

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

**MINISTRY OF PETROLEUM AND NATURAL GAS
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 of aco-operative society approved by Government Oil Company or Central or State Government or a parallel marketeer 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 of District Collector in the case of any area in a State, or
 - (ii) by the Administrator of the Union Territory , in the case of any 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 IBP Co Limited.
- (v) the Oil and Natural Gas Commission,
- (vi) the Gas Authority of Indian Limited,
- (vii) the Oil Indian 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 is 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, distribution 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-clauses (1)

(1) the expression "working hours" means the working hour 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 on 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, port wise 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 the 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 measures 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 provision of this order with such assistance as may be required, for the purpose of satisfying himself that this Order or any Order made there under 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.

(ii) enter of 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, along with 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 there under 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 Orders shall be deemed to have been done or taken under the corresponding provisions of this order.

(No.P-11013'3 93 Dist)
DEVI DAYAL,Jt. Secy.

NOTIFICATION

New Delhi , the 19th June, 1995

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 marketers:-

(1) (a) No parallel marketer, 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 and agency listed in Schedule:-A to this Order ;

Provided that a parallel marketer 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 following 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 lakh, 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 Performa 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 Coordination Committee, Ministry of Food and Civil Supplies of the Central and the State Government and the Collector 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 7A(1)(a)]

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

SL. NO.	NAME	ADDRESS
1.	CRISIL (The Credit Rating Information Services of India Ltd.)	Nirlon House, 2nd floor 254 B, Annie Besant Road Worli, Bombay-400025
2.	CARE (Credit Analysis & Research Ltd.)	RBC, Mahindra Towers 5th floor, Road No.13 Worli Bombay-400018
3.	MDRA (Marketing & Development Research Associates)	Secular House, 9/1 Institutional Area, Opp. JNU, New Delhi-67
4.	ICRA (Investment Information Credit Rating Agency of India Ltd.)	Kailash Building , 4th floor, 26, Kasturba Gandhi Marg New Delhi-1

SCHEDULE - B

(See clause 7A(1)(b) of Kerosene (Restriction on Use and Fixation of Ceiling Price) Order, 1993 Rating Certificate for Parallel Marketeer

Date of Issue:-

Name of the Firm/Company:

Registered Office Address:

Name of Promoter/Chairman/Managing Director:

Activities:

Particulars of Bankers

Overall Rating :

Rating Scale

1. Good
2. Satisfactory
3. Low Risk
4. High Risk

Signature and Seal of the
Rating Agency

SCHEDULE - C

[See clause 7A(1)(B)]

Forwarding Letter for Certificate of rating

To whomsoever it may concern

This is to certify that we have made an evaluation of M/s-----
----for the purpose of issuing a certificate and a rating to them in accordance with the provisions of the Kerosene (Restriction on Use and Fixation of Ceiling Price) Order, 1993.

We have obtained all the information and explanations which to the best of our knowledge and belief were necessary for the purpose of issuing this certificate. This certificate issued by us is as a result of our examination of the documents, records and assessment of the information obtained by us and the evaluation of capability, infrastructure, network and readiness, to carry out professed business, deliver goods and services promised by the parallel marketer. We are satisfied that the information and particulars received and collected by us are sufficient enough to enable us to evaluate

M/s-----**-----for providing the rating as prescribed.

M/s-----**-----are awarded-----rating.

Salient facts about M/s-----are as follows:-

1. Total investment planned.
2. Total investment made upto date.
3. Promoter's equity.
4. Area of operation.
5. Proposed/likely date of commissioning.

