the said premises was granted, and which the said licensee(s) by agreement bound himself/themselves to observe, and
- (c) the following special conditions applicable to this licence :—

1. The licence extends only to the sale of potable foreign liquor (including locally-made malt liquor) to be consumed on the premises and to sale to any person at a time up to one reputed quart for removal from the premises.

2. No foreign spirits shall be sold or exposed for sale or kept in premises licensed for the sale of foreign liquor in sealed receptacles containing less than one-fourteenth part of a gallon.

3. The licensee is prohibited from rectifying spirits by purifying, colouring, or flavouring, or mixing any material therewith.

4. If the liquor has been flavoured and/or coloured locally the printed label shall show in addition to the requirements in Excise Notification No. 176 published in the *Government Gazette* No. 7,645 of June 1, 1928, the fact that the liquor was flavoured and/or coloured in Ceylon. All receptacles containing beer, ale, stout, and porter manufactured in Ceylon shall be labelled or branded with the words "Manufactured in Ceylon".

5. Whenever the Excise Commissioner shall publish by notification in the *Government Gazette* that only certain brands of spirits have been approved by him, the licensee shall after a date which will be notified in this behalf sell, keep for sale, or bring to account in the record of daily transactions no liquor of a brand other than liquor of brands so approved.

6. No spirits of a strength higher than 20 degrees under London Proof or lower than 35 degrees under London Proof shall be sold or exposed for sale. Provided that the Excise Commissioner may by notification exempt from the operation of either limit of strength such brands of liqueur brandy and whisky as he deems fit for exemption by reason of their maturity and superior quality.

7. The licensee shall sell potable foreign liquor (including locally-made malt liquor) between the hours of 8 A.M. and — P.M. and at no other time.

8. No foreign spirits shall be sold at a lower price than at the rate of Rs. 18 per gallon.

9. The transfer of any interest in the business covered by this licence, or any agreement with regard to the business with a third party unconcerned in it is prohibited, except with the sanction of the licensing authority, provided that such prohibition does not extend to an agreement for the employment of any person at fixed rates of pay in cash.

Dated the _____ day of _____, 19—.
_____ Kachcheri.

Government Agent.

Name of Salesman : _____.

Serial No. and Machine No. _____.

Fee : Rs. _____.

TAVERN LICENCE FOR THE SALE OF FOREIGN LIQUOR (INCLUDING LOCALLY-MADE MALT LIQUOR)
TO BE CONSUMED ON THE PREMISES.

Name of licensee : _____.

Stamp of 50 cents.

Description of licensed premises : _____.

Date of issue : _____.

Date of expiry : _____.
_____ Kachcheri.

Government Agent.

Counterpart Agreement.

I/We _____ the afore-mentioned licensee(s) for myself/ourselves, hereby agree with the Government Agent that I/we will well and truly observe and perform the terms and conditions contained in the licence (of which this is a counterfoil) to sell potable foreign liquor (including locally-made malt liquor) by retail under a tavern licence at the premises more fully described above during the official year ending September 30, 193—, subject to the following conditions to be observed by me/us the said licensee(s), viz.

- (a) the General Conditions for the time being in force and applicable to all Excise licences,
- (b) the Foreign Liquor Tavern Rent Sale Conditions, under which the exclusive privilege of selling foreign liquor by retail under a tavern licence at the said premises was granted, and which the said licensee(s) by agreement bound himself/themselves to observe, and
- (c) the following special conditions applicable to this licence :—

1. The licence extends only to the sale of potable foreign liquor (including locally-made malt liquor) to be consumed on the premises and to sale to any person at a time up to one reputed quart for removal from the premises.

2. No foreign spirits shall be sold or exposed for sale or kept in premises licensed for the sale of foreign liquor in sealed receptacles containing less than one-fourteenth part of a gallon.

3. The licensee is prohibited from rectifying spirits by purifying, colouring, or flavouring, or mixing any material therewith.

