

MINISTRY OF PETROLEUM AND NATURAL GAS

ORDER

New Delhi the 5th June 2000

G.S.R. 519 (E). – In exercise of the Essential Commodities Act 1955 (10 of 1955) the Central Government hereby makes the following order namely: -

1. Short title extent and commencement- This Order may be called the Naphtha (Acquisition, sale, Storage and Prevention of use in Automobiles) Order 2000.

a) It extends to the whole of India.

b) 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: -

(1) "Automobile" means any vehicle registered with the Road Transport Authority by any person where fuel certified for use in such automobile is motor spirit high speed diesel liquefied petroleum gas or compressed natural gas;

(2) "Government Oil Company" means an oil refining company or oil marketing company which is a Government company as defined in section 617 of the Companies Act 1956.

(3) "High Speed Diesel" means any hydrocarbon oil (excluding mineral colza oil and turpentine substitute) which meets the requirements of Bureau of Indian Standards specification No IS-1460 and is suitable for use as fuel in Compression Ignition Engines

(4) "motor spirit" means any hydrocarbon oil (excluding crude mineral oil), which meets the requirements of Bureau of Indian Standards specification No. IS-2796 and is suitable for use as fuel in spark ignition engines;

(5) "Naphtha" is a light hydrocarbon liquid with 90% volume distillation by ASTM D-86 distillation method of 190 degrees Centigrade or less.

(6) "Oil Company" means any person firm or company authorised by the Central Government who is engaged in the sale of Motor Spirit or High Speed Diesel to consumers or dealers.

3. Restriction on sale and use of Naphtha-

(1) No person shall either acquire store and/or sell Naphtha without a licence issued by the State Government or the District Magistrate or any other Officer authorized by the Central or the State Government.

(2) No person shall either use or help in any manner the use of Naphtha except motor spirit and high speed diesel in any automobile.

(3) Every person whosever is engaged in the sale or trading of Naphtha either imported or indigenous for any purpose whatsoever shall file end-use certificates from consumers to whom he sells and furnish customer-wise sales to the District Magistrate or to the State Civil Supplies Authorities on a quarterly basis.

(4) Every person whosoever is engaged in actual use of Naphtha either imported or indigenous for manufacture of any petrochemicals or any other purpose shall file end-use certificates to the District Magistrate or the State Civil Supplies Authorities on a quarterly basis.

4. Power of search and seizure: -

(1) Any gazette officer of the Central or the State Government or any police officer not below the rank of Deputy Superintendent of Police duly authorized by general of special order by the Central or the State Government or any officer of a Government oil company or any other oil company authorized by the Central Government not below the rank of Sales Officer may with a view to securing compliance with the provisions of this Order or for the purpose of satisfying himself that this Order or any order made there under has been complied with -

(a) Enter and search any place or premises being used or suspected to be used 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 or are being or are about to be contravened;

(b) Stop and search any person or vehicle or receptacle used or intended to be used for the movement of the product or using or receiving the product in contravention of this Order.

(c) 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;

(d) Take samples of the product and 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 thereafter take or authorize the taking of all measures necessary for jurisdiction under the provisions of the Essential Commodities Act 1955 (10 of 1955) and for their safe custody pending such production.

(2) While exercising the power of seizure provided under clause 1(d) the authorized officer shall record in writing the reasons for doing so a copy of which shall be given to the dealer, transporter, consumer or any other concerned person.

(3) 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.

5. Sampling of Product: -

(1) The officer authorized in Clause 4 shall draw the sample from the tank, nozzle, vehicle or receptacle as the case may be to check whether the provisions of this Order are being or likely to be contravened.

(2) The officer authorised in Clause 4 shall take sign and seal three samples of 750 ml to 1 litre each of the product one to be given to the concerned person under acknowledgement with instructions to preserve the sample in his safe custody till the testing and investigations are complete the second sample shall to be kept by the concerned oil company or Department and the third to be used for laboratory analysis

(3) The samples shall be taken in clean glass or aluminum containers and no plastic containers shall be used for drawing samples.

(4) The samples label should be jointly signed by the officer who has drawn the sample and the concerned person or his representative and the lable shall contain information as regards the product place of seizure quantity of sample date name and signature of the concerned person or his representative.