**Name of the Parallel marketer to be indicated.

(Signature and Seal of the Rating Agency)

SCHEDULE - D

[See clause 7A(4)and (6)]

Proforma of information to be submitted by Parallel Marketeer for
Evaluation/Rating by the Rating Agency

PARAMETERS / DETAILS*

1. Market Standing of the Company
 - A. Constitution of the firm
 - B. Registered Office
 - C. Locations & Addresses of Existing Businesses
 - D. Names of Promoters/Directors/Partners
 - E. Background and full antecedents of promoters/Directors/Partners
 - F. Networth of Promoters/Directors/Partners

G. Current Activity

H. Details of existing operations of the Parallel Marketeer and/or his group of companies.

I. Audited A/Cs. for three years of the promoter firm and group concerns with details of promoters constitution

J. Working capital requirement for new business pertaining to Parallel Marketing with resume of proposed scheme.

K. Implementation record of typical projects already undertaken, in terms of cost, time, nature of projects and technology involved.

L. Business plans and projected cash flows

M. Sourcing of funds for existing and proposed Business.

N. Performance of Parallel Marketeer in his other group companies for last three years with income tax clearance certificate.

2. Marketing Plans for Kerosene:

2.1 Infrastructure for Kerosene sourcing/Handling:

A. Import Locations Identified.

B. Proposed size of import parcels.

C. Status of approvals (ports/statutory/State Government/Chief Controller of Explosives environment/milestone achieved with squared network/local authorities).

D. Status of Progress.

E. Details of Technological tie ups, if any

F. Business proposals/project Feasibility report financial details and financial risk analysis.

2.2 Commercial arrangements and/or consortium for kerosene (if own facilities are not planned)

A. Any tie up arrangement finalised with importer

B. The supporting agreements/documents for such tie up

C. The quantum of product to be imported with minimum guarantee.

D. Details of Storage & Handling of product at the import location/tie up agreement.

E. Fall back arrangement to meet the shortfall in case the tie up arrangement does not materialise.

3. Storage & Distribution arrangement for kerosene planned:
 - A. Details of Storage facilities of Depots with their capacities
 - B. Status of progress on items mentioned above
 - C. Plant & Equipment/Technological details
 - D. Details of manpower and the arrangement to handle the product
 - E. Details of designs & standards to be followed for construction & operation of these facilities
 - F. Status of approvals for the facilities
 - G. Whether Kerosene storage facility conforms to code regulations/conditions of storage license.

4. Arrangements planned to reach the product to consumption Centers Markets:
 - A. Details of distributor network planned/already appointed.
 - B. Details of the basis for distributors appointment.
 - C. Details of showroom/sales room/office & godown planned/existing alongwith status of approvals.
 - D. Details of manpower to be deployed at upcountry/near consumption centers for Kerosene.
 - E. Details of storage planned at upcountry/near the consumption centre for Kerosene.
 - F. Details of Distribution arrangement between the distributors godown and the customers.

5. Product Familiarity and Training:
 - A. Operational knowledge of product (Kerosene) and its handling.
 - B. The capability and preparedness to meet the safety requirement in Kerosene.
 - C.Plans for training the staff and the customers on safe handling of equipment/product.
 - D. Recruitment policy and standards for the staff.
 - E. Familiarity with Kerosene Control Orders, Explosives Rules and other applicable local acts.

6. Marketing Discipline &distributors/transporter and delivery men.
 - A. Code of conduct for distributors/transporter and delivery men.

B. System to monitor & control adulteration & unauthorised diversion of products.

7. Organisation in place/proposed for the parallel marketing of Kerosene:

- A. Details of Organisational Structure.
- B. Level of managerial involvement of the promoter.
- C. Source of financing the Kerosene parallel marketing including the infrastructure.
- D. Any other relevant details which the parallel marketer would like to provide.

8. Financial commitment -

- A. Total estimated project cost.
- B. Planned (phase-wise) resource mobilization.
- C. Resources arranged and investment made as of date...
- D. Proof of A,B & C above .

*Extra Sheets may be used if required.

Date-----

Signature-----
M/s-----
(Parallel Marketeer)
Address-----

Note:- The principal Order was published in the Gazette of India vide number GSR 584(E) dated the 2nd September, 1993.

