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No.1302

AMARAVATI, WEDNESDAY, DECEMBER 7, 2022

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NOTIFICATIONS BY HEADS OF DEPARTMENTS, Etc.
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COMMISSIONER OF PROHIBITION AND EXCISE,
A.P VIJAYAWADA

Cr No. 2199/2022/CPE/E3

Date: 07.12.2022

NOTICE OF e-AUCTION TO GRANT LEASE OF RIGHT TO SELL INDIAN MADE FOREIGN LIQUOR & FOREIGN LIQUOR BY BAR UNDER THE ANDHRA PRADESH EXCISE (LEASE OF RIGHT OF SELLING BY BAR, GRANT AND CONDITIONS OF LICENCE) RULES, 2022.

Read:

1. The Andhra Pradesh Excise (Lease of right of Selling by Bar, Grant and Conditions of Licence) Rules, 2022 (G.O Ms No: 527, Revenue(Excise) Dept. Dt: 13-07-2022
2. G.O Ms No:460, Revenue(Excise) Dept. Dt: 17-06-2022
3. G.O Ms No.533, Revenue(Excise) Dept. Dt: 19-07-2022
4. Memo No. REV01-CPE0POMT/1/2022-Excise, Dt: 19-07-2022

WHEREAS, the lease of right of selling by Bar is to be granted for the lease period from 01-12-2022 to 31-08-2025 and whereas the Commissioner of Prohibition & Excise has fixed the number of Bars to be granted in each of the Urban Local Bodies (ULBs) i.e., Municipal Corporations, Municipalities, Nagar Panchayaths and other places such as Tourism Centers (except places of religious tourism).

I Vivek Yadav, I.A.S., Commissioner of Prohibition and Excise, A.P Vijayawada, in exercise of the powers vested in me under Rules 6, 9 and 15 (C) (1) (I) of the Andhra Pradesh Excise (Lease of right of Selling by Bar, Grant and Conditions of Licence) Rules, 2022 issue the following e-Auction Notice for information of the public and intending bidders who may submit their online bids duly quoting the lease amount offered towards consideration for grant of lease of bar for the lease period mentioned above through **e-auction** as per the Auction schedule detailed below.

The lease of right to sell Indian Made Foreign liquor/ Foreign Liquor by Bar as specified in the list appended to this Notification for the lease period from 01-12-2022 to 31-08-2025 shall be auctioned through Online bids only. The following is the schedule for enrollment, Bidding and Acceptance of Bids.

Process		Date and time of commencement	Date and time of Closure
Online Enrolment by the applicant along with payment of online processing fee		07-12-2022, 10:00 AM	12-12-2022, 5:00 PM
Payment of non-refundable application fee		07-12-2022, 10:00 AM	13-12-2022, 5:00 PM
Scrutiny of Applications		13-12-2022	13-12-2022
e-Auction cum drawl of lots (Bidding)	All the Districts	14-12-2022, 9:00 AM	14-12-2022, 12:00 Noon
e-Auction cum drawl of lots (Revised Bidding for Bids below 90% of H1 for undisposed Bars) Refer Rule 15(C)(j)	All the Districts	14-12-2022, 3:00 PM	14-12-2022, 5:00 PM

The terms and conditions governing the e-auction and details of the leases to be granted are appended here with.

VIVEK YADAV,
Commissioner of Prohibition & Excise,
A.P. Vijayawada.

TERMS AND CONDITIONS GOVERNING THE e-AUCTION OF BARS**Grant of Lease of Right to sell Indian Made Foreign Liquor & Foreign Liquor by Bar:-**

Subject to the provisions of the Andhra Pradesh Excise (Lease of right of Selling by Bar, Grant and Conditions of Licence) Rules, 2022(2022 Rules), the grant of lease of right to sell Indian Made Foreign Liquor & Foreign Liquor by bar shall ordinarily be granted through e- auction by inviting online bids from public after due notification.

