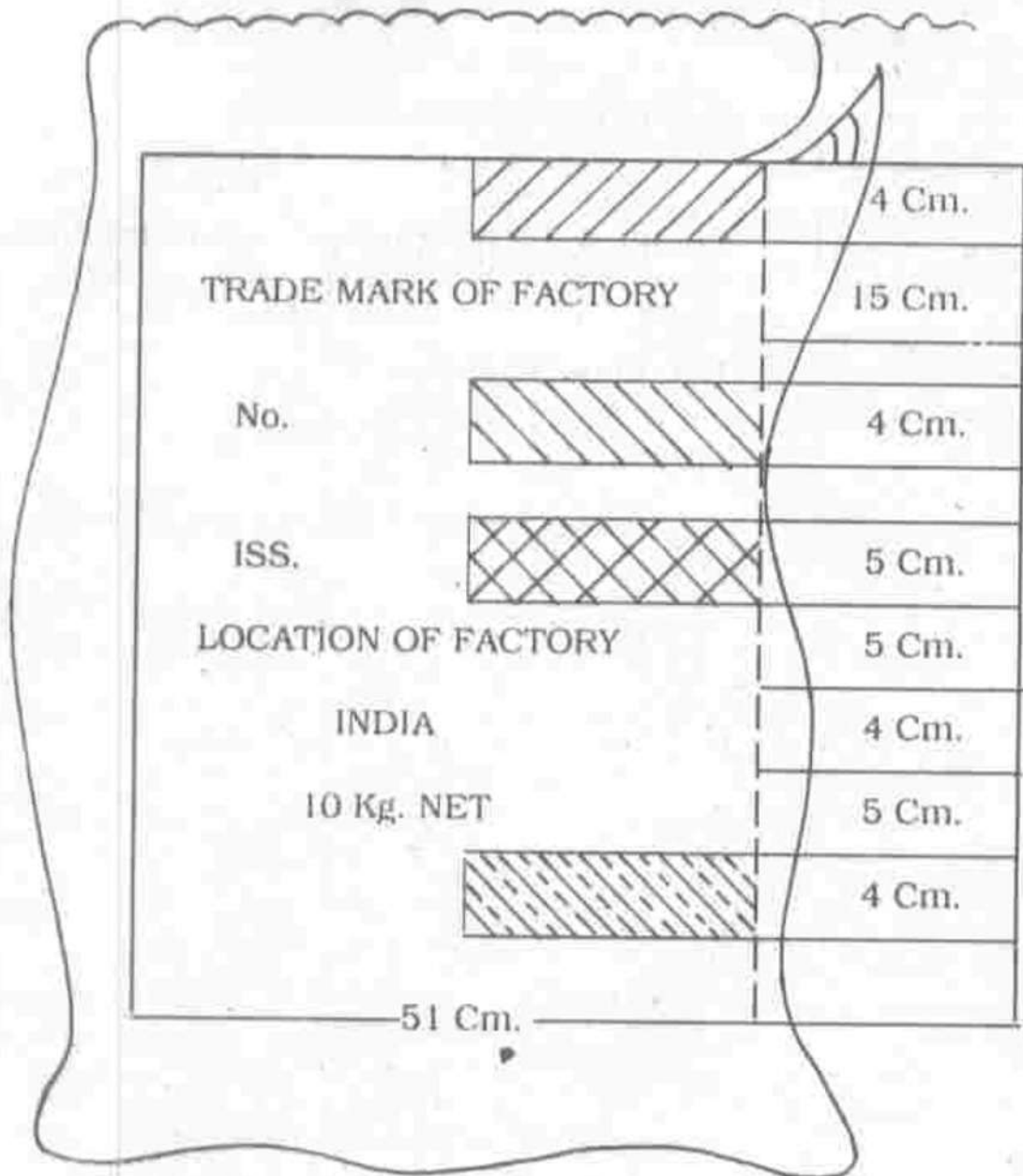


THE SCHEDULE

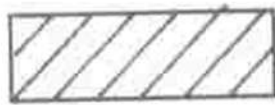
STANDARD LAY-OUT FOR MARKING ON SUGAR BAGS



Size of Bag : 112 cm. x 67 cm.

Note.—The matter in Shaded Rectangles will have to be Marked as required the best can be got printed before hand.

— Schedule substituted vide G. S. R. 511 (E) Ess. -Com.- Sugar, dated 20th November 1973.

References

Process of manufacture—Sulphitation
or Carbonation.



Serial and/or lot number.



Quality in terms of Indian Sugar Standard.



Year of packing

(1-7/73-S. Py.)

S. V. SAMPATH,
Joint Secretary.

THE SUGAR (RETENTION AND SALE BY RECOGNISED DEALERS) ORDER, 1979

GOVERNMENT OF INDIA

MINISTRY OF AGRICULTURE AND IRRIGATION
(DEPARTMENT OF FOOD)

New Delhi, the 17th December 1979

*(Corrected up to 31-3-1995)***ORDER**

G. S. R. 702(E)-Ess. Com.-Sugar.—Whereas, the Central Government, is of opinion that it is necessary and expedient so to do for securing the equitable distribution and availability of sugar at fair prices :

Now, therefore, in exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following order, namely :—

1. *Short title, extent and commencement.*—(1) This order may be called the sugar (Retention and sale by Recognised Dealers) order, 1979.

(2) It extends to the whole of India.

(3) It shall come into force at once.

2. *Definition.*—In this order,—

(a) " recognised dealer " means a person carrying on the business of purchasing, selling or distributing sugar and licensed under the orders relating to licensing of sugar dealers for the time being in force in a State or Union Territory ;

(b) " Sugar " means sugar manufactured by vacuum pan process.

3. *Retention of stocks of sugar.*—(1) Every recognised dealer shall retain sixty-five percentage of the stocks of sugar held by him at the close of business on the date of commencement of this order for the purpose of sale to the State Government, or to an Officer or agent of such Government, or to a Corporation owned or controlled by such Government, or to such other person or class of persons as may be specified by the State Government, under the provisions of this order and subject to such terms and conditions as may be specified by the State Government.

Explanation—For the purpose of this sub-clause, sugar delivered or despatched of a recognised dealer by a producer of sugar or any other recognised dealer prior to the commencement of this order but which is received by such recognised dealer at any time after such commencement shall be deemed to be sugar held by the recognised dealer on the commencement of this order.

(2) Where sugar has been retained under sub-clause (1) by a recognised dealer he shall immediately thereafter intimate the quantity of sugar so retained by him to the State Government.

(3) Where a recognised dealer sells sugar under the provisions of this order, there shall be paid to him the price therefor as hereinafter provided :—

(a) Where the price can, consistently with the controlled price fixed under clause 4, be agreed upon, the agreed price :

(b) Where no such agreement can be reached, the price calculated with reference to such controlled price.

4. *Controlled price*.—For the purpose of clause 3, the controlled price of sugar shall be rupees two hundred and eighty only per quintal.

5. *Powers of entry, examination, search, seizure*.—(1) Any police officer, not below the rank of Assistant Sub-Inspector* or Enforcement Inspector or any other officer of the Central or State Government not below the rank of an Inspector of the Food and Civil Supplies Department* may, with a view to securing compliance with this Order for to satisfying himself that this Order has been complied with,—

(a) stop and search any person or any boat, motor or other vehicle or any receptacle used or intended to be used for the transport or sugar ;

(b) enter, search and examine any place,

(c) seize—

(i) any stock of sugar in respect of which he has any reason to believe that a contravention of any of the provisions of this order has been, is being, or is about to be committed :

(ii) any packages, covering or receptacles in which such stock of sugar is found ;

— Substituted *vide* G. S. R. 515 (E), dated 18-7-1984.

* (iii) the animals, vehicles, vessels or other conveyances used in carrying such stock of sugar if he has reason to believe that such animals, vehicles, vessels or other conveyances are liable to be confiscated under the provisions of the Essential Commodities Act, 1955 (10 of 1955), and thereafter take or authorise the taking of all measures necessary for dealing with the seized properties in accordance with the provisions of the said Act. *

(d) examine or seize any books of accounts or documents which in his opinion, would be useful for, or relevant to, any proceedings in respect of any contravention of this order and return such books of accounts and documents to the person from whom they were seized after copies thereof or extracts therefrom, as certified by that person, have been taken.

(2) The provisions of section 100 of the Code of Criminal Procedure, 1973 (2 of 1974), relating to search and seizure, shall, so far as may be, apply to searches and seizures under this Order.

[No. 1-50/79-SPY/DESK-II]

(Signed) C. N. RAGHAVAN,
Joint Secretary,

THE LEVY SUGAR SUPPLY (CONTROL) ORDER, 1979

GOVERNMENT OF INDIA

MINISTRY OF AGRICULTURE AND IRRIGATION

(DEPARTMENT OF FOOD)

New Delhi, the 17th December 1979

(Corrected up to 31-3-1995)

ORDER

G. S. R. 696-(E)-Ess. Com.-Sugar.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order, namely :—

1. *Short title, extent and commencement.*—(1) This Order may be called the Levy Sugar Supply (Control) Order, 1979.

(2) It extends to the whole of India.

(3) It shall come into force at once.

— Substituted vide GSR 510 (E), dated 4th September 1980.

2. Powers to issue directions to supply levy sugar.—(1) The Central Government may, from time to time, by order issue directions to any producer or recognised dealer to supply levy sugar of such type* or grade in such quantities and from such place of manufacture or storage*—

(a) to such persons or organisations, in such areas or markets, or

(b) to such State Governments, as may be specified in the order and at a price not exceeding the price determined under sub-section (3-c) of section 3 of the Essential Commodities Act, 1955.

Explanation.—“Levy” sugar means the sugar requisitioned by the Central Government under clause (F) of sub-section (2) of section 3 of the Essential Commodities Act, 1955.

(2) The Central Government may be notified Order direct that the power to issue any direction under sub-clause (1) shall be exercisable also by any one or more of the following officers in the Directorate of Sugar, Ministry of Agriculture and Irrigation, Department of Food, New Delhi :—

1. The Chief Director (Sugar).
2. The Additional Chief Director.
3. A Director.
4. A Deputy Director.

(3) Where any direction is issued to any producer or recognised dealer under sub-clause (1) or (2) for the supply of levy sugar to any State Government that State Government may either arrange to take delivery of the sugar by itself or nominate any person, organisation or authority to take delivery of the sugar.

(4) Any levy sugar taken delivery of under sub-clause (3) may be stored, distributed or sold—

(a) where such sugar has been taken delivery of by the State Government in such manner as the State Government deems fit ;

(b) in any other case, in accordance with such directions as may be issued by the State Government or by an Officer or authority empowered by the State Government in this behalf.

[No. 1-51/79-SPY/DESK-II (A)]

(Signed) C. N. RAGHAVAN,
Joint Secretary,

— Substituted *vide* Order No. G. S. R. 420 (E) -ESS. Com-Sugar, dated 31st may 1984.

**THE MAHARASHTRA LEVY SUGAR (REGULATION OF
DISTRIBUTION) ORDER, 1972**

FOOD AND CIVIL SUPPLIES DEPARTMENT
Mantralaya Annexe, Bombay-400 032, the 30th March 1981

(Corrected up to 31-3-1995)

ORDER

I

ESSENTIAL COMMODITIES ACT, 1955.

No. ECA 7079-676 (A)-(807)-XXIII.—In exercise of the powers of the Central Government conferred by sub-section (1) and clauses (c), (d), (e), (f), (h), (i), (ii) and (j) of sub-section (2) section 3 of the Essential Commodities Act, 1955 (10 of 1955) delegated to it by the Government of India in the Ministry of Agriculture and Irrigation (Department of Food) No. GSR. 800, dated the 9th June 1978 and of all other powers enabling it in that behalf, the Government of Maharashtra hereby rescinds the Maharashtra Levy Sugar (Regulation of Distribution) Order, 1972 :

Provided that nothing contained in this Order shall affect any directions or instructions etc. issued by the State Government, Controller of Rationing, Collector, as the case may be, to all or any individual " Authorised Wholesale Dealer i. e. (Nominees) " or " Ration Shop " or " Fair Price Shop " under the provisions of the Maharashtra Levy Sugar (Regulation of Distribution) Order, 1972 before the publication of this Order in the Maharashtra Government Gazette in respect of " Levy Sugar " in their possession :

Provided further that the State Government shall, for the purpose of completing the delivery or supply of entire quantity of levy sugar or the monetary transactions pertaining thereto as required by any of the directions or instructions, etc. referred to in the preceding proviso or by any directions, instructions required to be issued hereafter, have the power to stipulate or to extend the date specified if any, in any such directions, instructions etc. already issued, as the case may be.