4. If the liquor has been flavoured and/or coloured locally the printed label shall show in addition to the requirements in Excise Notification No. 176 published in the *Government Gazette* No. 7,645 of June 1, 1928, the fact that the liquor was flavoured and/or coloured in Ceylon. All receptacles containing beer, ale, stout, and porter manufactured in Ceylon shall be labelled or branded with the words "Manufactured in Ceylon".

5. Whenever the Excise Commissioner shall publish by notification in the *Government Gazette* that only certain brands of spirits have been approved by him, the licensee shall after a date which will be notified in this behalf sell, keep for sale, or bring to account in the record of daily transactions no liquor of a brand other than liquor of brands so approved.

6. No spirits of a strength higher than 20 degrees under London Proof or lower than 35 degrees under London Proof shall be sold or exposed for sale. Provided that the Excise Commissioner may by notification exempt from the operation of either limit of strength such brands of liqueur brandy and whisky as he deems fit for exemption by reason of their maturity and superior quality.

7. The licensee shall sell potable foreign liquor (including locally-made malt liquor) between the hours of 8 A.M. and — P.M. and at no other time.

8. No foreign spirits shall be sold at a lower price than at the rate of Rs. 18 per gallon.

9. The transfer of any interest in the business covered by this licence, or any agreement with regard to the business with a third party unconcerned in it is prohibited, except with the sanction of the licensing authority, provided that such prohibition does not extend to an agreement for the employment of any person at fixed rates of pay in cash.

Dated the _____ day of _____, 19—.

Signature : _____.
Witnesses : _____.

ARRACK TAVERNS, 1938-39.

The following is the list of sanctioned arrack taverns for the period October 1, 1938, to September 30, 1939. The Government reserves the right to withdraw any of these from sale.

Colombo, May 21, 1938.

S. H. WADIA,
Excise Commissioner.

		Colombo Municipality.	
No.	Division.	Local Area.	
1	No. 11, Pettah Ward (Front street)	.. Bounded on the north by Main street, on the east by First Cross street, on the south by Norris road, and on the west by Front street	
2	No. 11, Pettah Ward (Fourth Cross street)	.. Bounded on the north by the south side of Main street, on the east by Fourth Cross street, on the south by Norris road, and on the west by Second Cross street	
3	No. 11, Pettah Ward (St. John's road)	.. Bounded on the north by Reclamation road, on the east by St. John's street, on the south by north side of Main street, and on the west by First Cross street	
4	No. 12, St. Sebastian Ward (Dam street)	.. Bounded on the north by Dam street, on the east by St. Sebastian street, on the south by St. Sebastian hill, and on the west by Saunder's place and Cramer's lane	
5	No. 16, St. Paul's South Ward (Chekku street)	Bounded on the north by south side of Gintupitiya street, on the east by Hill street and Kuruwe street, on the south by New Moor street to its junction with Dam street and thence by Dam street up to Kayman's gate, and on the west by Chekku street	
6	No. 16, St. Paul's South Ward (Sea street)	.. Bounded on the north by south side of Jampettah street, on the east by Hill street, on the south by north side of Gintupitiya street, up to Sea street, Sea street and Cross road to Seashore street, and on the west by Seashore street and Kochchikade street	
7	No. 18, Kotahena Ward (Kotahena)	.. Bounded on the north by Cemetery street, on the east by Kotahena street, on the south by Pickerings's road, and on the west by eastern side of Santiago street	
8	No. 18, Kotahena Ward (Korteboam street)	.. Bounded on the north by Alutmawata road and College street, on the east by western side of Santiago street, on the south by Pickering's road, and on the west by Korteboam street	
9	No. 20, Modera Ward (Madampitiya)	.. Bounded on the north by Madampitiya road to its junction with Victoria Bridge street thence by Victoria Bridge street and Kelania river, on the east by Urugodawatta canal, on the south and west by Cemetery road	
10	No. 19, Mutwal Ward (Mutwal street)	.. Bounded on the north by Madampitiya road, on the east by Alutmawata road, on the south by Fisher's quarters, and on the west by Fishers' hill and Mutwal street	
11	No. 20, Modera Ward (Ferguson's road)	.. Bounded on the north, east, and west by Kelani river and on south by Madampitiya road and Victoria Bridge street	
12	No. 7, Slave Island North Ward (Malay street)	In or near Malay street at a place not included in any other rent area	
13	No. 4, Kollupitiya Ward (Barandeniya)	.. In or near Galle road between the 1st and 2nd mileposts at a place not included in any other rent area herein described	
14	No. 4, Kollupitiya Ward (Kollupitiya)	.. In or near Galle road between the 2nd and 3rd mileposts at a place not included in any other rent area herein described.	