(5) The authorised officer shall send the third sample of the product taken under sub-clause (2) within a period of 10 days to any of the laboratories specified in Schedule III of the Motor Spirit and High Speed Diesel (Regulation of Supply and Distribution and Prevention of Malpractices) Order 1998 for the purpose of analysis of sample to check the product.

6. Power of Central and the State Government to issue directions: -

The Central Government of a State Government with the approval of the Central Government may from time to time by a general or special order issue to any person such directions as it considers necessary storage sale transportation and disposal and use of product and upon the issue of such directions such person shall be bound to comply therewith.

7. Provision of the Order to prevail over previous orders of State Government: -

The provisions of this Order shall have effect notwithstanding anything to the contrary contained in any order made by 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 there under before such commencement.

CORRIGENDUM

New Delhi, the 30th June,2000

G.S.R.577 (E). – In the English version of the Order No. P-11013/1/2000-Dist. Dated, the 5th June, 2000 of the Ministry of Petroleum and Natural Gas published through G.S.R. 518(E0 in part II , Section 3 , Sub-Section (i) of the Gazette of India , Extraordinary, of the same date regarding the Naphtha (Acquisition, Sale, Storage and Prevention of use in Automobile) Order , 2000 :

- i. Line 7, for "called The" read "called the";
- ii. Line 8, for "use" read "Use";
- iii. Line 9, for "Automobile", read "Automobiles";
- iv. In clause 3 , after sub-clause (v), read
- v. In clause 4 in sub-clause (2) , for "clause 1 (d)", read" sub-clause (d) of clause (1)", ;
- vi. In clause 7, for "order may be " read "order made by".

[File No. P-11013/1/2000-Dist.]

SHIVRAJ SINGH. Jt. Secy.

ORDER

New Delhi, the 30th June, 2000

G.S.R. 579(E).- In pursuance of sub-clauses (i) and (iv) of clause 3 of the Naphtha (Acquisition, Sale, Storage and Prevention of Use in Automobiles) Order,2000, the Central Government hereby notifies the Form in which application for issue of Naphtha license shall be made under the said Order, and the Format in which the license shall be issued by the State Government or the District Magistrate or the officer authorized by the Central or the State Government, namely :-

APPLICATION FORM

(For issue of License for Naphtha under sub-clause (i) of clause 3 of

the Naphtha (Acquisition, Sale, Storage and Prevention of Use in Automobiles) Order, 2000)

To

The State Government or the district Magistrate or the officer authorized by the Central or the State Government.

1. Name of the applicant
2. Type of firm (strike out whichever is not applicable)

2a. Public Limited Company/ Private Limited Company/Partnership firm/Proprietorship firm/Others

2b. Trader/Processor/Manufacturer/Consume/Others

3. Addresses

3a. Registered office

3b. Storage Point (s)

4. Names, address, telephone numbers of Directors /Partners / Proprietor(s)

Serial Number	Name	Office		Residence	
		Address	Telephone	Address	Telephone

5. Industry Registration/License Details

Registration/ Licence Number	Date of issue	Valid up to	Issuing Authority

6. Sales Tax Registration Details

6a. State Sales Tax

Registration Number	Date of issue	Valid up to	Issuing Authority

6b. Central Sales Tax

Registration Number	Date of issue	Valid up to	Issuing Authority

7. Explosives License Details

License Number	Date of issue	Valid up to	Storage Capacity Licensed (in kiloliters)

8. Details of Storage

Location	Tank Number	Capacity(in kiloliters)

9. Use of Naphtha for which the license is required:

1. _____
2. _____
3. _____
4. _____
5. _____

10a. Quantity of Naphtha for which License is applied for _____(in kiloliters).

10b. Material balance for which Naphtha is required:

1. Process (attach details)_____

2. Material balance of each unit of Naphtha consumed

End Products	Production
Product A	%
Product B	%
--	%
--	%
Wastage	%
Total	100%

DECLARATION-

Certified that the above information is true to the best of my knowledge and belief and the information as annexure and statements accompanying this application are correct, complete and truly stated and if any statement made herein is found to be incorrect. I shall be liable for action under the provisions of law.