By Order and in the name of the
Governor of Maharashtra.

(Sd.) M. V. RAJADHYAKSHA,
Deputy Secretary to Government,
Food and Civil Supplies Department.

**THE MAHARASHTRA LEVY SUGAR (REGULATION OF
DISTRIBUTION) ORDER, 1981**

FOOD AND CIVIL SUPPLIES DEPARTMENT
Mantralaya Annexe, Bombay-400 032, the 30th March 1981

(Corrected up to 31-3-1995)

ORDER

II

ESSENTIAL COMMODITIES ACT, 1955.

No. ECA 7079-676 (A)-[807]-XXIII.—In exercise of the powers conferred by sub-section (1) and read with clauses (c), (d), (e), (f), (h), (i), (ii) and (j) of sub-section (2) of section 3 of the Essential Commodities Act, 1955 (10 of 1955) and sub-clauses (3) and (4) of clause 2 of the Levy Sugar Supply (Control) Order, 1979 and of all other powers enabling the Government of Maharashtra in this behalf, read with the Order of the Government of India in the Ministry of Agriculture and Irrigation (Department of Food), No. G. S. R. 800, dated the 9th June 1978 and with the prior concurrence of the Central Government, the Government of Maharashtra hereby make the following Order, namely :—

1. *Short title, extent and commencement.*—(1) This Order may be called the Maharashtra Levy Sugar (Regulation of Distribution) Order, 1981.

(2) It extends to the whole of the State of Maharashtra.

(3) It shall come into force from the date of its publication in the *Official Gazette*.

2. *Definitions.*—In this Order, unless the context otherwise requires,—

(a) " Authorised Wholesale Dealer " means a wholesale dealer who has already been appointed or will be appointed as nominee of the Controller of Rationing or Collector for Supply of Levy Sugar to the Ration Shops/Fair Price Shops ;

(b) " Collector " means the Collector of the District and includes the District Supply Officer and Assistant District Supply Officer and a Foodgrains Distribution Officer and such other Officer or officers as may be authorised by the Collector in this behalf ;

(b-1) "Commissioner" means a Commissioner for a Division appointed under the Maharashtra Revenue Code, 1966 and includes an Additional Commissioner.

(c) "Controller of Rationing" in any area for which a Controller of Rationing has been appointed by Government means that officer and includes a Deputy or Assistant Controller of Rationing ;

(d) "Levy Sugar" means sugar sold or supplied by the Sugar Factories to the State Government or to its officers or agents under the orders made by the Central Government under clause (f) of sub-section (2) of section 3 of the Essential Commodities Act, 1955 (X of 1955) :

(e) "ration or supply card" means a ration card/supply card, or permit issued or deemed to be issued under the Maharashtra Foodgrains Rationing (Second) Order, 1966 and the Regulations thereunder or the Maharashtra Scheduled Commodities (Regulation of Distribution) Order, 1975 and the Regulations thereunder and made available for obtaining supplies of sugar ;

(f) "ration or supply document" means a ration card/supply card or any other document issued or deemed to be issued under any of the Orders or Regulations mentioned under 2 (e) above :

(g) "ration shop or fair price shop" means a dealer in charge of a shop authorised under the provisions of clause 3 and includes a person in charge of a shop where levy sugar is sold and is under the control of Government.

Explanation.—On the commencement of this Order in any area, every dealer, who was appointed or authorised or deemed to be appointed or authorised, by or on behalf of Government as ration shop or an authorised fair price shop or by any other designation, and whose appointment or authorisation was in force immediately before such commencement shall be deemed to be a ration shop or fair price shop in that area for the purpose of this Order, unless otherwise directed by the State Government or the Controller of Rationing or the Collector :

(h) "Sugar" means—

- (a) any form of sugar containing more than 90 per cent of sucrose ;
- (b) any sugar of cristalline structure ;
- (c) sugar in process in vacuum pan sugar factory or raw sugar produced therein.

— Inserted vide G.O No. ECA 7081-893 (1092)/XXIII. dated 7th November 1981.

3. Issue of authorisations to dealers to obtain and supply levy sugar.—

(1) An authorisation issued or deemed to be issued under the Maharashtra Foodgrains Rationing (Second) Regulations, 1966 or the Maharashtra Scheduled Commodities (Regulation of Distribution) Regulations, 1975 shall be deemed to be authorisation issued under this order.

(2) The amount deposited by a ration shop/fair price shop for the authorisation mentioned in sub-clause (1) shall be deemed to be a deposit under this Order for the due performance of the provisions of this Order and the sum so deposited or any part thereof may, without prejudice to any other penalty, after inquiry and for reasons to be recorded in writing be forfeited by the State Government or by the Controller of Rationing or Collector for contravention of any such provisions. If, as a result of any departmental action the sum deposited or any part thereof is forfeited the ration shop or fair price shop as the case may be shall forthwith pay to Government such amount as may be required to make up the prescribed sum to be deposited as security.

(3) The State Government or the Controller of Rationing, or the Collector may, at any time, whether at the request of the ration shop/fair price shop or authorised whole-sale dealer or *sou motu*, after making such enquiry as may be deemed necessary and for reasons to be recorded in writing add to, amend, vary, suspend or cancel the authorisation issued or deemed to be issued to him under this clause.

4. Prohibition against supply of levy sugar by unauthorised persons.— No person, other than a ration or fair price shop or authorised wholesale dealer, shall sell or agree to sell or supply or agree to supply levy sugar to any person, except under and in accordance with a special or general direction issued by the Controller of Rationing or Collector or by any officer authorised by him in this behalf.

5. Supply of levy sugar by authorised wholesale dealer.—No authorised wholesale dealer shall sell or agree to sell or supply levy sugar to any person other than a ration shop or fair price shop and except under and in accordance with the provisions prescribed by or under this Order.

6. Supply of levy sugar by ration shop or fair price shop.—No ration or fair price shop shall sell or agree to sell or agree to supply levy sugar to any person except for household consumption and except at such price and at such quantum as may be specified by the State Government or the Controller of Rationing or Collector from time to time, in this behalf and except under and in accordance with the provision prescribed by or under this Order.

Provided that a ration shop or fair price shop shall sell levy sugar to any person for consumption, other than household consumption, according to such special or general directions as may be issued by the Controller of Rationing or Collector.

7. Application of Foodgrains Orders and Regulations in certain matters.—Save as otherwise provided by or under this order, the regulations made by the State Government under clause 10 of the Maharashtra Foodgrains Rationing (Second) Order, 1966, those made under clause 8 of the Maharashtra Scheduled Commodities (Regulation of Distribution) Order, 1975 shall also apply to the distribution of levy sugar under this Order *Mutatis mutandis*, as if references therein to rationed foodgrains or scheduled commodities as the case may be, are references to such sugar.

8. Distribution or acquisition of levy sugar otherwise than on ration or supply documents.—Notwithstanding any provision of this Order, the distribution or acquisition of levy sugar otherwise than on a ration or supply document, whether or not for household consumption and subject to such condition as may be specified may be authorised by the State Government or any officer empowered by it in this behalf.

9. Power to enter premises, inspect, search or seize stocks of sugar, ask questions, require production of documents etc.—(1) The Controller of Rationing or Collector or any other officer authorised by the State Government or by him in this behalf may at all reasonable time inspect any stocks of sugar, ration or supply documents or books, accounts or other documents pertaining to dealings in sugar and may for the purpose of such inspection.—

(a) enter any premises :

Provided that, in exercising the power of entry due regard shall be paid by such officer to the social and religious customs of the occupants of the premises :

(b) ask of any person all necessary questions,

(c) require the production of any document and take or cause to be taken extracts from or copies of such documents; and

(d) take or cause to be taken the weight or measures of sugar found in the premises.

(2) Every person, when so required by such officer under sub-clause (1), shall allow access to the premises, answer all questions to the best of his knowledge and belief, produce the documents in his possession and allow extracts from or copies of any such documents, or weight or measure of sugar found in the premises, to be taken.

(3) Such officer may, in the course of such inspections, search for and seize an article in respect of which he has reason to believe that any provision made by or in pursuance of this Order has been or is being contravened.

10. Power to exempt.—The State Government may, if it is necessary in the public interest so to do by order, exempt any person or class of persons from the operation of all or any of the provisions of this order for such period and subject to such conditions as may be specified and may at any time suspend or cancel such exemption.

11. Power to Call for and examine records and proceedings in certain cases.—The State Government or in the Bombay Rationing Area specified in Schedule "A" to the Maharashtra Foodgrains Rationing (Second) Order, 1966, an officer not below the rank of Deputy Secretary to Government designated by the State Government in this behalf, and elsewhere the Commissioner of the Division, may *suo. motu*, or on an application made to it or him by an aggrieved persons, at any time, call for and examine the record of any enquiry or proceedings of any officer exercising or failing to exercise the powers under this order to suspend or cancel any authorisation issued or deemed to be issued under clause 3 and to forfeit the deposit deemed to be paid by a ration shop or fair price shop or authorised wholesale Dealer as security, for the purpose of satisfying itself or himself as to the legality or propriety of any decision or order passed by such officer, and as to the regularity of the proceedings of such officer, and may pass such order thereon as it or he, as the case may be, thinks fit:

Provided that, the State Government or the designated officer or the Commissioner shall not pass any order under this clause which adversely affects and person unless such person has been given a reasonable opportunity of being heard.

12. Provisions of any other orders relating to foodstuffs not to be contravened.—Authorised wholesale dealers and authorised ration or fair price shops shall not contravene the provisions of any other order relating to foodstuff issued under the Essential Commodities Act, 1955 (X of 1955).

13. Savings.—Nothing contained in this order or the Regulations shall apply to any sale, purchase, disposal, acquisition, distribution or transport of any sugar other than levy sugar.

By Order and in the name of the
Governor of Maharashtra,

(Sd.) M. V. RAJADHYAKSHA,
Deputy Secretary to Government.

**THE MAHARASHTRA SUGAR AND KHANDSARI RETAIL
DEALERS' (STORAGE CONTROL) ORDER, 1992**

FOOD AND CIVIL SUPPLIES DEPARTMENT
MANTRALAYA, BOMBAY-400 032, dated the 23rd April 1992

(Corrected up to 31-3-95)

ORDER

No. SUG-3491-1385-CR-5169-CS-19.—In exercise of the powers conferred by sub-section (1) and clauses (c), (d), (e), (f), (g) and (h) of sub-section (2) of section 3 of the Essential Commodities Act, 1955 (X of 1955) read with the Government of India, Ministry of food, Order No. G. S. R. 703 (3)-Ess. Com.-Sugar, dated 27th November 1991 and of all other powers enabling it in this behalf, the Government of Maharashtra hereby make the following Order, namely:—

1. Short title, extent and commencement.—(1) This Order may be called the Maharashtra Sugar and Khandsari Retail Dealers' (Storage Control) Order, 1992.

(2) It extends to the whole of the State of Maharashtra.

(3) It shall come into force on the 1st day of May, 1992.

2. *Definitions.*—In this Order, unless the context otherwise requires.—

(a) "Khandsari" means Khandsari as defined under clause 2 (d) of the Maharashtra Gur and Khandsari Dealers' Licensing Order, 1963.

(b) "Retail Dealer" means a retail dealer in 'Sugar' or 'Khandsari' as the case may be, as defined under clauses 2 (j) (ii) and 2 (J) (iii) respectively of the Maharashtra Scheduled Commodities Retail Dealers' Licensing Order, 1979.

(c) "Sugar" means Sugar as defined under clause 2 (e) of the Maharashtra Sugar Dealers' Licensing Order, 1963.

3. *Restriction on possession of sugar and Khandsari.*—No retail dealers shall hold any stock after a period of fifteen days from the coming into force of this Order either by himself or by any person on his behalf, stores or have in his possession at any time sugar or khandsari in excess of the quantities specified below :—

Sr. No.	Commodities	Stock holding limits in quintals
(1)	(2)	(3)
1	Sugar	30
2	Khandsari	30

Provided that nothing in this order shall apply to the holding or keeping of stock of sugar or khandsari,—

- (i) on Government account ;
- (ii) by the recognised retail dealers nominated by a State Government or an officer authorised by it to hold stock of distribution through Fair Price Shops or Authorised Ration Shops ; or
- (iii) by the Food Corporation of India.