Colombo District (outside Municipality).

No.	Division.	Local Area.
		Within the village of—
15	Salpiti korale	.. Digarolla
16	Alutkuru korale south	.. Uswetakeiyawa
17	Do.	.. Kanuwana
18	Do.	.. Bopitiya
19	Do.	.. Keragahapokuna
20	Do.	.. Kandana
21	Do.	.. Weligampitiya
22	Do.	.. Dandugama
23	Do.	.. Timbirigasyaya
24	Siyane west	korale Karagahamuna, Pahala

Negombo District.

No.	Division.	Local Area.
		Within the village of—
25	Alutkuru north	korale Hennulla
26	Do.	.. Etgala
27	Do.	.. Kandewala
28	Do.	.. Daluokotuwa
29	Do.	.. Kochchikade
30	Do.	.. Katunayaka
31	Do.	.. Siduwa
32	Do.	.. Udayartoppu
33	Do.	.. Bolawalana
34	Do.	.. Kudapaduwa
35	Do.	.. Kurana
36	Do.	.. Periyamulla
37	Do.	.. Pitipana
38	Do.	.. Kepungoda

Kalutara District.

No.	Division.	Local Area.
		Within the village of—
1	Kalutara mune	tota- Kalamulla
2	Do.	.. Diyalagoda
3	Panadure mune	tota- Walapalapattiya (Panadure Urban District Council area)
4	Do.	.. Nalluruwa
		<i>Estate Canteens.</i>
5	Halwatura estate canteen	44
6	Neuchatel estate canteen (sanctioned, but will not be opened during rent year)	

Kandy District.

No.	Division.	Local Area.
1	Kandy Municipality	Colombo street
2	Do.	.. Katukele
		Within the village of—
3	Udawalata	.. Wahugopitiya
		Within the town of—
4	Do.	.. Pussellawa
5	Uda Bulatgama	.. Hatton
6	Do.	.. Kotiyagala
		Within the village of—
7	Do.	.. Hardenhuish
8	Do.	.. Maskeliya
9	Pata Dumbara	.. Within Hulu-ganga Bazaar
		<i>Estate Canteens.</i>
10	Galamudena Group estate canteen	56
11	Pooprassie estate canteen	
12	Craighead Estate canteen (sanctioned but will not be opened during rent year)	

No.	Division.	Local Area.	No.	Division.	Local Area.
10*	No. 19, Mutwal Ward (Alutmawata road tavern)	Bounded on the north by Madampitiya road, on the east by Alutmawata road, on the south by Fishers' quarters, on the west by Fishers' hill and Modera street	12	No. 4, Kollupitiya Ward (Kollupitiya tavern)	In or near Galle road between 1st and 2nd mileposts at a place not included in any other rent area herein described
11	No. 20, Modera Ward (Ferguson road tavern)	Bounded on the north, east, and west by Kelani river, on the south by Madampitiya road and Victoria bridge street	13	No. 7, Slave Island North Ward (Malay street tavern)	In or near Malay street at a place not included in any other rent area

* This tavern should be sited for 1938-39 within the local area allotted to it and only in the following streets with the limitations shown below:—

- (1) Anywhere on either side of the Upper St. Andrew's road;
- (2) On either side of the roads known as Fisher's hill and as Modera street or Mutwal street within the local area, provided that the building is not within 33 feet of the side drains of the roads;
- (3) Anywhere in St. James street within the boundaries of the local area;
- (4) On either side of that portion of Alutmawatta road lying between Elie lane and Lower St. Andrew's road, provided that the building is not within 33 feet of the side drains of the road.