2. Persons not eligible to participate in Auction:-

The following persons shall not be eligible to participate in Auction:-

- (i) Persons below the age of twenty one years,
- (ii) Persons who are undischarged insolvents or who have been convicted of offences under the provisions of the AP Excise Act, 1968, AP Prohibition Act, 1995 or the Customs Act, 1962 or Narcotics Drugs and Psychotropic Substances Act, 1985 (Central Act 61 of 1985) or convicted under Andhra Pradesh intoxicating liquors (Prohibition of Advertisements) Act, 1978 or convicted of non-bailable offences or are habitual offenders.
- (iii) Defaulters in the payment of excise revenue to the Government.

3. Benami Bids not allowed :

No persons shall submit bid on behalf of any other person unless he holds a power of attorney from such person.

4. Officers authorised to conduct auction:

The collector shall be the auctioning authority and may in his discretion authorize the Joint collector, DRO or any other officer not below the rank of Deputy Collector to conduct auction and accept Bids.

5. Upset Price and Lease amount:

- 1) The notified non-refundable registration charge as per population slab shall be the upset price for the auction of the privilege of bar in respect of the Urban Local Body(ULB) and the extended ULB limits as defined in Rule 4 of 2022 Rules and other place such as Tourism Center (except places of religious tourism).
- 2) "Lease amount" means the bid amount quoted by the bidder which includes the applicable non-refundable registration charge and is payable every year.
- 3) Lease amount per annum shall be offered in the form of bids on the date and time notified for auction.
- 4) The bidder shall quote the Lease amount in the manner as per this notification.

6. Auction of Bars:-

- 1) The right to sell Indian Made Foreign Liquor & Foreign Liquor by Bar shall ordinarily be auctioned by inviting online bids for all the bars proposed in a ULB and the extended ULB limits as defined in Rule 4 of 2022 Rules and other place such as Tourism Center (except places of religious tourism).
- 2) The Commissioner may withdraw any bar from the auction before the auction is commenced.
- 3) The auctioning authority may, for sufficient cause, adjourn the auction or postpone the date of auction or cancel the auction of a bar as may be necessary.

Provided that, the auctioning authority, for the reasons to be recorded in writing, may advance the date of auction which is postponed under sub-rule (3), subject to the condition that the number of days between date of notification and the date of such advanced auction shall not be less than 5 days.

7. Submission and Finalization of Bids:-

(A) Enrollment and Registration :

- (1) The applicant / bidder shall enroll himself in the portal by filling Form- E1 (system generated).
- (2) He shall also register in Form – R1 (system generated) choosing the Municipal Corporation, Municipality, Nagar Panchayath and other place such as Tourism Center (except places of religious tourism) for which he intends to participate in the e-auction process for lease of Bar(s).
- (3) He shall pay the online processing fee as mentioned in this notification.
- (4) In case the applicant / bidder intends to participate in the e-auction for more than one Bar in one or more local bodies, he shall register himself for each Bar separately by paying the notified online processing fee.

(B) Submission of application :

- (1) The applicant shall pay the non-refundable application fee for each Bar separately for which he intends to participate in the e-auction process. The details of non-refundable application fees are in the table given below.

Population	Non-refundable Application fee
Upto 50,000	Rs.5.00 Lakhs
50,001 to 5,00,000	Rs.7.50 Lakhs
Above 5,00,000	Rs.10.00 Lakhs

- (2) The applicant has to submit /upload following prescribed documents:

- a. Challan towards non-refundable application fee (as mentioned in sub rule (B)(1))
- b. A Copy of the plan of the proposed premises (optional)
- c. Consent letter of the owner in case the premises is rented (optional)
- d. Recent passport size photograph
- e. Copy of Aadhar card

- (3) An application number will be generated after successful submission and a confirmation SMS will be sent to the user's registered mobile number.

(C) E-Auction Process

- (1) The selection shall be done through the following process of auction cum drawl of lots:
 - a. The date, time and duration of the Auction will be visible to the applicant / bidder.
 - b. The auction process shall be taken up for all the Bars proposed in an ULB and the extended ULB limits as defined in Rule 4 of 2022 Rules and other place such as Tourism Center (except places of religious tourism) as notified in the Gazette.
 - c. The applicable non-refundable registration charge as per population slab shall be the upset price for the auction for the Bar in each of the ULB and the extended ULB limits as defined in Rule 4 of 2022 Rules and other place such as Tourism Center (except places of religious tourism) and

the upset price for each of the ULB and the extended ULB limits as defined in Rule 4 of 2022 Rules and other place such as Tourism Center (except places of religious tourism) will be visible to the bidders on the day of auction.