By Order and in the name of the
Governor of Maharashtra.

(Sd.) J. PAKYNTAIN,
Deputy Secretary to Government.

KEROSENE AND PETROLEUM PRODUCTS



**THE MAHARASHTRA KEROSENE DEALERS' LICENSING
ORDER, 1966**

FOOD AND CIVIL SUPPLIES DEPARTMENT

Bombay, dated the 22nd June 1966

(Corrected up to 31-3-95)

ORDER

No. KER 1166/8115-L.—In exercise of the powers conferred by clauses (c), (d), (i), (ii) and (j) of sub-section (2) of section 3 of the Essential Commodities Act, 1955 (X of 1955), and of all other powers enabling the Government of Maharashtra in this behalf, read with the Government of India, Ministry of Mines and Fuel, Order No. S. O. 3524, dated the 13th November, 1962, the Government of Maharashtra hereby makes the following Order, namely:—

- 1. Short title, extent and commencement.**—(1) This Order may be called the Maharashtra Kerosene Dealer's Licensing Order, 1966.
(2) It extends to the whole of the State of Maharashtra.
(3) It shall come into force on the 1st day of July 1966.

2. Definitions.—In this Order, unless the context otherwise requires,—

(a) "Collector" means the Collector of the district; and includes † the Additional Collector † the district Supply Officer, an Assistant District Supply Officer, * the Tahsildar * and such other officer or officers as may be authorised by the Collector in this behalf;

§ (a-1) "Commissioner" means a Commissioner for a Division appointed under the Maharashtra Land Revenue Code, 1966, and includes an Additional Commissioner §.

(b) "Controller of Rationing" in any area for which a Controller of Rationing has been appointed by Government means that officer @-@ includes a Deputy or Assistant Controller of Rationing;

§ (c) "dealer" means a person engaged in the business of purchase, sale or storage for sale of kerosene as a wholesaler, whether in conjunction with any other business or not, and includes a hawker, and an agent of an Oil Company, who has entered into an agreement

†—† Inserted *vide* G. O. No. KER 1087/4307/(CR/79)/CS-27, dt. 24-2-94.

— Word 'Tahsildar' inserted *vide* G. O. No. ECA-9373/10957-F, dated 29th January 1974.

§—§ Inserted *vide* G. O. No. 9381/803 (1092) XXIII, dated 7th November 1981.

@—@ Words 'and elsewhere the Collector', deleted *vide* G. O. No. ECA 9373/10957/F, dated 29th January 1974.

§—§ Substituted *vide* G. O. No. KER 1087/4307/(CR 179)/CS-27, dated 29th December 1993.

with the Company, to obtain and distribute kerosene § # and includes a parallel marketeer and engaged in the business of buying and selling kerosene : #

(d) "hawker" means a person who carries kerosene from place to place for sale \$ in small quantities not exceeding 10 litres per person at any one time : \$

(e) "Kerosene" shall have the meaning assigned to it in item No. 7 of the First Schedule to the Central Excise and Salt Act, 1944 (I of 1944) and shall not include Aviation Turbine Fuel * but includes kerosene as defined in the Government of India, Ministry of Petroleum and Natural Gas Notification G. S. R. 584 (E), dated the 2nd September 1993 *.

\$ (f) "Licensing Authority" means the Controller of Rationing in the rationing areas and the Food Distribution Officers in the areas mentioned in Schedule I of the Maharashtra Scheduled Foodgrains (Regulation of Distribution) Order, 1966 @ and elsewhere the Collector @ or any officer appointed by the State Government to exercise the power and perform the duties of the licensing authority in any specified areas : \$

* (g) "parallel marketeer" means any person, firm, company, institution, association of persons, co-operative society or organisation, carrying on the business of importing, refining, producing, packing, marketing, distributing and selling kerosene under the parallel marketing system :

(g-i) "parallel marketing system" means the system other than the public distribution system under which a person imports, transports, packs, distributes or sells kerosene under his own arrangement :

(g-ii) "public distribution system" means the system of distribution, marketing or selling of kerosene at declared price through distribution system approved by the Central or State Government :

#—# Added *vide* G. O. No. KER 1087/4307/CR 179/CS-27, dated 24th February 1994.

\$—\$ substituted *vide* G. O. No. ECA 9360/37878-F, dated 26th August 1970.

— Inserted *vide* G. O. No. KER 1087/4307/CR 179/CS-27, dated 24th February 1994.

@—@ Words " and elsewhere the Collector", substituted for the words " and elsewhere the Tahasildar" *vide* G. O. No. ECA 9373/10957/F, dated 29th January 1974.

(g-iii) "storage point" means the premises approved or licenced by the Chief Controller of Explosives ;

(g-iv) "transporter" means a person authorised by a Government, Oil Company, parallel marketeer or a distributor for transportation of kerosene ; *

§ (h) "wholesale dealer" means a dealer who sells kerosene only to dealers at wholesale rates fixed by Government ; §

£ Explanation.—The wholesale dealer includes the parallel marketeer or the person appointed as the dealer by the parallel marketeer under the parallel marketing system under which kerosene can be sold at any price. £

3. Prohibition against carrying on business as a dealer without licence.—No person shall carry on business as a dealer except under and in accordance with the terms and conditions of a licence issued in this behalf by the licensing authority.

£ Provided that no application for licence for the purpose of sale and storage for sale of kerosene from a hawker shall be admissible under the parallel marketing system. £

4. Application for licence— x (1) x Applications for licences under this order shall be made to the licensing authority in Form I in the schedule to this order.

£(2) Applications for dealership under the parallel marketing system shall be made in Form I-A, in the Schedule to this order. £

†**5. Forms of Licences**— @ (1) @ Licences issued under this order to the wholesale dealers and hawkers shall be in Form II and III respectively in the schedule to this order. †

£(2) The licence for dealer under the parallel marketing system shall be granted by the licensing authority in Form II-A in the Schedule to this order ;

— Inserted *vide* G. O. No. KER 1087/4307/CR-179/CS-27, dated 24th February 1994.

§—§ substituted *vide* G. O. No. ECA 9376/206-D-XXIII, dated 21-4-76.

£—£ Added *vide* G. O. No. KER 1087/4307/CR-179/CS-27, dated 24th February 1994.

x—x Clause 4 "renumbered" *vide* G. O. No. KER 1087/4307/CR-179/CS-27, dated 24th February 1994.

†—† substituted *vide* G. O. No. KER 1087/4307/CR-179/CS-27, dated 29th December 1993.

@—@ Clause 5 "renumbered" *vide* G. O. No. KER 1087/4307/CR-179/CS-27, dated 24th February 1994.

* Provided that, the licence for a dealer under the parallel marketing system shall be granted by the licensing authority, after due enquiry within 30 days from the date of receipt of the application made in Form I-A in the Schedule to this order. &

†6. *Security Deposit.*—Every person applying for a licence shall, before such licence is issued to him, deposit with the licensing authority the following sum in cash as security for the due performance of the terms and conditions of licence to be issued to him, namely:—

- | | |
|--|-----------|
| (i) In the case of licence of
wholesale dealer. | Rs. 1,000 |
| (ii) In the case of licence for
hawker : | Rs. 100 † |

* Provided that, in the case of a dealer appointed under the parallel marketing system no security deposit shall be levied or recovered. *

7. *Period of Licence.*—† (1) Every licence granted under this order shall be valid for a period of five years from the date of issue of the licence and shall be renewed for a period of five years, at a time, thereafter :

Provided that, no licence shall be granted for any period beyond the 31st December of the fourth year next following the year in which the licence is granted. †

@ (1-A) (a) Every licensee who desires to get his licence renewed shall apply for the renewal thereof before the date of expiry of his licence :

Provided that, where a licensee applies for the renewal of his licence before the 31st January of the following year after the expiry of the validity period of the licence, the application shall be accepted by the licensing authority;

(b) No application for the renewal of a licence shall thereafter be entertained by the licensing authority, unless the said authority is satisfied that the application for the renewal could not be made in time, for valid and sufficient reasons.

†—† Substituted *vide* G. O. No. KER 1087/4307/CR-179/CS-27, dated 29th December 1993.

— Added *vide* G. O. No. KER 1087/4307/CR-179/CS-27, dated 24th February 1994.

@—@ Inserted *vide* G. O. No. KER 1087/4307/CR-179/CS-27, dated 29th December 1993..

(c) Where it is found that a licensee is carrying on his business of selling kerosene without renewal of his licence, within the prescribed time-limit after the expiry of its validity subject to clause 11 of this order, be forfeited to the Government at the rate specified below namely :—

- (1) In case of hawkers, 50 paise per day,
- (2) In case of wholesale dealers, Rs. 5 per day :

Provided that, after thirty days from the expiry of the prescribed time-limit, if the dealer still carries on his business, the remaining or the whole amount of the security deposit be forfeited to Government. @

£7-A. Licence Fees.— The fees as specified below shall be chargeable in respect of each licence, namely :—

	Rs.
(i) for issue of licence to a wholesale dealer	.. 100
(ii) for issue of a licence to a hawker	.. 20
(iii) for renewal of a licence to a wholesale dealer	.. 75
(iv) for renewal of licence to a hawker	.. 15 £

8. Replacement of defaced, lost or destroyed licences.— If a licence issued under this order be defaced, lost or destroyed and application furnishing true and correct information in such form as may be required by the licensing authority may be made to him for obtaining a duplicate licence. A fee of £ Rs. 10 £ in case of wholesaler and £ Rs. 10 £ in case of hawker shall be payable along with such application and the licensing authority may, after making such inquiry as he may think fit, issue a duplicate licence.

9. Power to refuse licence.—The licensing authority may, after giving the dealer concerned an opportunity of stating his case and for reasons to be recorded in writing, refuse to grant or to renew a licence.

10. Provision for cancellation or suspension of licence.—No holder of a licence or his agent or servant or any other person acting on his behalf shall contravene any of the terms or conditions of the licence, and if such holder, agent, servant or other person contravenes any of the said terms or conditions, then, without prejudice to any other action that may be taken against him, his licence may be cancelled or suspended by order in writing of the licensing authority :

@—@ Inserted vide G. O. No. KER-1087/4307/CR-179/CS-27, dated 20th December 1993.

£—£ Substituted vide G. O. No. KER-1087/4307/CR-179/CS-27, dated 20th December 1993.

Provided that, no order shall be made under this clause unless the licensee has been given a reasonable opportunity of stating his case against the proposed cancellation or suspension.

11. Forfeiture of security deposit.—(1) Without prejudice to the provisions of clause 10, if the licensing authority is satisfied that the licensee has contravened any of the terms or conditions of the licence and that a forfeiture of the security deposit is called for, he may, after giving the licensee a reasonable opportunity of stating his case against the forfeiture, by order, forfeit the whole or any part of the security deposited by him and communicate a copy of the order to the licensee :

Provided that, where a cancellation of the licence is duly ordered by the licensing authority, the order of cancellation shall also be accompanied by an order forfeiting the entire deposit.

(2) The Licensee shall, if the amount of security at any time, falls short of the amount specified in clause 6, forthwith deposit further security to make up that amount, on being required by the licensing authority to do so.

(3) Upon due compliance by the licensee with all obligations under the licence, the amount of security or such part thereof, which is not forfeited, as aforesaid, shall be returned to the licensee after the termination of the licence.

***11-A. Action against withholding from sale or refusal to sell kerosene.**— The licensee shall not withhold from sale or refuse to sell the supplies of kerosene ordinarily kept for sale. If he is found to contravene this provision, which is also included in the terms and conditions of his licence, without prejudice to any other action that may be taken against him under section 7 of the Essential Commodities Act, 1955, the Licensing Authority may take appropriate action against him under the provisions of clauses 10 and 11, which he thinks fit.*

12. Power of entry, search and seizure.—(1) The licensing authority or any officer authorised by him in this behalf may, with a view to securing compliance with this order or to satisfying himself that this order has been complied with, and satisfying himself that this order has been complied with, and with such assistance, if any, as he thinks fit—

— Inserted vide G. O. No. ECA- 9376/23790/XXIII, dated 18th August 1976.