Negombo District.

No.	Division.	Local Area.
		Within the village of—
14	Otara East	.. Bambukuliya
15	Do.	.. Etgala
16	Do.	.. Delgashandiya
17	Otara West	.. Dalupota
18	Do.	.. Palangature
19	Do.	.. Porutota
20	Do.	.. Koehchikade
21	Godakahapalata	.. Demanhandiya
22	Andiambalam palata	.. Katunayaka
23	Do.	.. Mukalangamuwa
24	Town of Negombo	.. Kurana
25	Do.	.. Bolawalana
26	Do.	.. Kamachchoda
27	Do.	.. Udayartoppuwa
28	Talahena palata	.. Pitipana
29	Do.	.. Settapaduwa
30	Do.	.. Basiyawatta
31	Hendala	.. Uswetakeiyawa
32	Do.	.. Timbirigasyaya
33	Do.	.. Mahawatta
34	Kandana	.. Kandana
35	Do.	.. Weligampitiya
36	Hendala	.. Bopitiya
37	Kandana	.. Kanuwana
38	Dandugama	.. Dandugama

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Nuwara Eliya District.

No.	Division.	Local Area.
		Within the village of—
1	Kotmale	.. Kadadorapitiya
2	Do.	.. Otalawa
3	Do.	.. Metagama
4	Do.	.. Katukitula
		Within the Sanitary Board town of—
5	Udahewaheta	.. Padiyapelella
6	Walapane	.. Within the village of Harasbedda

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Matale District.

No.	Division.	Local Area.
		Within the town of—
1	Matale South	.. Kawdupellella

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Jaffna District.

The several gardens, or booths (if any) licensed for sale of toddy under the Tree Tax System in this district.

Mannar District.

No.	Division.	Local Area.
		Within the village of—
1	Mannar Island	.. Parankitoddan
2	Do.	.. Malivadi
3	Do.	.. Konarponnai

Within the town of—

4	Do.	.. Pesalai
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Within the village of—

5	Do.	.. Kaddukkarankudiyiruppu
6	Do.	.. Talaimannar
7	Mantai	.. Uyilankulam
8	Do.	.. Sirunavetkulam
9	Do.	.. Chettukkulam
10	Do.	.. Kaddadiyaval
11	Musali	.. Arippu
12	Do.	.. Vankalai
13	Do.	.. Ollimadu

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Mullaitivu District.

No.	Division.	Local Area.
1	Maritime pattus	.. Vadduvakallu
2	Do.	.. Valayanmadam†
3	Do.	.. Putumattalan
4	Do.	.. Puthukkudiyiruppu
5	Do.	.. Vattapalai
6	Do.	.. Alampil†
7	Do.	.. Chilawattai
8	Vavuniya South	.. Vavuniya
9	Vavuniya North	.. Kachchilamadu
10	Do.	.. Kanagarayankulam†
11	Do.	.. Kurisuddakulam†

† Open from March 1 to September 30, only.

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Kalutara District.

No.	Division.	Local Area.
1	Kalutara totamune	.. Within the town of Alutgama

Estate Canteens.

2	Halwatura estate canteen	
3	Neuchatel estate canteen	41

Kandy District.

No.	Division.	Local Area.
		Within the village of—
1	Uda Bulatgama	Bowwagama-Imbulpitiya, between Bowwagama bridge and the turn to Hynford estate on the Nawalapitiya-Kotmale road
2	Uda Palata	.. Bowatura
3	Do.	.. Wahugepitiya
4	Do.	.. Within the town of Pussellawa
5	Uda Palata	.. Uduwella
6	Pata Hewaheta	.. Within the Gurudeniya wasama

Within the village of—

7	Pata Dumbara	.. Dikirimadawala
8	Do.	.. Gunnepana Udagammedda
9	Do.	.. Gonawela
10	Do.	.. Dambarawa
11	Do.	.. Hulu-ganga Bazaar
12	Kandy Municipality	.. Watapaluwa and Katugastota

Estate Canteens.

13	Gallamudena estate canteen	
14	Craighead estate canteen (sanctioned but will not be opened during rent year)	55

Batticaloa District.