- d. The bidders shall quote the bid amount over and above the upset price notified in the multiples of Rs.2.00 Lakhs and the bid amount shall include both the applicable non-refundable registration charge and the bid increment in multiples of Rs.2.00 Lakhs.
 - e. The highest bid amount quoted by the highest bidder shall be referred to as 'H1' for the purpose of auction of Bars for the ULB and the extended ULB limits as defined in Rule 4 of 2022 Rules and other place such as Tourism Center (except places of religious tourism).
 - f. During the auction period, the highest bid amount for that particular local body will be visible to all the bidders for that particular local body.
 - g. If the number of bidders with bid amounts between 'H1' and 90% of 'H1' are equal to the number of bars proposed for auction for a ULB and the extended ULB limits as defined in Rule 4 of 2022 Rules and other place such as Tourism Center (except places of religious tourism), all such bidders shall be awarded the privileges of Bars in the order of bid amounts.
 - h. If the number of bidders with bid amounts between 'H1' and 90% of 'H1' are more than the number of bars proposed for auction for a ULB and the extended ULB limits as defined in Rule 4 of 2022 Rules and other place such as Tourism Center (except places of religious tourism), such bidders shall be awarded the privileges of Bars in the order of bid amounts upto the number of Bars proposed for auction.
 - i. If the number of bidders with bid amounts between 'H1' and 90% of 'H1' are less than the bars proposed for auction, all such bidders shall be awarded the privileges of Bars.
 - j. For the remaining bars, the bidders with bid amounts less than 90% of 'H1' will be considered if they agree to revise their bids equal to or more than the 90% of 'H1' for that ULB and the extended ULB limits as defined in Rule 4 of 2022 Rules and other place such as Tourism Center (except places of religious tourism). In case such revised bidders are more than the number of bars for the ULB and the extended ULB limits as defined in Rule 4 of 2022 Rules and other place such as Tourism Center (except places of religious tourism), to ensure principle of equity and transparency, the privileges shall be awarded in the order of bid amounts or drawl of lots in the event of bidders quoting equal bid amounts.
 - k. In case there are two or more bidders with equal bid amounts for a bar, the privilege shall be awarded by drawl of lots.
 - l. The Bars that have not been disposed of shall be re-auctioned.
- (2) The successful auction purchaser shall be issued letter of confirmation in Form C1 (System generated).

8. Signature in the Register:-

Every person whose Bid has been accepted shall sign his name or affix his thumb-impression against the relevant entry in the register maintained for the purpose.

9. Payment of Lease amount by the Auction purchaser:

The Auction purchaser/Successful bidder shall pay the lease amount in one lump sum on the day of auction or in case the day of auction is a bank holiday, on the immediate next working day.

10. Re-auction in case of failure to pay Lease amount: :-

1. In case the auction purchaser/successful bidder fails to pay the lease amount as stipulated in Rule 17 of 2022 Rules, the lease shall be cancelled without any notice and put to re- auction.
2. If the re-auction or the other arrangement results in monetary benefit to the Government, the original auction purchaser shall have no claim over it, but if it results in monetary loss or if the right remains unsold for want of takers, the original auction purchaser shall be liable to pay to the Government the resultant loss.
3. The provisions of sub-rules (1) and (2) shall apply in relation to the auction purchaser in any re-auction mutatis mutandis as they apply in relation to the auction purchaser/successful bidder in an original auction.