(a) enter, inspect or break down and search any place or premises, vehicle or vessel which he has reason to believe has been or is being used for the contravention of this order, or

(b) search, seize and remove stocks of kerosene and the animals vehicles, vessels or other conveyances used in carrying kerosene in contravention of the provisions of this order and thereafter take or authorise the taking of all measures necessary for securing the production of the said stocks and the animals, vehicles, vessels or other conveyances so seized, in a court and for their safe custody pending such production.

* (c) require the production of any document and take or cause to be taken extracts from or copies of such documents and take or cause to be taken weights or measures of the kerosene found in the premises and every person when so require by such officer authorised under sub-clause (1) shall allow access to premises, answer all questions to the best of his knowledge and belief, produce the documents in his possession and allow extracts of copies of such documents or weight or measure of kerosene found in premises to be taken.*

(2) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898 (V of 1898), relating to search and seizure shall, so far as may be apply to searches and seizures under this order.

13. Power to grant exemptions.—The State Government may, if it is necessary in the public interest so to do, by order, exempt any person or class of persons from the operation of or all or any of the provisions of this order for such period and subject to such conditions (if any) as may be specified, and may at any time suspended or cancel such exemption.

† **14. Appeal.**—(1) Any person aggrieved by any order of the licensing authority refusing to issue or renew a licence or cancelling or suspending a licence or forfeiting the security deposit deposited by him under the provisions of this order may appeal in the Bombay Rationing

— Inserted *vide* G. O. No. ECA-9369/37878-F, dated 26th August 1970.

†—† Substituted *vide* G. O. No. KER-1087/4307/CS-27-CR-179, dated 23rd January 1992.

Area, to such officer (not below the rank of Deputy Secretary to Government) in the Food and Civil Supplies Department of Government as may be designated by Government for the purpose and elsewhere to the Commissioner of the Division.

(2) Every such appeal shall be made within thirty days on the date of receipt of the order appealed against by the person appealing :

Provided that, the appellate authority may admit an appeal after the expiry of the said period if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within the said period.

(3) No Order shall be made by the appellate authority under this clause unless the aggrieved person has been given a reasonable opportunity of stating his case.

(4) Pending the disposal of the appeal, the appellate authority may direct that the order of the licensing authority shall not take effect until the appeal is disposed off.

15. *Review or revision.*—(1) Government may, on an application made or *suo motu* at any time before the expiry of two years from the date of any order passed by the licensing authority or any other competent authority under this Order, call for the records of the proceedings underlying such order for the purpose of satisfying itself as to the legality or propriety of such order or as to the regularity of such proceedings and if it shall appear to the State Government that such order or proceedings should be modified, annulled or confirmed, it may pass such order as it deems fit :

Provided that, no order shall be made under this clause unless the person who is likely to be aggrieved thereby has been given a reasonable opportunity of stating his case.

(2) Pending the disposal of the review or revision proceedings under this clause, the State Government may direct that the order passed by the licensing authority or other competent authority shall not take effect until an order is passed by it.†

†—† Substituted vide G. O. No. KER-1087/4307/CS (27-CR-179) dated 23rd January 1992.

SCHEDULE

FORM-1

(See Clause 4)

Form of application for a licence for purchase, sale and storage for sale of kerosene

1. Applicant's name and residential Address. . .
2. Age of the applicant . . .
3. Whether wholesale dealer, retail dealer or hawker. . .
- *4. Area of business * . . .
5. Whether applicant is an Agent or Sub-agent of any Oil Company and if so, which ? . . .
6. How long has the applicant been trading in kerosene. . .
7. Quantities of kerosene in litres handled by the applicant monthly, during the last three years. . .
8. Average quantity of kerosene likely to be handled by the applicant monthly, during the current year. . .
9. Whether the applicant has been convicted in a Court of law or found guilty in any Departmental enquiry regarding any breach of this Order or any other Control Order ; if so, give details. . .
10. Whether the applicant has obtained a Municipal Licence for storage and sale of kerosene † . . . † If so, please state Municipal Licence number and date. . .

— Substituted vide G. O. No. ECA-9369/37878-F, dated 26th August 1970.

†—† Deleted vide G. O. No. ECA-9369/37878-F, dated 26th August 1970.

* I have not previously applied for such licence.

* I have applied for such licence on 199 and was not granted a licence on 199 .

I have carefully read the conditions of the licence in Form II/III in the Schedule to the Maharashtra Kerosene Dealers' Licensing Order, 1966 and I agree to abide by them.

I declare that the information furnished above is correct.

Date 199 .

.....
Signature of Applicant.

\$FORM-I-A\$
(See Clause 4)

Form of application for a licence for purchase, sale and storage for sale of kerosene under Parallel Marketing System

1. Applicant's name and residential Address. . .
2. Age of the applicant. . .
3. Whether applicant himself or any of the member of applicants' family holds valid licence for kerosene and whether he himself or any member of his family is anyway connected with kerosene business under Public Distribution System. . .
4. Whether the applicant is dealer appointed by a parallel marketer or a parallel marketeer. . .
5. Area/Place of business. . .
6. Whether applicant is an agent or sub-agent of any Oil Company. . .

— Strike out the clause which is not applicable.

\$—\$ Inserted by G. O. No. KER 1087/4307/CR 179/CS-27, dated 24th February 1994.

FORM -I-A\$—contd.

7. How long has the applicant been trading in kerosene.
8. Quantities of kerosene in litres handled by the applicant monthly during the last three years.
9. Average quantity of kerosene likely to be handled by the applicant monthly, during the current year.
10. Whether the applicant has been convicted in a Court of law or found guilty in any Departmental enquiry regarding any breach of this Order or any other Control Order; if so, give details.
11. Whether the applicant has obtained a Municipal Licence for storage and sale of kerosene. If so, please state Municipal Licence number and date.
 - * I have not previously applied for such licence.
 - * I have applied for such licence on 199 and was not granted a licence on 199

I have carefully read the conditions of the licence in Form II/III in the Schedule to the Maharashtra Kerosene Dealers' Licensing Order, 1966 and I agree to abide by them.

I declare that the information furnished above is correct.

Date 199

.....
Signature of Applicant.

* FORM II *

(See Clause 5)

Licence for purchase, sale and storage of kerosene for wholesale dealers

Licence No.

Subject to the provisions of the Maharashtra Kerosene Dealers' Licensing Order, 1966, and to the terms and conditions of this licence is/are hereby authorised to purchase, sell and store for sale kerosene.

2. The licensee shall carry on the aforesaid business within the area of

3. The licensee shall not @ withhold from sale supplies of kerosene ordinarily kept for sale and shall not @ sell kerosene at prices exceeding the maximum prices prescribed by Government and shall prominently display a notice stating these maximum prices.

4. The licensee shall maintain true and proper accounts of all purchases and sales of kerosene and issue cash memo to customers purchasing quantity of kerosene of and above 100 litres, in such form as, may be specified by the licensing authority.

5. The licensee shall give all facilities at all reasonable times to the licensing authority or any officer authorised by him for inspection of his stocks and accounts of kerosene and produce the licence for inspection on demand.

6. The licensee shall comply with any directions that may be issued to him by the State Government or by the licensing authority or by any officer authorised by the licensing authority in this behalf, in regard to the methods of collection, delivery, transport, sale or storage of kerosene and the hours of sale of any other matter relating to kerosene, which the State Government or licensing authority or such officer may think fit to regulate.

— "Form II" Substituted vide G. O. No. ECA 9369/37878-F, dated 26th August 1970.
@—@ Inserted vide G. O. No. ECA 9376/23790/XXIII, dated 18th August 1976.

7. This licence shall be valid upto 199 and shall be renewed before 31st January of the year following.

Place :

Dated the day of 199 .

Licensing authority.
..... Area. *

© FORM II-A ©

(See Clause 5)

Licence for purchase, sale, storage of kerosene for dealer under the Parallel Marketing System

Licence No.

Subject to the provisions of the Maharashtra Kerosene Dealers' Licensing Order, 1966, and to the terms and conditions of this licence is/are hereby authorised to purchase, sell and store for sale kerosene under the parallel marketing system.

2. The licensee shall carry on the aforesaid business in the area of/ at

3. The licensee shall not withhold from sale supplies of kerosene ordinarily kept for sale.

4. The licensee shall maintain true and proper accounts of all purchases and sales of kerosene and issue cash memo to customers purchasing kerosene.

5. The licensee shall give all facilities at all reasonable times to the licensing authority or any officer authorised by him for inspection of his stocks and accounts of kerosene and produce the licence for inspection on demand.

6. The licensee shall comply with any directions that may be issued to him by the State Government or by the licensing authority or by any officer authorised by the licensing authority in this behalf, in regard to the methods of collection, delivery, transport, sale or storage of kerosene and the hours of sale of any other matter relating to kerosene, which the State Government or licensing authority or such officer may think fit to regulate.

—— Form II * Substituted vide G. O. No. ECA 9360/37878-E, dated 26th August 1970.

©—©— Form II-A * Inserted vide G. O. No. KER 1087/4307/CR-179/CS-27, dated 24th February 1994.

7. This licence shall be valid upto 199 and shall be renewed before 31st January of the year following.

Place :

Dated the day of 199 .

Licensing authority.
..... Area. ⁰⁰

FORM III

(See Clause 5)

Hawker's Licence for sale of Kerosene

Licence No.

Subject to the provisions of the Maharashtra Kerosene Dealers' Licensing Order, 1966, and to the terms and conditions of this licence is/are hereby authorised to sell kerosene as a hawker.

2. The licensee shall not † withhold from sale supplies of kerosene ordinarily kept for sale and shall not † sell kerosene at prices exceeding the maximum prices prescribed by Government and shall prominently display a notice at place of sale stating such maximum prices or show it to any customer on demand.

3. The licensee shall carry on the aforesaid business at such place or places or in such area as may be directed from time to time, by the licensing authority.

4. The licensee shall give all facilities at all reasonable times to the licensing authority or any officer authorised by him for inspection of his stocks and accounts of kerosene.

5. The licensee shall comply with any directions that may be issued to him by the State Government or by the licensing authority or by any officer authorised by the licensing authority in this behalf, in regard to the method of collection, delivery, transport or sale of kerosene, and the hours and place of sale or any other matter relating to kerosene, which the State Government or licensing authority or such officer may think fit to regulate.

⁰⁰—⁰⁰ "Form II-A" Inserted vide G. O. No. KER 1087/4307/CR-179/CS-27, dated 24th February 1994.

†—† Inserted vide G. O. No. ECA 9376/23790 XXIII, dated 18th August 1976.

6. The licensee shall carry with him the licence and produce it for inspection on demand by the licensing authority or an officer authorised by the licensing authority.

7. This licence shall be valid upto 199 *and shall be renewed before 31st January of the year following.*

Place :

Dated the day of 199 .

Licensing authority.
..... Area.

THE PETROLEUM PRODUCTS (SUPPLY AND DISTRIBUTION) ORDER, 1972

GOVERNMENT OF INDIA

(PETROLEUM AND RASAYAN MANTRALAYA)

New Delhi, the 29th May 1972.

(Corrected upto 31st March 1995)

GSR. 825.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955) and in supersession of the Petroleum Products (Supply and Distribution) Order, 1966 as amended from time to time the Central Government hereby makes the following Order, namely :—

1. *Short title and commencement.*—(1) This Order may be called the Petroleum Products (Supply and Distribution) Order, 1972.

(2) It shall come into force on the date of its publication in the *Official Gazette*.

2. *Definitions.*—In this Order, unless the context otherwise requires—

(a) "agent" includes a dealer;

(b) "associated refineries" means the refineries specified in Part-III of the First Schedule;

— Added vide G. O. No. ECA 9369/37878-F, dated 26th August 1970.

(c) "dealers" means any person who carried on, directly or otherwise, the business of sale, or storage for purposes of sale, of petroleum products ;

(d) "Oil distributing companies" means the companies specified in Part-I of the First Schedule ;

(e) "oil refining companies" means the companies specified in Part-I of the First Schedule ;

(f) "Petroleum products" means—

(i) aviation spirit,

(ii) aviation turbine fuel,

(iii) fuel oil of all grades including low sulphur heavy stock and hot heavy stock ;

(iv) high speed diesel oil ;

(v) light diesel oil ;

(vi) motor spirit all grades and naphthas ;

(vii) kerosene superior and inferior ;

(viii) liquified petroleum gas ;

(ix) lubricants and greases including base oils ;

(x) wax of all grades ;

(xi) bitumen ;

(xii) solvents of all types including mineral turpentine oil ;

(xiii) all other products manufactured out of crude oil.