No.	Division.	Local Area.
		Within the village of—
1 ..	Eraur koralai pattu	Arumugattankudyiruppu
2 ..	Manmunaipattu north	Chatturukondan
3 ..	Do.	.. Koddaimunai
4 ..	Do.	.. Arapattai
5 ..	Do.	.. Puthukudiyirippu
6 ..	Manmunaipattu south	Mankadu
7 ..	Eruvil Porativu pattu	Koddaikallar
8 ..	Karavaku pattu	.. Kalmunai*
9 ..	Do.	.. Karativu

* The tavern should be situated within the village of Kalmunai.

Trincomalee District.

No.	Division.	Local Area.
1 ..	Trincomalee town	.. Division No. 4
2 ..	Do.	.. Division No. 11
3 ..	Do.	.. Sampattivu
4 ..	Kaddukulampattu	.. Nilaveli
5 ..	Tampalagamampattu	Tekiluttu
6 ..	Do.	.. Sinnakinniya
7 ..	Do.	.. Kuddampuli
8 ..	Koddiyarpattu	.. Mutur

Kurunegala District.

No.	Division.	Local Area.
		Within the village of—
1 ..	Katugampolahatpattu	Karaula
2 ..	Weudawili hatpattu	Katupitiya
3 ..	Do.	.. Kitulwala

Estate Canteen.

4 ..	Do.	.. Nottingham Hill Group
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Puttalam District.

No.	Division.	Local Area.
1 ..	Puttalam Gravets	Within Chenaikudyiruppu
		Within the village of—
2 ..	Puttalam pattu	Daluwa
3 ..	Do.	.. Madurankuli
4 ..	Do.	.. Mukkuwa Toduwa
5 ..	Do.	.. Mundel
6 ..	Kalpitiya	.. Etalai
	Division	
		Within the town of—
7 ..	Do.	.. Kalpitiya

Chilaw District.

No.	Division.	Local Area.
		Within Southern Ward—
8 ..	Pitigal korale north, Chilaw.	Chilaw town
		Within Northern Ward—
9 ..	Do.	.. Chilaw town
		Within the village of—
10 ..	Do.	.. Karukkuponai
11 ..	Do.	.. Arachchikattuwa
12 ..	Do.	.. Battulu-oya
		Within the town of—
13 ..	Do.	.. Udappu
		Within the village of—
14 ..	Do.	.. Pambala
15 ..	Do.	.. Olidaluwa
16 ..	Pitigal korale south	.. Tabbowa
17 ..	Do.	.. Mudukatuwa
18 ..	Do.	.. Adapparagama
19 ..	Do.	.. Mattakotuwa
20 ..	Do.	.. Toduwawa
21 ..	Do.	.. Lunuwila
22 ..	Do.	.. Tambarawila
23 ..	Do.	.. Nanjundankara
24 ..	Do.	.. Waikkal
25 ..	Do.	.. Mirissankotuwa
26 ..	Do.	.. Wennappuwa
27 ..	Do.	.. Dummaladeniya
28 ..	Do.	.. Ulhitiyawa
29 ..	Do.	.. Katuneriya

Anuradhapura District.

No.	Division.	Local Area.
1 ..	U. D. C. area	Within the town of Anuradhapura

Badulla District.

No.	Division.	Local Area.
		Within the town of—
1 ..	Yatikinda	.. Badulla
		Within the village of—
2 ..	Do.	.. Bulatwatta
3 ..	Do.	.. Wewelhenaa
4 ..	Do.	.. Vedigime
5 ..	Do.	.. Jangulla
6 ..	Do.	.. Ketawela
7 ..	Do.	.. Bambararama
8 ..	Do.	.. Udakumbalwela
		Within the town of—
9 ..	Do.	.. Lumugala
10 ..	Do.	.. Yapamma
		Within the village of—
11 ..	Udukinda	.. Kahattewela
12 ..	Buttala	.. Batugammana
13 ..	Do.	.. Dewatura
14 ..	Do.	.. Pallawaradola

Estate Canteens.