11. Non-refundable registration charge and Licence Fee

The annual non-refundable registration charge and licence fee in respect of lease/licence granted during the currency of the lease/licence period shall be on the following scales stipulated in Rule 27(4) of 2022 Rules

- (a) Licence/lease granted between 1st September and 30th November: Full annual non-refundable registration charge and full annual licence fee for each of the three years.
- (b) Licence/lease granted between 1st December and February 28th/29th: 3/4th of the annual non-refundable registration charge and full annual licence fee for the first year and full annual non-refundable registration charge and full licence fee for each of the remaining two years.
- (c) Licence/lease granted between 1st March and 31st May: ½ of the annual non-refundable registration charge and full annual licence fee for the first year and full annual non-refundable registration charge and full licence fee for each of the remaining two years.
- (d) Licence/lease granted between 1st June and 31st August : ¼ of the annual non-refundable registration charge and full annual licence fee for the first year and full annual non-refundable registration charge and full licence fee each of the two years.

Provided that if the licence/lease is granted after 1st of September, the non-refundable registration charge and licence fee as applicable for the first year shall be remitted before the issue of the licence/lease and the nonrefundable registration charges and licence fees for the 2nd and 3rd years of licence/lease period shall be remitted as laid down under sub-rule 3(c) and 3 (d).

12. No Bar shall be permitted on the road from Tirupathi Railway Station to Alipiri via RTC Bus Stand, Leelamahahal circle, Nandi circle, Vishnu Nivasam, Srinivasam. Likewise, no Bar shall be permitted on the road from Leelamahahal - Nandi circle - Alipiri - SVRR Hospital - SVIMS in Tirupathi Municipal Corporation area.
13. List of District-wise, ULB-wise and place-wise details of Bars, Upset price, Non-refundable application fee and Licence fee is appended to this notification in Annexure-I
14. The following shall be the Online processing fee:

The applicant shall pay online processing fee @ 1% of non-refundable application fee applicable to the ULB+ applicable bank Service charge+ GST to M/s. APT Online

through e-payment gateway and get himself enrolled for participating in e-auction process.

15. Instructions to the Applicants/Bidders for participation in e-auction cum drawl of lots:

Enrolment Process, Registration Process, e-auction cum drawl of lots including Revised bidding are conducted via ONLINE mode only.

The applicants/bidders have to login using the web portal <https://apcpe.ap.gov.in> wherein they can download user manual for enrollment, registration, e-auction cum drawl of lots including revised bidding.

16. Lease of Bar to the Successful Bidders is governed by the following :

1. The A.P. Excise Act, 1968
2. Andhra Pradesh Excise (Lease of right of Selling by Bar, Grant and Conditions of Licence) Rules, 2022
3. A.P. Excise (Import Export and Transport of Indian made Foreign Liquor and Foreign Liquor — Permits) Rules, 2005
4. The orders issued by the Commissioner of Prohibition & Excise, Andhra Pradesh from time to time as the Chief controlling authority in all matters connected with the administration of the Andhra Pradesh Excise Act.

For any discrepancies and un-intended omissions in the list of Bars etc., the Department will not be held responsible. The intending bidders in the Auctions may approach the Commissioner's office/Deputy Commissioner of Prohibition and Excise/ District Prohibition & Excise Officer's office to obtain correct information in case of doubts.

VIVEK YADAV,
Commissioner of Prohibition & Excise,
A.P. Vijayawada.

ANNEXURE-1

DISTRICT WISE LIST OF NAGAR PANCHAYATS, MUNICIPALITIES AND MUNICIPAL CORPORATIONS AND TOURISM CENTERS WITH NUMBER OF BARS, UPSET PRICE IN WHICH BARS NOTIFIED							
Sl. No	Name of the District	Name of the Nagar Panchayat/ Municipality / Municipal Corporation/Other places like Tourism Centres	No. of Bars Notified	License period	Application fee (per Bar)	Non-refundable Registration charge per annum (Upset Price) (per Bar)	Annual Licence fees per annum (per Bar)
1	2	3	4	5	6	7	8
1	East Godavari	Kadiyapulanka Tourism center	1	01.12.2022 to 31.08.2025	1000000.00	5000000.00	500000.00
2	NTR	Jaggaihpeta Municipality	1		750000.00	3500000.00	500000.00
		Total	2				

VIVEK YADAV,*Commissioner of Prohibition & Excise,**A.P. Vijayawada.*

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