(File No. P-45011/2/95-Mkt)
Devi Dayal, Jt. Secy.

NOTIFICATION

New Delhi , the 19th June, 1995

G.S.R. 510(E).-In exercise of the powers conferred by section 3 of the essential Commodities hereby makes the following Order further to amend the Liquefied Petroleum Gas (Regulation of Supply and Distribution) Order, 1993, namely:-1456 GI/95-3.

1.(1)This Order may be called the Liquefied Petroleum Gas (Regulation of Supply and Distribution) (Amendment) Order, 1995.

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

2. In the Liquefied Petroleum Gas (Regulation of supply and Distribution) Order, 1993,-

(i) After clause 10 and the entries relating thereto, the following clause and the entries shall be inserted, namely:-

"10 A Assessment and Certification/Rating of parallel marketeer-

(1)(a) No parallel marketeer shall commence any activity such as import, transport, bottling, marketing, distribution, sale or any activity incidental thereto, relating to the business of liquefied petroleum gas 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-C 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-D to this Order and as per the forwarding letter given in Schedule-E.

(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, bottling, distribution or sale of liquefied petroleum gas, 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 the 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 Performa as given

in Schedule-F to this Order and such other information as called for by the rating agency.

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

SCHEDULE-C

[Clause 10 A (1) (a)]

Name and address of agencies for evaluation/rating of parallel Marketeer

SL. NO.	NAME	ADDRESS
1.	CRISIL (The Credit Rating Information Services of India Ltd.)	Nirlon House, 2nd floor 254 B, Annie Besant Road Worli, Bombay-400025
2.	CARE (Credit Analysis & Research Ltd.)	RBC, Mahindra Towers 5th floor, Road No.13 Worli Bombay- 400018
3.	MDRA (Marketing & Development Research Associates)	Secular House, 9/1 Institutional Area, Opp. JNU, New Delhi-67
4.	ICRA (Investment Information Credit Rating Agency of India Ltd.)	Kailash Building , 4th floor, 26, Kasturba Gandhi Marg New Delhi-1

SCHEDULE - D

[See clause 10A(1)(a)]

[LPG (Regulation & Supply and Distribution), Order, 1993]

Date of Issue:-

Name of the Firm/Company:

Registered Office Address:

Name of Promoter/Chairman/Managing Director:

Activities:

Particulars of Bankers

Overall Rating :

Rating Scale

1. Good
2. Satisfactory
3. Low Risk
4. High Risk

Signature and Seal of the
Rating Agency

SCHEDULE - E

[See clause 10A(1)(B)]

Forwarding Letter for Certificate of rating

To whomsoever it may concern

This is to certify that we have made an evaluation of M/s-----**--
-----for the purpose of issuing a certificate and a rating
to them in accordance with the provisions of the Kerosene (Restriction on Use and
Fixation of Ceiling Price) Order, 1993.

We have obtained all the information and explanations which to the best of our
knowledge and belief were necessary for the purpose of issuing this certificate.
This certificate issued by us is as a result of our examination of the documents,
records and assessment of the information obtained by us and the evaluation of
capability, infrastructure, network and readiness, to carry out professed business,
deliver goods and services promised by the parallel marketeer. We are satisfied
that the information and particulars received and collected by us are sufficient
enough to enable us to evaluate

M/s-----**-----for providing the rating as prescribed.

M/s-----**-----are awarded-----rating.

Salient facts about M/s-----are as follows:-

1. Total investment planned.
2. Total investment made upto date.
3. Promoter's equity.
4. Proposed/likely date of commissioning.