15 ..	El Teb Group estate canteen	
16 ..	Poonagalla Group estate canteen	No. 1
17 ..	Do.	No. 2
18 ..	Attampettia estate canteen	
19 ..	Mahadova Group estate canteen	

Ratnapura District.

No.	Division.	Local Area.
		Within the village of—
1 ..	Nawadun korale	.. Kadurugawatta
2 ..	Kolonna korale	.. Uluinduwawa
		Within the Sanitary Board town of—
3 ..	Meda korale	.. Balangoda
		Within the village of—
4 ..	Kadawata korale	.. Pinnawala
5 ..	Do.	.. Morahela

Estate Canteens.

6 ..	Galatura Estate	
7 ..	Hapugastenne Group	No. 1
8 ..	Do.	No. 2
9 ..	Lellopitiya estate canteen	
10 ..	Wikiliya estate canteen	
11 ..	Rassagala estate canteen	

Opening and Closing Hours of Arrack Taverns, 1938-39

The following is the list of opening and closing hours of arrack taverns during the rent period October 1, 1938, to September 30, 1939, in terms of General Condition No. 6. The opening and closing hours of estate canteens are fixed by the Superintendent of the estate concerned.

		S. H. WADIA, Excise Commissioner.	
Colombo, May 21, 1938.		Hour of Opening.	Hour of Closing.
District.	Arrack Taverns.	A.M.	P.M.
Colombo Municipality	All taverns..	8.0	7.0
Colombo District	All taverns except Digarolla..	8.0	7.0
Negombo	.. All taverns ..	8.0	7.0
Colombo District	Digarolla ..	8.0	8.0
Kalutara	{ Nos. 3 and 4	8.0	7.0
	{ Nos. 1 and 2	8.0	8.0
Kandy	{ Nos. 1 and 2 within the Kandy Municipality	8.0	7.30
	{ Hatton ..	8.0	7.30
	All other taverns	8.0	7.0
Nuwara Eliya..	All taverns..	8.0	6.30
Matale	.. Tavern ..	8.0	7.0
Galle	.. Katugoda Tavern No. 1	8.0	7.0
	.. Heonatigala Tavern No. 2	8.0	7.0
Jaffna	{ Tavern No. 8	8.0	8.0
	{ Taverns Nos. 4 & 5	8.0	6.30
	All other taverns	8.0	7.0
Mannar	.. All Taverns..	8.0	7.30
Mullaivittu	.. Tavern No. 1	8.0	8.0
	.. Tavern No. 2	8.0	6.30
	.. Tavern No. 3	8.0	7.0
Batticaloa	.. All taverns..	8.0	7.0
Trincomalee	.. Taverns Nos. 1 and 2 within the Urban District Council limits of Trincomalee	8.0	7.0
	All other taverns	8.0	6.30