(g) "Schedule" means a Schedule appended to this Order.

(h) "Supply Area", specified in column 1 of the Second Schedule, means the areas specified in the corresponding entries in column 2 of that Schedule.

3. Regulation of supply and distribution of petroleum products.—

(1) The Central Government may, by order, require any oil distributing company to supply or cause to be supplied one or more petroleum products from the stocks held by it at any place in India to its agents, dealers, main port installations or depots in such Supply Area or Areas, and in such quantities and in such manner as may be specified therein and for this purpose may, by the same or a different order, require any associated refinery or oil, refining company to make available to the oil distributing company such petroleum product or products.

(2) Every Officer-in-charge or any main port installation or depot, shall on receipt of the petroleum product or products supplied by any oil distributing company whether in pursuance of an order made under sub-paragraph (1), or otherwise, distribute, the same in the Supply Area concerned :

Provided that the Central Government may, at any time, issue such directions to the Officer-in-charge of a depot or main port installation as may be necessary for the equitable distribution of such petroleum product or products :

Provided further that the State Government or an officer authorised by the State Government in this behalf may, within the local limits of the State and

(a) in such cases as the Central Government may by general or special order specify, without the previous approval of the Central Government ; and

(b) in all other cases with the previous approval of the Central Government ;

at any time issue such directions to the officer-in-charge of a depot or a main port installation as may be necessary for the equitable distribution of such petroleum product or products

* *

(3) The order referred to in sub-paragraph (1) may contain such supplemental or incidental provisions relating to the supply of any petroleum product as the Central Government may consider necessary.

4. *Power of entry, search and seizure.*—†(1)† Any Police Officer not below the rank of #Sub-Inspector# or any other Officer of Government of or above and equivalent rank authorised in this behalf by Central Government or State Government may, with a view to securing compliance with this order or to satisfy himself that this order or any order made thereunder has been complied with :—

(a) stop and search any vessel or vehicle used or capable or being used for the transport of any petroleum products :

— Provision regarding "Prices of Kerosene" omitted vide GSR 2761 (E), dated 18th March 1983.

†—† Sub-clause (1) of clause 4 Re-numbered by G. S. R. 2736, dated 27th October 1975.

#—# Substituted by G. S. R. 2736, dated 27th October 1975.

(b) enter and search any place :

(c) seize stocks of any petroleum product in respect of which he has reason to believe that a contravention of this order has been, or is being, or is about to be made.

* (2) The provisions of section 100 of the Code of Criminal Procedure, 1973 (2 of 1974), relating to search and seizure, shall, so far as may be, apply to searches and seizures under this order.*

THE FIRST SCHEDULE

Part I—Oil Distributing Companies.

1. Indian Oil Corporation Ltd., a company incorporated in India.
2. Burmah-Shell Oil Storage and Distributing Company of India, a company incorporated in the United Kingdom and carrying on business in India.
- *3. Hindustan Petroleum Corporation Limited, a Company incorporated in India.*
4. Caltex (India) Ltd., a company incorporated in the Bahama Islands and carrying on business in India.
5. Assam Oil Company Limited, a Company incorporated in the United Kingdom and carrying on business in India.
6. Indo-Burmah Petroleum Company Ltd., a company incorporated in India.

Part II—Oil Refining Companies.

1. Indian Oil Corporation Limited, a company incorporated in India.
2. Cochin Refineries Limited, a company incorporated in India.
3. Madras Refineries Ltd., a company incorporated in India.
4. Burmah-Shell Refineries Limited, a company incorporated in India.
- +5. Hindustan Petroleum Corporation Limited, a company incorporated in India.+
6. Caltex Oil Refinery (India) Limited, a company incorporated in India.
7. Assam Oil Company Limited, a company incorporated in the United Kingdom.

— Inserted by G. S. R. 2736, dated 27th October 1975.

+—+ Substituted *vide* G. S. R. No. 743, dated 22nd May 1975.

Part III—Associated Refineries.

1. The refineries situated at Nunmati (Assam), Koyali (Gujarat), Barauni (Bihar), Madras (Tamilnadu) and Cochin (Kerala) in the case of Indian Oil Corporation Limited.
2. The Burmah-Shell Refinery situated at Trombay, Bombay (in the case of Burmah-Shell Oil Storage and Distributing Company of India).
- *3. The Hindustan Petroleum Corporation Limited, Refinery situated at Trombay, Bombay.*
4. The Caltex Refinery situated at Visakhapatnam (in the case of Caltex (India) Limited).
5. The refinery situated at Digboi (Assam) in the case of Assam Oil Company Limited.

*THE SECOND SCHEDULE**Supply Area*

Name of the Supply Area (1)	Area to which Supply of Petroleum products is made from the following main port installations and depots of the Oil Distributing companies. (2)
1. Digboi	Digboi, Tinsukia, Balimara, Sibsagar, Chabua, Jorhat, Bhojo.
2. Gauhati	Gauhati, Golpara South, Garo Hills, Badarpur, Silchar, Jagi Road, Khatkholi, Dharamnagar, Jamguri, Tripura, Tejpur, Rangapara, Tanjia N. Lakhimpur, Hashimara, Alipurduar, Dalgaon, Mal Junction.
3. Barauni	Barauni, Patna, Arrah, Begusaria, Garhara, Jamalpur, Monghyr, Dinapur, Deri-on-sone, Mugalsarai, Varanasi, Robertsganj, Renukool, Jaunpur, Mirzapur, Ghazipur, Assamgarh, Ballia, Allahabad, Rai-Bareilly, Fatehpur, Pratagarh, Faizabad, Lucknow, Sitapur, Hardoi, Barabanki, Muzaffarpur, Katihar, Raxaul, Forbesganj, Darbhanga, Gorakhpur, Basti, Gonda, Pilibhit, Deoria, Bhagalpur, Sultanganj, Rajmahal, Hazeribag, Bhurkaunda, Bermo, New Jalpaiguri, Nakasalbari, Raiganj, Malda.

— Substituted *vide* G. S. R. 743, dated 22nd May 1975.

THE SECOND SCHEDULE—contd.

Supply Area

(1)	(2)
4. Calcutta . .	Calcutta, Howrah, Bandel, Andal, Kharagpur, Midnapore, Hijli, Danton, Asansol, Dhanbad, Rajbandh, Rampurhat, Talanagar, Ranchi, Chakradharpur, Balasore, Rourkela.
5. Koyali . .	Baroda, Koyali, Broach, Ahmedabad, Sabarkantha, Mehsana, Surat, Billimore, Udhana, Indore, Ratlam, Kotah, Sawai-Madhawpur, Agra, Mathura, Gwalior, Jhansi, Bhopal, Bina, Sagar, Surendranagar, Bhavnagar, Amreli, Itarsi, Jabalpur, Katni, Narsingpur, Satna, Dholpur, Tikamgarh, Udaipur, Jaipur, Alwar, Ajmer, Jodhpur, Bikaner, Hanumangarh, Aligarh, Meerut, Bulandsahar, Etah, Farrukhabad, Moradabad, Bareilly, Bijnor, Rampur, Shahjahanpur Road, Kichha, Kathgodan, Panki, Kanpur, Patiala, Ambala, Chandigarh, Simla, Saharanpur, Jammu and Kashmir, Amritsar, Pathankot, Jullundur, Ludhiana, Ferozpur, Rotak, Jind, Kottapura, Hissar, Bhatinda, Delhi, Shakurbasti.
6. Bombay . .	Akola, Amravati, Chanda, Murtizapur, Nagpur, Pulgaon, Wardha, Itwari, Manmad, Dhulia, Nasik, Jalgaon, Aurangabad, Nizamabad, Bulsar, Vapi, Poona, Ahmednagar, Karad, Miraj, Kolhapur, Hubli, Belgaum, Ghatprabha, Sholapur, Gulberga, Bijapur, Raichur, Secunderabad, Hyderabad, Bombay, Thana.

THE SECOND SCHEDULE—contd.

Supply Area

(1)	(2)
7. Okha	.. Rajkot, Junagadh, Gondal, Okha, Jamnagar.
8. Kandla	.. Kandla.
9. Goa	.. Vasco (Goa).
10. Vizag	.. Vishkhapatnam, Vijayawada, Nidadavelli, Eluru, Guntur, Warangal, N. S. Dam Site, Raipur, Bhilai, Durg, Bilaspur, Bistrampur, Mohondragarh, Gondia, Itawari, Sambalpur, Bobbili, Cuttack, Berhampur.
11. Cochin	.. Cochin, Quilon, Kottayam, Trivandrum, Tirunelveli, Manglore, Kozhikode, Cannanore, Palghat, Madurai, Pollachi, Dindigul, Coimbatore, Mettupalayam, Tiruppur, Salem, Erode, Tiruchirapalli, Karuppur.
12. Madras	.. Banglore, Madras, Mysore, Shimoga, Chittaldurg, Guntakal, Cuddappah, Neyyeli, Tiruvarur.

[F. No. 45 (8)/71-IOC]

(Signed) S. D. BHAMBRI,
Joint Secretary to
Government of India.

**THE NON-PRESSURE STOVES (QUALITY CONTROL)
ORDER, 1990**

GOVERNMENT OF INDIA

MINISTRY OF PETROLEUM AND CHEMICALS DEPARTMENT OF
PETROLEUM AND NATURAL GAS

" Shastri Bhavan " New Delhi, dated 12th July 1990.

(Corrected up to 31st March 1995)

ORDER

In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following order, namely :—

1. (1) This order may be called Non-pressure Stoves (Quality Control) Order, 1990.

(2) It extends to the whole of India.

(3) It shall come into force on the 1st day of February 1992.

2. *Definitions.*—In this order, unless the context otherwise requires :—

(a) ' Non-pressure Stoves ' means burning appliances intended for domestic and Commercial use, burning kerosene oil at atmospheric pressure.

(b) ' Specified Standard ' means the Indian Standard Specification No. IS : 2980-1986, specified for non-pressure stoves.

3. No person shall by himself or by any person on his behalf manufacture or store for sale, sell or distribute any non-pressure stove which does not conform to specification under this order and that it would be with ISI Certification Mark, provided that nothing in this order shall apply in relation to export of non-pressure stoves which do not conform to the specified standard but conform to any specification required by the foreign buyers and by the Export (Quality Control and Inspection) Act, 1963 (22 of 1963).

— Substituted vide G. S. R. 49 (E), dated 25th January, 1991.

4. The sub-standard or defective stoves or raw material components which do not conform to the aforesaid standard including the thermal efficiency specified shall be deformed beyond use and disposed of as scrap.

5. *Power of entry, search and seizure.*—*(1) Any officer of the State Government, not below the rank of an Inspector, in the Food and Civil Supplies department or in any other department duly authorised by a notification published in the *Official Gazette* by such State Government may with a view to carry out the provisions of this Order, or for the purpose, of satisfying himself that this order or any order made thereunder has been complied with :

(a) enter and search any place, premises or Factory which the officer has reason to believe, has been or is being or is about to be used for the contravention of this order :

(b) seize stocks of non-pressure stoves, raw material or components which the officer has reason to believe has been or is being or is about to be used in contravention of this order.*

(2) The provisions of section 100 of the Code of Criminal Procedure, 1973 (2 of 1974) relating to search and seizure shall, as far as may be, apply to searches and seizures under this Order.

(Signed) S. R. SHAH,
Joint Secretary to the Government of India.

By order and in the name of the
Governor of Maharashtra,

J. PAKYNTAIN,
Deputy Secretary to Government.

— Substituted *vide* G. S. R. 49 (E), dated 25th January, 1991.

FOOD AND CIVIL SUPPLIES DEPARTMENT

Mantralaya Annexe, Bombay-400 032, dated the 10th January 1992.

NON-PRESSURE STOVES (QUALITY CONTROL) ORDER, 1990.

No. MIS. 1089/4739/CR-1201/CS-27.—In pursuance of sub-clause (1) of clause 5 of the Non-Pressure Stoves (Quality Control) Order, 1990, the Government of Maharashtra hereby authorises and notifies the following Officers, within their respective regular jurisdiction for the purposes of clause (5) of the said Order, namely :—

- (1) Collectors of Districts.
- (2) Additional Collectors of Districts.
- (3) The Controller of Rationing, Bombay.
- (4) Assistant Commissioners (Supply).
- (5) Deputy Controller of Rationing and Assistant Controller of Rationing, Bombay.
- (6) Deputy Collectors and Assistant Collectors in the Districts.
- (7) District Supply Officers.
- (8) Tahsildars.
- (9) Supply Inspecting Officers.
- (10) General Managers of all District Industries Centres except the Bombay District.
- (11) Joint Director of Industries (BMR) for Bombay Metropolitan Region.
- (12) Inspectors of Legal Metrology.