Date_____

Signature _____

Place _____

Name _____

[Authorised English Translation]

HARYANA GOVERNMENT

FOOD AND SUPPLIES DEPARTMENT

Order

The 8th January, 2001

No. S.O.7/N (A.S.S&P.) A/O. 2000/C. 3 & 4/2001.- In exercise of the powers conferred by sub-clause (1) of clause 3 and sub-clause (1) of clause 4 of the Naphtha (Acquisition, Sale, Storage and prevention of use in Automobile) Order, 2000 , and all other powers enabling him in this behalf, the Governor of Haryana hereby authorizes the following officers to secure compliance of the provisions of the said sub- clauses and clauses and for the purpose of satisfying themselves that the provisions of the said order and any order made thereunder have been complied with, in their respective jurisdiction :-

All District Magistrates ;

1. All Deputy Superintendent of Police ;
2. Additional director, Joint Director and Deputy Director, Food & Supplies Department; and
3. All District Food and Supplies Controller/District Food and Supplies Officers.

DHARAM VIR,

Commissioner & secretary to Government , Haryana,

Food and Supplies Department.

Endorsement No. 35-2001/47 dated, Chandigarh 8th January, 2001.

A copy is forwarded to :-

1. The Financial Commissioner, Haryana and 14 others.

A.R.GODARA
Joint Director, Food
for Director, Food & Supplies Haryana.

[Authorised English Translation]

HARYANA GOVERNMENT

FOOD AND SUPPLIES DEPARTMENT

Order

The 8th January, 2001

No. S.O.6/S.R.S.(A.S.S. & P.A.) O. 2000/C. 3&4/2001.- In exercise of the powers conferred by sub-clause (1) of clause 3 and sub-clause (1) of clause 4 of the Solvent, Raffinate and Slop (Acquisition, Sale, Storage and Prevention of use in Automobile) Order, 2000 , and all other powers enabling him in this behalf, the Governor of Haryana hereby authorizes the following officers to secure compliance of the provisions of the said sub- clauses and clauses and for the purpose of satisfying themselves that the provisions of the said order and any order made there under have been complied with, in their respective jurisdiction :-

1. All District Magistrates ;
2. All Deputy Superintendent of Police ;
3. Additional Director, Joint Director and Deputy Director, Food and Supplies Department ; and
4. All District Food and Supplies Controller/District Food and Supplies Officers.

DHARAM VIR,

Commissioner & secretary to Government , Haryana,

Food and Supplies Department.

Endorsement No. 35-2001/46 dated, Chandigarh 8th January, 2001.

A copy is forwarded to :-

5. The Financial Commissioner, Haryana and 14 others.

A.R.GODARA,

Joint Director, Food

for Director, Food & Supplies Haryana.

Govt. of India
Ministry of Petroleum & Natural Gas

Order

New Delhi, Dated April 12,2002

In partial modification of the letter No. P-11013/1/2000-Dist(Pt), it has now been decided to exempt the Oil PSUs only from the provisions of sub-clauses (1),(4) and (5) of clause 3 of the Naphtha (Acquisition, sale, Storage and Prevention of Use in Automobile) order , 2000 instead of the entire provisions of clause 3.

Further, it has been decided to exempt similarly in the case of Solvent, Raffinate and Slop (Acquisition, sale , Storage and Prevention of Use in Automobile) order, 2000, the Oil PSUs referred to in that Order under sub-clauses (1),(3) and (4) of Clause 3 of the said order.

(Tarun Shridhar)

Director

[File No. P-11013/1/2000-Dist(Pt)D]

The Gazette of India

EXTRAORDINARY

PART II-Section 3-Sub-section (i)

PUBLISHED BY AUTHORITY

NEW DELHI, FRIDAY, NOVEMBER 29,2002/AGRAHAYANA 8,1924

MINISTRY OF PETROLEUM AND NATURAL GAS

ORDER

New Delhi, the 25th November,2002

G.S.R/ 784(E).- In exercise of the power ; conferred by Section 12 of the petroleum Act. 1934(30 of 1934) the Central Government hereby exempt Naphtha from obtaining import license under clause (b) of sub-rule (1) of rule 19 of Part II of Chapter II of the Petroleum Rules, 2002 with immediate effect.

[F.No.P-11021/3/2002-Dist.]

S.VIJAYARAGHAVAN, Jt. Secy.