District.	Arrack Taverns.	Hour of Opening. A.M.	Hour of Closing. P.M.	District.	Toddy Taverns.	Hour of Opening. A.M.	Hour of Closing. P.M.
Kurunegala	.. All taverns	.. 8. 0	.. 7. 0	Colombo	.. Taverns within the Municipal area	.. 7. 0	.. 7. 0
Puttalam	.. No. 1 Chenaikudirippu	.. 8. 0	.. 7. 30	Do.	.. Taverns within revenue district area	.. 7. 0	.. 7. 0
	.. All other taverns	.. 8. 0	.. 7. 0	Negombo	.. Taverns within the Urban District Council area	.. 7. 0	.. 7. 0
Chilaw	.. Taverns No. 21, Jetty street, and No. 22, Dhobies quarters	.. 8. 0	.. 8. 0	Do.	.. Taverns within revenue district area	.. 7. 0	.. 7. 0
	Nos. 16, 18, 24, 29, 36, 38, 39	.. 8. 0	.. 7. 30	Kalutara	.. Alutgama	.. 7. 0	.. 7. 0
Anuradhapura	.. All taverns	.. 8. 0	.. 7. 0	Kandy	.. Tavern No. 12 within Municipality area	.. 7. 0	.. 7. 30
Badulla	.. Badulla	.. 8. 0	.. 7. 30		.. All other taverns	.. 7. 30	.. 7. 0
	.. Haputale	.. 8. 0	.. 7. 0	Nuwara Eliya	.. All taverns	.. 8. 0	.. 6. 30
Kegalla	.. Tavern No. 1 (Olagama)	.. 8. 0	.. 9. 0	Matale	.. Tavern	.. 8. 0	.. 7. 0
	.. Tavern No. 2 (Yattagoda)	.. 10. 0	.. 7. 0	Mannar	.. All taverns	.. 8. 0	.. 7. 0
Ratnapura	.. Tavern No. 1 (Balangoda)	.. 8. 0	.. 7. 0	Mullaittivu	.. Taverns Nos. 4, 5, 10 and 11	.. 8. 0	.. 6. 30
	.. Tavern No. 2 (Pinnawala)	.. 8. 0	.. 6. 30		.. Tavern No. 8	.. 8. 0	.. 7. 0
					.. All other taverns	.. 8. 0	.. 8. 0
				Batticaloa	.. All taverns	.. 8. 0	.. 7. 0
				Trincomalee	.. Taverns Nos. 1 and 2 within the Urban District Council area	.. 8. 0	.. 7. 0
					.. All other taverns	.. 8. 0	.. 6. 30
				Kurunegala	.. All taverns	.. 8. 0	.. 6. 30
				Puttalam	.. No 1 Chenaikudirippu	.. 8. 0	.. 7. 30
					.. All other taverns	.. 8. 0	.. 7. 0
				Chilaw	.. Taverns No. 8 Southern Ward and No. 9 Northern Ward, Chilaw	.. 8. 0	.. 8. 0
					Nos. 11, 13, 14, 15, 18, 21, 26, 29	.. 8. 0	.. 7. 30
					.. All other taverns	.. 8. 0	.. 7. 0
				Anuradhapura	.. All taverns	.. 8. 0	.. 7. 0
				Badulla	.. Tavern No. 1 within the Urban District Council area	.. 8. 0	.. 7. 30
					.. All other taverns	.. 8. 0	.. 6. 30
				Ratnapura	.. All taverns	.. 8. 0	.. 6. 30

Opening and Closing Hours of Toddy Taverns, 1938-39.

The following is the list of opening and closing hours of toddy taverns during the rent period July 1, 1938, to June 30, 1939, in the case of the Northern and Eastern Provinces, and October 1, 1938, to September 30, 1939, in the case of all other Provinces, in terms of General Condition No. 6. The opening and closing hours of estate canteens are fixed by the Superintendent of the estate concerned.

Colombo, May 21, 1938. S. H. WADIA,
Excise Commissioner.

FOREIGN LIQUOR TAVERNS, 1938-39.

The following is the list of sanctioned foreign liquor taverns for the year 1938-39.

Colombo, May 21, 1938.

S. H. WADIA,
Excise Commissioner.

Colombo Municipality.

No.	Local Area.	Division.	Hour of Opening.	Hour of Closing.
1.	Baillie street, the western side of York street, Chatham street, and the eastern side of Queen street	Fort Ward (Ward No. 10)		
2.	The area bounded on the north by the southern side of Main street from its junction with First Cross street to its junction with Fourth Cross street; east by the western side of Fourth Cross street from its junction with Main street to its junction with Prince street; south by the northern side of Prince street from its junction with Fourth Cross street to its junction with First Cross street; and west by the eastern side of First Cross street from its junction with Prince street to its junction with Main street	Pettah Ward (Ward No. 11)		
3.	The area bounded on the north by the southern side of Main street from its junction with Fourth Cross street to its junction with Gasworks street; east by the western side of Gasworks street from its junction with Main street to its junction with Norris road; south by the northern side of Norris road between its junction with Gasworks street and Fourth Cross street; and west by the eastern side of Fourth Cross street from its junction with Norris road to its junction with Main street	Pettah Ward (Ward No. 11)		
4.	The area bounded on the north by the southern side of Sea Beach lane from its junction with Reclamation road and Sea Beach road to its junction with Sea street, then the western side of Sea street from its junction with Sea Beach lane to its junction with Beach street; east by the eastern side of Sea street (from the projection of the southern side of Beach street) to its junction with Chekku street, then the western side of Sea street from the Chekku street junction to the junction of Sea street with Main street; south by the northern side of Main street from its junction with Sea street to its junction with St. John's road; and west by eastern side of St. John's road	Pettah Ward (Ward No. 11)	8 A.M.	7 P.M.
5.	Wolfendahl street	St. Paul's Ward South (Ward No. 16)		
6.	Jampettah street from its junction with Kochchikade street to its junction with Green street	St. Paul's Ward North (Ward No. 17)		
7.	Bounded on the north by Madampitiya road, on the east by Alutmawata road, on the south by Lower St. Andrew's lane, and on the west by Fishers' hill and Modera street	Mutwal Ward (Ward No. 19)		
8.	St. Joseph's street from its junction with Layard's Broadway to its junction with Prince of Wales' avenue	Mutwal Ward (Ward No. 19)		