By order and in the name of the
Governor of Maharashtra,

J. PAKYNTAIN,
Deputy Secretary to Government.

**THE MOTOR SPIRIT AND HIGH SPEED DIESEL
(PREVENTION OF MALPRACTICES IN SUPPLY AND
DISTRIBUTION) ORDER, 1990**

GOVERNMENT OF INDIA
MINISTRY OF PETROLEUM AND CHEMICALS
(DEPARTMENT OF PETROLEUM AND NATURAL GAS)

New-Delhi, dated the 22nd September 1990

(Corrected upto 31-3-1995)

ORDER

No. G. S. R.-811 (E).—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following order, namely:—

1. Short title, Extent and commencement.—(1) This Order may be called the Motor Spirit and High Speed Diesel (Prevention of Malpractices in Supply and Distribution) Order, 1990.

(2) It extends to the whole of India.

(3) It shall come into force on the 1st day of October, 1990, in respect of high speed diesel and on the 1st day of January, 1991 in respect of motor spirit.

2. Definitions.—In this Order, unless the context otherwise requires,—

(a) "adulteration" means the introduction of any foreign substance into motor spirit/high speed diesel illegally/ unauthorisedly with the result that the product does not conform to the requirements indicated in Schedule I;

(b) "consumer" means a person who purchases products directly from an Oil Company and stores and utilizes the products for his own consumption and shall include his representatives, employees or agents;

(c) "dealer" means a person appointed by an Oil company to purchase, receive store and sell motor spirit and high speed diesel oil whether or not in conjunction with any other business and shall include his representatives, employees or agents;

(d) "high speed diesel" means any hydrocarbon oil (excluding mineral colza oil and turpentine substitute) which has its flash point at or above 25 degree Celsius and is suitable for use as fuel in compression ignition engines ;

(e) "malpractices" shall include the following acts of omission and commission in respect of motor spirit and high speed diesel.—

- (i) Adulteration,
- (ii) pilferage,
- (iii) Stock variation,
- (iv) unauthorised exchange,
- (v) unauthorised purchase,
- (vi) unauthorised sale ;

(f) "motor spirit" means any hydrocarbon oil (excluding crude mineral oil) which has its flash point below 25 degree Celsius and which, either by itself or in admixture with any other substance, is suitable for use as fuel in spark ignition engines ;

(g) "oil company" means any of the following Oil companies and such other Oil Companies as may be specified by the Central Government, from time to time.—

- (i) Indian Oil Corporation Limited (including Assam Oil Division),
- (ii) Bharat Petroleum Corporation Limited,
- (iii) Hindustan Petroleum Corporation Limited,
- (iv) IBP Company Limited ;

(h) "pilferage" means stealing or attempt to steal of product from a container used for transportation of the product or from a receptacle used for the storage of the product and shall include any unauthorised attempt or act of tampering with such container/receptacle ;

(i) "product" means motor spirit and high speed diesel oil ;

(j) "stock variation" means, variation beyond the norms for permissible variation in stocks as given in Schedule II ;

(k) "transporter" means a person authorised by an Oil Company, a dealer, or a consumer, to transport motor spirit or high speed diesel oil and shall include his representatives, employees or agents ;

(l) "unauthorised exchange" means transfer or receipt of the products from a dealer or consumer to another or consumer or to any other person in contravention of the directives issued by the State Government or Oil Companies ;

(m) "unauthorised purchase" means purchase of the products from sources other than those authorised by the Oil Companies or sources not authorised by the State Government ;

(n) "unauthorised sale" means sale of products by a dealer or consumer to another dealer or consumer or to any other person in contravention of the directives issued for the purpose by the State Government or Oil Companies.

3. Product Supply and Transportation.—(1) The product from the supply point shall be transported by the transporter in a container or tank truck certified fit by the concerned authorities to carry the product with accurate calibration as certified by the Weights and Measures authority and supported by delivery documents and deliver the same to the storage or dispensing point in the same condition as delivered to him by the originating supply point both in respect of quality and quantity.

(2) The transporter shall ensure that the product is transported only in containers/tank trucks which are properly sealed by the Oil Company.

4. The dealer/consumer shall inspect such containers or tank trucks in which he receives the product to ensure.—

(a) that the container or tank truck, including the seals are not in any manner tampered with ;

(b) that the quantity and quality of the products are as per delivery documents issued by Oil Companies and the quality of the product conforms to the requirements indicated in Schedule I. For this purpose, the dealer/consumer shall maintain a record of densities as indicated in Schedule I.

5. The dealer, transporter, consumer or any other person shall not in any manner indulge in any of the malpractices listed in clause 2 (e) above.

6. The delivery or sale of motor spirit and high speed diesel oil shall be made by dealers only from authorised retail pump outlets.

7. Power of Search and Seizure.—(1) any Officer of the State Government, not below the rank of an Inspector, in the Department of Food and Civil Supplies, duly authorised and notified in the *Official Gazette* by such State Government, or any officer of an Oil company not below the rank of a Sales Officer may, with a view to securing compliance with the provisions of this order, or for the purpose of satisfying himself that his Order or any order made thereunder has been complied with,—

(2) Enter and search any place or premises being made use of or suspected to be made use of in the business of the dealer, transporter, consumer or any other person who is an employee or agent of such dealer/transporter/consumer with respect to which there is reason to believe that the provisions of this order have been/are being or are about to be contravened;

(3) Stop and search any person or vehicle or receptacle used or intended to be used for the movement of the product ;

(4) Inspect any book of accounts or other documents or any stock of the product used or suspected to be used in the business of the dealer, transporter, consumer or any other person suspected to be an employee or agent of the dealer, transporter or consumer;

(5) Take samples of the product and/or seize any of the stocks of the product which the officer has reason to believe has been or is being or is about to be used in contravention of this order and hereafter take or authorise the taking of all measures necessary for securing the production of stocks/items so seized before the Collector having jurisdiction under the provisions of the Essential Commodities Act, 1955 (10 of 1955) and for their safe custody pending such production ;

(6) While exercising the power of seizure provided under Sub-clause (4), the authorised officer shall record in writing the reason for doing so, a copy of which shall be given to the dealer, transporter, consumer or any other concerned persons ;

(7) The provisions of section 100 of the Code of Criminal Procedure, 1973 (2 of 1974), relating to search and seizure shall, as far as may be, apply to searches and seizures under this order.

8. Sampling of Product.—(1) The Officer authorised in clause 7 shall draw the sample from the tank, nozzle, vehicle or receptacle as the case may be to check whether density of the product conforms to requirements indicated in Schedule I.

(2) The officer authorised in clause 7 shall take sign and seal three samples of 750 ml. to 1 litre each of the product, one to be given to the dealer, transporter or concerned person under acknowledgement with instructions to preserve the sample in his safe custody till the testing/ investigations are completed, the second sample to be kept by the concerned oil company or department and the third to be used for laboratory analysis.

(3) Samples shall be taken in clean glass or aluminium containers (plastic containers shall not be used for drawing samples).

(4) The sample label should be jointly signed by the officer who has drawn the sample, and the dealer or transporter or concerned person or his representative and the label shall contain information as regards the product, name of retail outlet, quantity of sample, date name and signature of the officer, name and signature of the dealer or transporter or concerned person or his representative.

(5) The authorised officer shall send the third sample of the product taken under sub-clause (2) within 10 days to any of the laboratories mentioned in Schedule III appended to this Order for analysis with a view to checking whether the density of the product conforms to requirements indicated in Schedule I.

9. Power of Central Government to issue directions.—The Central Government may, from time to time, by a general or special order issue to any dealer, transporter or consumer such direction as it considers necessary regarding storage, sale, transportation and disposal of motor spirit or high speed diesel and upon the issue of such directions, such dealer, transporter or consumer shall be bound to comply therewith.

10. Provision of the Order to prevail over previous orders of State Governments etc.—The provisions of this order shall have effect notwithstanding anything to the contrary contained in any Order made by a State Government or by an officer of such State Government before the commencement of this Order except as respects anything done, or omitted to be done thereunder before such commencement.

(Signed) S. BANERJEE,
Joint Secretary to the
Government of India.

SCHEDULE I

[See clause 2 (a)]

1. The density at 15 degree celsius of motor spirit or high speed diesel at the receiving end (received by dealer) shall be within +/- 0.0030 of the density at 15 degree Celsius at the despatch depot of the Oil Company as indicated in the delivery document.

2. The density at 15 degree Celsius of motor spirit or high speed diesel in the dealer's tank, retail outlet pump/retail point/ receptacle or any other point in retail outlet premises wherefrom sample is taken and tested shall be within +/- 0.0030 of the recorded density of the last receipt at the retail outlet and/or the density taken in the morning following the last receipt. The dealer shall maintain the record of densities as mentioned herebefore in a separate Register, which shall be made available as and when required to the authorised Inspecting personnel.

SCHEDULE II

[See clause 2 (j)]

Details of norms for permissible stock variation

Variation in stocks in underground tanks is considered to be beyond normal operation level when the inspection establishes that the variation in stocks in the underground tanks is beyond +/- 4 % of tank stock over and above :

(i) Evaporation/handling losses in motor spirit as follows :—

ø.75 % on annual average sales of 0-600 Kilolitres,

ø.60 % on annual average sales of above 600 Kilolitres.

Note.—In case of motor spirit shortage beyond permissible limits, the explanation of the Dealer will be called for before any action is taken under this Control Order.

(ii) Handling losses in high speed diesel as follows :—

ø.25 % on annual average sales of 0-600 Kilolitres,

ø.20 % on annual average sales of above 600 Kilolitres.

(Shrinkage losses on motor spirit/high speed diesel and temperature variation allowance quantities on HSD to be taken into account wherever the same are applicable).

SCHEDULE III

[See clause 8 (5)]

*Laboratories for testing of petroleum product samples.
Hindustan Petroleum Corporation Ltd. Laboratories*

(1) Hindustan Petroleum Corporation Limited, Fuels Refinery Division Laboratory, Corridor Road, Mahul, Bombay-400-074.

(2) Hindustan Petroleum Corporation Limited, Lubes Refinery Laboratory, Corridor Road, Mahul, Bombay-400 074.

(3) Hindustan Petroleum Corporation Limited, Visakh Refinery Laboratory, P. O. Box No. 50, Vishakhapatnam-530 001.

(4) Hindustan Petroleum Corporation Limited, Mazgaon Laboratory, Haybunder Road, Bombay-400 033.

(5) Hindustan Petroleum Corporation Limited, Budge Budge Laboratory, Budge Budge, 24, Parganas, West Bangal-743 319.

(6) Hindustan Petroleum Corporation Limited, Laboratory, 98/99, Elaya Mudali Street, P. O. Box No. 1170, Washermanpet, P. O., Madras.

(7) Hindustan Petroleum Corporation Limited, Laboratory, Rohtak Road, Sakurbasti, Delhi-110 056.

(8) Hindustan Petroleum Corporation Limited, Laboratory, P. O. No. 43, Gandhidham (Kachehh) 370 201.

(9) Hindustan Petroleum Corporation Limited, Vasco Terminal Laboratory, P. B. No. 48, Vasco D Gama, Goa.

(10) Hindustan Petroleum Corporation Limited, Ernakulam Terminal Laboratory, P. B. No. 2611, Ernakulam, Cochin-682 031.

(11) Hindustan Petroleum Corporation Limited, Loni Terminal Laboratory, Loni-Kalbhori, Pune-412201.

(12) Hindustan Petroleum Corporation Limited, D-99, TTC, Indl. Area, P. B. No. 2, Vashi-400 703, New Bombay.

Indian Oil Corporation Limited Laboratories

(13) Indian Oil Corporation Limited (Marketing Division), Allahabad Laboratory, Post Box No. 44, Allahabad-211 001.

(14) Indian Oil Corporation Limited, Ambala Laboratory, G. T. Road, Pipeline Terminal, Ambala Cantonment, Pin-133 001 (Haryana).

(15) Indian Oil Corporation Limited, Jalandhar Laboratory, Suchipind, Jalandhar City-144 009.

(16) Indian Oil Corporation Limited, Mughalsarai Laboratory, Mughal-Sarai-232 101.

(17) Indian Oil Corporation Limited, Haldia Laboratory, P. O. Haldia Refinery, Dist. Midnapur (West Bengal).

(18) Indian Oil Corporation Limited, Port Blair Laboratory, Andaman and Nicobar Island, Port Blair.

(19) Indian Oil Corporation Limited, Bangalore Laboratory, Banasawadi Road, M. S. Nagar, Bangalore-560 033.

(20) Indian Oil Corporation Limited, Antop Hill Laboratory, Antop Hill, Wadala, Bombay-400 031.

(21) Indian Oil Corporation Limited, Shakurbasti Laboratory, Opp. Shivaji Park, Shakurbasti, Delhi-110 056.

(22) Indian Oil Corporation Limited, Delhi Terminal Laboratory, Gurgaon Road, Bijwasan, New Delhi.

(23) Indian Oil Corporation Limited, Calcutta Air Port Terminal Laboratory (Dum Dum Lab.), Calcutta Airport, Calcutta-700 052.

(24) Indian Oil Corporation Limited, Korkupet Laboratory, Kathiavakkam High Road, Madras-600 021.

(25) Indian Oil Corporation Limited, Laboratory, Railway Colony Post, Ahmedabad-380 019.

(26) Indian Oil Corporation Limited, Rajabandh Terminal Laboratory, Durgapur-713 212.

(27) Indian Oil Corporation Limited, Laboratory, Sipara, Post Persav, Poon Poon, Patna.

(28) Indian Oil Corporation Limited, Laboratory, Near New Jalpaiguri Station, Post Siliguri-734 401.

(29) Indian Oil Corporation Limited, Laboratory, Village Panchpara, P. O. Radhadasi, Distt. Howrah.

(30) Indian Oil Corporation Limited, Laboratory, Panambur-Mangalore, Pin-575 010.

(31) Indian Oil Corporation Limited, Laboratory, Wellington Islands, P. B. No. 35, Cochin-682 003.

(32) Indian Oil Corporation Limited, Naphtha Terminal Project Laboratory, Opp. United Salt Works, Kandla Port, Post Office Kandla (Kucch).

(33) Indian Oil Corporation Limited, Laboratory, P. B. No. 154, Vasco D Gama, Goa-403 001.

(34) Indian Oil Corporation Limited, Laboratory, Malkapuram Post Office, Vishakhapatnam-530 011.

(35) Indian Oil Corporation Limited, Laboratory, Tuticorin Harbour Project Premises, Tuticorin-628 004.

(36) Indian Oil Corporation Limited, Laboratory, Post Office Armapore, Kanpur-208 009.

(37) Indian Oil Corporation Limited, Laboratory, 24 Parganas, Budge Budge-743 319.

(38) Indian Oil Corporation Limited, Laboratory, Post Office Fateh Bagh, Industrial Estate, Sannath Nagar, Hyderabad-500 018.

(39) Indian Oil Corporation Limited, Madhura Refinery Laboratory, P. O. Mathura Refinery, Mathura-231 005 (U. P.).

(40) Indian Oil Corporation Limited, Barauni Oil Refinery Laboratory, Dist. Bogusarai-851 112 (Bihar).

(41) Indian Oil Corporation Limited, Gauhati Oil Refinery Laboratory, P. O. Noonmati, Gauhati-781 020 (Assam).

(42) Indian Oil Corporation Limited, Gujarat Oil Refinery Laboratory, P. O. Jawharnagar, Dist. Vadodra-391 320.

(43) Indian Oil Corporation Limited (Assam Oil Division), Digboi Refinery Laboratory, P. O. Digboi, Assam.

(44) Indian Oil Corporation Limited (R. & D. Centre), Sector-13, Faridabad-121 001, Haryana.

(45) Indian Oil Corporation Limited, Laboratory, 'Pir Pau', Trombay, Bombay-400 074.

(46) Indian Oil Corporation Limited, Laboratory, Ennore High Road, Tondiarpeth, Thiruvottiyur Post, Madras-600 082.

(47) Indian Oil Corporation Limited, Laboratory, P. 68, C. G. R. Diversion Road, Paharpur, Calcutta-700 043.

Bharat Petroleum Corporation Ltd. Laboratories

(48) Bharat Petroleum Corporation Limited, R. & D. Centre, 'A' Installation, Sewree Fort Road, Sewree (East), Bombay-400 015.

(49) Bharat Petroleum Corporation Limited, Budge Budge Installation Lab., Budge Budge, P. O. Budge Budge, West Bengal-743 319.

(50) Bharat Petroleum Corporation Limited, Tondiarpet Installation Lab., Tondiarpet, P. B. No. 1152, Madras-600 001.

(51) Bharat Petroleum Corporation Limited, Shakurbasti Installation Lab., Shakurbasti, Delhi-110 056.

(52) Bharat Petroleum Corporation Limited, Ernakulam Installation Lab., P. B. No. 2618, Goods Shed Road, Ernakulam, Cochin-682 031.

(53) Bharat Petroleum Corporation Limited, Kandla Installation Lab., P. B. No. 33, Post Gandhidham, Gujarat-370 201.

IBP Co. Limited Laboratory

(54) I. B. P. Co. Ltd., Sewree Terminal Laboratory, Bombay-400 015.

(55) I. B. P. Co. Ltd., IBP Depot Laboratory, Rohtak Road, Shakurbasti, New Delhi-110 004.

Mobile Laboratories of Oil Companies

(56) Mobile Laboratories of Oil Companies (IOC, BPC, IBP Co. and HPC).

Other Refinery Laboratories

(57) Bongaigaon Oil Refinery Ltd., Refinery Laboratory, P. O. New Bongaigaon, Dist. Kokrajhan, Assam.

(58) Madras Refinery Laboratory, Madras Refineries Ltd., Manali, Madras-600 019.

(59) Cochin Refinery Ltd., Refinery Laboratory, Post Ambalamugal, Cochin-682 302.

Government Laboratories

(60) Director of Airworthiness, Civil Aviation Deptt. Laboratory, Block II/III, East, R. K. Puram, New Delhi-110 066.

(61) National Test House, 11/1, Judges Court Road, Alipore, Calcutta-700 027.

(62) National Physical Laboratory, Pusa, New Delhi-110 012.

Defence Laboratories

(63) Chief Controllrate of Materials, Controllrate General of Stores, Laboratory, IGS Kanpur, P. B. No. 229, Kanpur.

(64) Inspectorate General of Stores Laboratory (IGSL) DGI Complex, Madras-600 014.

(65) Inspectorate General of Stores Laboratory, DGI Complex, Hastings, Calcutta-700 022.

(66) Inspectorate General of Stores Laboratory, DGI Complex, Vikhroli, Bombay-400 083.

Other Laboratories

(67) Indian Institute of Petroleum, Dehra Dun-248 005.

(68) Indian Institute of Technology, Guindy, Madras.

(69) Indian Institute of Technology, Haus Khas, New Delhi.

(70) Indian Institute of Technology, Powai, Bombay.

(71) Indian Institute of Technology, Kharagpur.

(72) Regional Research Laboratory, Uppal Road, Hyderabad-500 007.

And all Forensic Laboratories in States/UTS.

(Signed) S. BANERJEE,
Joint Secretary to the
Government of India.

[File No. P-11013/3/90-Dist.]

By order and in the name of the
Governor of Maharashtra,

P. I. BHISHIKAR,
Deputy Secretary to Government.

**THE MOTOR SPIRIT AND HIGH SPEED DIESEL
(PREVENTION OF MALPRACTICES IN SUPPLY AND
DISTRIBUTION) ORDER, 1990**

FOOD AND CIVIL SUPPLIES DEPARTMENT,
Mantralaya Annexe, Bombay-400 032,
dated the 25th October 1990.

No. SPP-1090-3784-(CR-1505/CS-27).—In pursuance of sub-clause (1) of clause 7 of the Motor Spirit and High Speed Diesel (Prevention of Malpractices in Supply and Distribution) Order, 1990, the Government of Maharashtra hereby authorises and notifies the following officers, within their respective regular jurisdiction for the purposes of clause 7 of the said Order, namely :—

- (1) Collectors of Districts,
- (2) Additional Collectors of Districts,
- (3) The Controller of Rationing, Bombay,
- (4) Assistant Commissioner (Supply),
- (5) Deputy Controller of Rationing and Assistant Controller of Rationing, Bombay,

- (6) Deputy Collectors and Assistant Collectors in the Districts.
- (7) District Supply Officers.
- (8) Tahsildars,
- (9) Supply Inspecting Officers,
- (10) Supply Inspectors, Rationing Inspectors and Weights and Measures Inspectors (Legal Metrology) of Civil Supplies Department.

By Order and in the name of the
Governor of Maharashtra,

P. M. BHISHIKAR,
Deputy Secretary to Government.

**THE MOTOR SPIRIT AND HIGH SPEED DIESEL
(PREVENTION OF THE MALPRACTICES IN SUPPLY
AND DISTRIBUTION) ORDER, 1990**

FOOD AND CIVIL SUPPLIES DEPARTMENT
Mantralaya Annexe, Bombay-400 032,
Dated the 8th November 1994

No. SPP-1090-3784-CR-1505-CS-27.—In exercise of the powers conferred by sub-clause (1) of clause 7 of the Motor Spirit and High Speed Diesel (Prevention of Malpractices in Supply and Distribution) Order, 1990 and in partial modification of Government Notification, Food and Civil Supplies Department, No. SPP-1090-3784-CR-1505-CS-27, dated the 25th October 1990 (hereinafter referred to as "the said notification") in so far as it relates to the authorisation of Assistant Commissioner (Supply), the Government of Maharashtra hereby authorises and notifies the Deputy Commissioner (Supply), the Assistant Rationing Officers and the Rationing Officers and the Nayab Tahsildar (Supply) to be the authorised Officers, within their respective regular jurisdiction, for the purposes of clause 7 of the

said Order, and for that purpose amends the said notification as follows, *namely* :—

In the said Notification.—

- (i) for entry '4', the following entry shall be substituted, *namely* :—
" (4) the Deputy Commissioner (Supply) ".
- (ii) After entry 10, the following entries shall be added, *namely* :—
" (11) the Assistant Rationing Officers,
(12) the Rationing Officers,
(13) the Nayab Tahsildar (Supply) ".

By order and in the name of the
Governor of Maharashtra,

J. PAKYNTAIN,
Deputy Secretary to Government.

**THE KEROSENE (RESTRICTION ON USE AND
FIXATION OF CEILING PRICE) ORDER, 1993**

(Corrected up to 31-3-1995)

GOVERNMENT OF INDIA
MINISTRY OF PETROLEUM AND NATURAL GAS
New Delhi, the 2nd September 1993

NOTIFICATION

G.S.R.-584 (E).—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order, *namely* :—

1. *Short title and commencement.*—(1) This Order may be called the Kerosene (Restriction on Use and Fixation of Ceiling Price) Order, 1993.
(2) It extends to the whole of India.
(3) It shall come into force on the date of its publication in the *Official Gazette*.
2. *Definitions.*—In this order, unless the context otherwise requires,—
(a) " Chief Controller of Explosives " shall have the same meaning as assigned to it in the Indian Explosives Act, 1884 (4 of 1884) ;

(b) "Consumer" means a person, firm, company, institution, association of persons, co-operative society or organisation who is authorised by the Central or State Government to use kerosene for cooking and illumination ;

(c) "Dealer" means a person, firm, association of persons, company, institution, organisation or a co-operative society approved by Government Oil Company or Central or State Government or a parallel marketer and engaged in the business of buying and selling kerosene ;

(d) "declared price" in relation to kerosene sold under the public distribution system means the maximum selling price declared by the Central Government, from time to time with reference to an area and shall include such other charges, rates, duties and taxes prescribed :—

(i) by the State Government or District Collector in the case of an area in a State, or

(ii) by the Administrator of the Union Territory, in the case of an area in a Union Territory ;

(e) "kerosene" means a middle distillate mixture of hydrocarbons meeting BIS specification No. IS-1459 of 1974 with important characteristics of flash point at a minimum of 35° C and smoke point at a minimum of 18 mm. ;

(f) "Government Oil Company" means,—

(i) the Indian Oil Corporation Limited ;

(ii) the Bharat Petroleum Corporation Limited ;

(iii) the Hindustan Petroleum Corporation Limited ;

(iv) the I. B. P. Co. Limited ;

(v) the Oil and Natural Gas Commission ;

(vi) the Gas Authority of India Limited ;

(vii) the Oil India Limited; or

(viii) any other Government Company or a statutory body declared by notification to be a Government Oil Company by the Central Government for the purpose of this Order.