Colombo District (outside Colombo Municipality).

No.	Local Area.	Division.	Hour of Opening.	Hour of Closing.
9.	Portion of Colombo-Galle road within Ward No. 4, Moratuwella	Ward No. 4, Moratuwella, Moratuwa U. D. C. area	8 A.M.	8 P.M.
10.	Within the Sanitary Board town of Peliyagoda	Peliyagoda	8 A.M.	7 P.M.

Negombo District.

11.	Main street, Negombo	Main street Ward No. 2, Negombo U. D. C. area	} 8 A.M.	} 7 P.M.
12.	Green's road, Negombo	Udayartoppuwa Ward No. 8, Negombo U. D. C. area		

Puttalam and Chilaw Districts.

1.	Within Ward No. 2	Chilaw U. D. C. area	} 8 A.M.	} 8 P.M.
2.	Within Ward No. 4	Chilaw U. D. C. area		

Kalutara District.

1.	Within the Sanitary Board town of Horana	Horana	8 A.M.	6 P.M.
2.	Within the Sanitary Board town of Tebuwana	Tebuwana	8 A.M.	7 P.M.
3.	Within the Sanitary Board town of Neboda	Neboda	8 A.M.	7 P.M.

Kandy District.

1.	Trincomalee street, Kandy	Ward No. 3, Kandy Municipality	} 8 A.M.	} 7.30 P.M.
2.	Colombo street, Kandy	Ward No. 4, Kandy Municipality		
3.	The village of Pattiyagama-Udagama	Pata Hewaheta Division in Kandy District	} 8 A.M.	} 6.30 P.M.
4.	Within the Sanitary Board town of Pussellawa	Pussellawa in Uda palata		
5.	Within the Sanitary Board town of Norwood	Norwood in Uda Bulatgama	8 A.M.	6.30 P.M.
6.	Within Dikoya Ward No. 5	Hatton-Dikoya U. D. C. area	} 8 A.M.	} 7.30 P.M.
7.	Within Darrawella Ward No. 6	do.		

Nuwara Eliya District.

1.	New Bazaar street in New Bazaar Ward No. 6	Nuwara Eliya U. D. C. area	} 8 A.M.	} 6.30 P.M.
2.	Within the Sanitary Board town of Pundaluoya	Kotmale		

Badulla District.

1.	Bandarawela U. D. C. area	Bandarawela	8 A.M.	8 P.M.
2.	Lower street, Badulla	Central Ward No. 5, Badulla U. D. C. area	} 8 A.M.	} 7.30 P.M.
3.	Bazaar street, Badulla	do.		

Kegalla District.

1.	Portion of Colombo-Kandy road within Ward No. 4, Olagama	Kegalla U. D. C. area	8 A.M.	9 P.M.
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Batticaloa District.

1.	Within Batticaloa U. D. C. area	Batticaloa	8 A.M.	7 P.M.
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Mannar District.

1.	Within the Sanitary Board town of Mannar	Mannar	8 A.M.	7.30 P.M.
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