(g) " Indian Standard " shall have the same meaning as assigned to it in clause (g) of section 2 of the Bureau of Indian Standards Act, 1986 (63 of 1986) ;

(h) " parallel marketeer " means any person, firm, company, institution, association of persons, co-operative society or organisation carrying on the business of importing, refining, producing, packing, marketing, distributing and selling kerosene under the parallel marketing system ;

(i) " parallel marketing system " means the system other than the public distribution system, under which a person imports, transport, packs, distributes or sells kerosene under his own arrangement ;

(j) " public distribution system " means the system of distribution, marketing or selling of kerosene at declared price through a distribution system approved by the Central or State Government ;

(k) " storage point " means the premises approved or licenced by the Chief Controller of Explosives ;

(l) " transporter " means a person authorised by a Government Oil Company, parallel marketeer or a distributor for transportation of kerosene.

3. Restriction on use of kerosene supplied under public distribution system.—(1) No person shall use kerosene supplied under the public distribution system for any purpose other than cooking and illumination :

Provided that the Central or State Government may by order permit any person to use kerosene for such other purposes as it may specify in that order.

(2) No dealer appointed under the public distribution system or a transporter shall sell, distribute or supply kerosene under the public distribution system to any person other than the person to whom the supplies are meant for.

4. Procurement, storage and sale of kerosene under the public distribution system.—(1) No dealer having stocks of kerosene supplied under the public distribution system at the business premises, including the place of storage,—

(a) shall, unless otherwise directed by the Government or Government Oil Company, refuse to sell, distribute or supply the kerosene to any consumer on any working day, during working hours ;

(b) shall keep his business premises, including the place of storage, closed during working hours on any working day without the prior written permission of the Government or the Government Oil Company ;

(c) Shall sell, distribute or supply kerosene at a price higher than that fixed by the Government or Government Oil Company.

(2) Every dealer appointed under the public distribution system shall take all reasonable steps to ensure that adequate stocks of kerosene are available at the business premises including the place of storage at all times.

Explanation.—For the purpose of sub-clause (1) the expression "Working Hours" means the working hours fixed by the concerned Oil Company in accordance with the Shops and Establishments Act in force in the respective State or Union Territory.

5. Display of stock and price by dealers appointed under public distribution system.—Every dealer appointed under the public distribution system shall prominently display at the place of business including the place of storage or a conspicuous place a stock-cum-price board showing,—

- (i) the Opening Stock of kerosene ;
- (ii) the quantity received during the day ;
- (iii) the quantity sold, delivered or otherwise disposed of during the day ;
- (iv) the closing stock of the day ; and
- (v) such other particulars as the Government or Government Oil Company may by order in writing, specify in this regard.

6. Maintenance of Registers, Account Books and submission of returns by a dealer under the public distribution system.—Every dealer appointed under the public distribution system shall maintain proper accounts of daily purchase, sale and storage of kerosene at the business premises, everyday indicating therein,—

- (i) the opening stock of kerosene ;
- (ii) the quantity received during the day ;
- (iii) the quantity sold, delivered or otherwise disposed of during the day ;

- (iv) the closing stock ; and
 (v) such other particulars as the Government or Government Oil Company may by order in writing, specify in this regard.

***7. Maintenance of records and furnishing of information by parallel marketeer.**—(a) Every parallel marketeer before commencing the import, transportation, packing, marketing, distribution or sale of kerosene shall intimate to the Central Government in the Ministry of Petroleum and Natural Gas his intention to engage in all or any one of the above activities specifying therein his capability to do so, and other relevant particulars.

(b) The parallel marketeer of kerosene shall submit a monthly return before the 15th day of the following month giving details of kerosene imported portwise, to the Central Government in the Ministry of Petroleum and Natural Gas.

(c) The parallel marketeer shall furnish to the Central Government in the Ministry of Petroleum and Natural Gas, or to such authority as may be specified by that Government in this regard, such other information as may be required.

8. Kerosene under public distribution system to be made distinguishable.—Kerosene supplied through public distribution system shall be made distinguishable from the kerosene to be imported, sold or distributed under parallel marketing system by use of suitable measure to be adopted by the Government Oil Companies as and when necessary.

9. Power of entry, search and seizure.—(a) An Officer of the Department of Food and Civil Supplies of the Government not below the rank of an Inspector authorised by such Government and notified by the Central Government or any officer authorised and notified by the Central Government, or any Officer not below the rank of a Sales Officer of a Government Oil Company authorised by the Government and notified by the Central Government may, with a view to ensuring compliance with the provisions of this Order, with such assistance as may be required, for the purpose of satisfying himself that this Order or any Order made thereunder has been complied with,—

- (i) stop and search any vessel or vehicle or any other conveyance which the Officer has reason to believe, has been or is being or is about to be used in contravention of this Order.

*—*Clause 7A inserted vide G. S. R. 509 (E), dated 19th June 1995—See Notification.

(ii) enter or search any place with such aid or assistance, as may be necessary ; and

(iii) seize and remove with such aid or assistance, as may be necessary, books, registers and other records pertaining to kerosene business, alongwith vehicle, vessel or any other conveyance used for carrying such stock, if he has reason to believe that any provision of this Order has been or is being or is about to be contravened and thereafter take or authorise the taking of all measures necessary for securing the production of the kerosene at the Office of the Government Oil Company and the Vehicle, vessel or other conveyance so seized before the Collector having jurisdiction under the provisions of Essential Commodities Act, 1955 (10 of 1955), for their safe custody pending such procedures.

(b) The provisions of section 100 of the Code of Criminal Procedure, 1973 (2 of 1974) relating to search and seizure shall so far as may be, apply to searches and seizures under this Order.

10. Overriding effect of the Order.—The provisions of this Order shall have the overriding effect notwithstanding anything to the contrary contained in any order made by a State Government or a Union Territory or by an Officer of such State Government or Union Territory before the commencement of this Order, except as regards anything done or omitted to be done thereunder before such commencement.

11. Power to exempt.—The Central Government may, if it considers necessary for avoiding hardship or for any other just and sufficient reasons by notification in the *Official Gazette*, exempt any person from all or any of the provisions of this Order, either generally or for any specific period, subject to such conditions as may be specified in the notification.

12. Repeal and Saving.—(1) The Kerosene (Restriction on Use and Fixation of Price) Order, 1966 and Kerosene (Fixation of Ceiling Prices) Order, 1970 are hereby repealed except respects things done or omitted to be done under these Orders before the commencement of this Order.

(2) Notwithstanding such repeal anything done or any action taken under the said Order shall be deemed to have been done or taken under the corresponding provisions of this Order.

(No. P-11013-3-93-Dist.)

DEVI DAYAL,
Joint Secretary.

By order and in the name of the
Governor of Maharashtra,

J. PAKYNTAIN,
Deputy Secretary to Government.

GOVERNMENT OF INDIA
MINISTRY OF PETROLEUM AND NATURAL GAS
New Delhi, Dated 7th July 1994

NOTIFICATION

S. O. 508 (E).—In pursuance of sub-clause (c) of clause 7 of the Kerosene (Restriction on Use and Fixation of Ceiling Price) Order, 1993, the Central Government hereby authorises the Food and Civil Supplies Department of the respective State Government/Government of Union Territories to seek such information and details about their antecedents and business, etc. from the Parallel Marketeers, as may deem necessary.

S. O. 509 (E).—In exercise of the powers conferred by sub-clause (a) of clause 9 of the Kerosene (Restriction on Use and Fixation of Ceiling Price) Order, 1993, the Central Government hereby notifies the following officers of the State Governments, Union Territories and Government Oil Companies mentioned below to take necessary actions under the provisions of the said Order within their respective jurisdictions, namely :—

Maharashtra

- (1) All Collectors of the Districts,
- (2) All Additional Collectors of the Districts,

- (3) The Controller of Rationing, Bombay,
- (4) The Deputy Commissioner (Supply),
- (5) All Deputy/Assistant Collectors in the Districts,
- (6) All District Supply Officers,
- (7) The Deputy/Assistant Controller of Rationing, Bombay,
- (8) All Tahsildars,
- (9) All Supply Inspecting Officers/Supply Inspector of Civil Supplies Organisation,
- (10) All Officers not below the rank of Rationing Inspector of Rationing Organisation,
- (11) All Police Officers not below the rank of Inspectors.

(Signed) DEVI DAYAL,
Joint Secretary.

(File No. P-11013-3-93-DI/Mkt.)

By order and in the name of the
Governor of Maharashtra,

J. PAKYNTAIN,
Deputy Secretary to Government.

GOVERNMENT OF INDIA
MINISTRY OF PETROLEUM AND NATURAL GAS
New Delhi, the 19th June 1995

NOTIFICATION

G.S.R.-509 (E).—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order to amend the Kerosene (Restriction on Use and fixation of Ceiling Price) Order, 1993, namely ;—

1. (1) This Order may be called the Kerosene (Restriction on Use and Fixation of Ceiling Price) (Amendment) Order, 1995.

(2) It shall come into force on the date of its publication in the *Official Gazette*.

2. In the Kerosene (Restriction on Use and Fixation of Ceiling Price) Order, 1993,—

(i) after clause 7 and the entries relating thereto, the following clause and the entries shall be inserted, namely,—

*** 7 A—Assessment and Certification Rating of parallel marketeers,—**

(1) (a) No parallel marketeer, shall commence any activity such as import, transport, marketing distribution, sale or any activity incidental thereto, relating to the business of Kerosene without obtaining a rating certificate on the basis of evaluation and rating for his capability, infrastructure network and readiness to carry out professed business and deliver goods and services promised, by an agency listed in Schedule-A to this Order :

Provided that a parallel marketeer who commences any such activity, before the commencement of this Order, shall within three months, get himself evaluated and rated by the said agency.

(b) The rating certificate shall be issued in the format as prescribed in Schedule-B to this Order and as per the forwarding letter given in Schedule-C.

(c) The rating certificate shall.—

- (i) be valid for a period of one year from the date of its issue, and
- (ii) require renewal by the rating agency, annually.

(2) Every parallel marketeer announcing details of his activity or inviting offers of any kind in the field of import, transport, marketing, distribution or sale of Kerosene, either in a newspaper, handout, pamphlet, leaflet or by any other means of communication or advertising shall indicate the rating awarded to him and prominently publish the rating certificate, as given by the rating agency.

(3) There shall be paid, in respect of every application, to a rating agency.—

(i) for the rating certificate awarded to the parallel marketeer, a fee at the rate of 0.05 percent of the project cost, subject to a minimum of rupees fifty thousand and maximum of rupees ten lakhs, and

(ii) for the renewal of the rating certificate by the parallel marketeer, a fee of one tenth of that required to be paid for such a certificate.

(4) The agency listed for the purpose of evaluation shall on payment of the fee by the parallel marketeer, evaluate every parallel marketeer whose case is either referred to it or who approaches it, on the basis of, inter-alia, the parameters indicated and the information to be provided by such parallel marketeer in the proforma as given in Schedule-D to this Order and such other information as called for by the rating agency.

(5) Every parallel marketeer shall file a certified true copy of the certificate of rating with the Ministry of Petroleum and Natural Gas, Oil Co-ordination Committee, Ministry of Food and Civil Supplies of the Central and the State Governments and the Collectors of the District in which he imports, transports, markets, distributes or sells Kerosene. All letter-heads or communications of parallel marketeer shall have the following description of rating :

- (i) Name of the rating agency,
- (ii) Rating awarded to him, and
- (iii) Date of Issue.

(6) No parallel marketeer shall either give incomplete, incorrect, misleading or vague information in the newspaper, handout, pamphlet, leaflet, advertisement etc. or submit such information to the rating agency",

(ii) after clause 12 and the entries relating thereto, the following Schedules and the entries shall be added, namely.—

SCHEDULE-A

[clause 7 A (1) (a)]

*Name and address of agencies for evaluation/
rating of Parallel Marketeer*

Name	Address
1. CRISIL (The Credit Rating Information Services of India Ltd.)	Nirlon House, 2nd Floor, 254/B, Annie Besant Road, Worli, Bombay-400 025.