**Name of the Parallel marketeer to be indicated.

(Signature and Seal of the Rating Agency)

SCHEDULE - F

[See clause 10A(4)and (6)]

Proforma of information to be submitted by Parallel Marketeer for

Evaluation/Rating by the Rating Agency

PARAMETERS / DETAILS*

1. Market Standing of the Company

A. Constitution of the firm

B. Registered Office

C. Locations & Addresses of Existing Businesses

D. Names of Promoters/Directors/Partners

E. Background and full antecedents of promoters/Directors/Partners

F. Networth of Promoters/Directors/Partners

G. Current Activity

H. Details of existing operations of the Parallel Marketeer and/or his group of companies.

I. Audited A/Cs. for three years of the promoter firm and group concerns with details of promoters constitution

J. Working capital requirement for new business pertaining to Parallel Marketing with resume of proposed scheme.

K. Implementation record of typical projects already undertaken, in terms of cost, time, nature of projects and technology involved.

L. Business plans and projected cash flows

M. Sourcing of funds for existing and proposed Business.

N. Performance of Parallel Marketeer in his other group companies for last three years with income tax clearance certificate.

2. Marketing Plans for Liquefied Petroleum Gas :

2.1 Infrastructure for Liquefied Petroleum Gas Sourcing/Handling:

A. Import Locations Identified.

B. Proposed size of import parcels.

C. Status of approvals (ports/statutory/State Government/Chief Controller of Explosives environment/milestone achieved with squared network/local authorities).

D. Status of Progress.

E. Details of Technological tie ups, if any

F. Business proposals/project Feasibility report financial details and financial risk analysis.

2.2 Commercial arrangements and/or consortium for Liquefied Petroleum Gas (if own facilities are not planned):

A. Any tie up arrangement finalised with importer

B. The supporting agreements/documents for such tie up

C. The quantum of product to be imported with minimum guarantee.

D. Details of Storage & Handling of product at the import location/tie up agreement.

E. Fall back arrangement to meet the shortfall in case the tie up arrangement does not materialise.

3. Storage & Distribution arrangement for Liquefied Petroleum Gas planned:

A. Details of Storage facilities of Depots /Bottling plants with their capacities

- B. Status of progress on items mentioned above
- C.Plant & Equipment/Technological details
- D.Details of manpower and the arrangement to handle the product
- E. Details of designs & standards to be followed for construction & operation of these facilities
- F. Status of approvals for the facilities.
- G. Details of arrangements for procurement of Cylinders Valves/Regulators
- H. Whether the bottling plants are as per safety standards Oil Industry Safety Directorate 144/169

4.Arrangements planned to reach the product to consumption Centers Markets:

- A. Details of distributor network planned/already appointed.
- B. Details of the basis for distributors appointment.
- C. Details of showroom/sales room/office & godown planned/existing alongwith status of approvals.
- D. Details of Distribution arrangement between the distributors godown and the customers.

5. Product Familiarity and Training:

- A. Operational knowledge of product (Liquefied Petroleum Gas) and its handling.
- B. The capability and preparedness to meet the safety requirement in Liquefied Petroleum Gas.
- C. Plans for training the staff and the customers on safe handling of equipment/product.
- D. Recruitment policy and standards for the staff.
- E. Familiarity with Gas Control Orders, Explosives Rules and other applicable local area.

6. Marketing Discipline & Guidelines proposed to be adopted:

- A. Code of conduct for distributors/transporter and delivery men.
- B. System to monitor & control adulteration & unauthorised diversion of products.

7. Organisation in place/proposed for the parallel marketing of Liquefied Petroleum Gas:

- A. Details of Organisational Structure.
- B. Level of managerial involvement of the promoter.

C. Source of financing the Liquefied Petroleum Gas parallel marketing including the infrastructure.

D. Any other relevant details which the parallel marketer would like to provide.

8. Financial commitment -

A. Total estimated project cost.

B. Planned (phase-wise) resource mobilization.

C. Resources arranged and investment made as of date...

D. Proof of A,B & C above .

*Extra Sheets may be used if required.

Date-----

Signature-----

M/s-----

(Parallel Marketeer)

Address-----

Note:- The principal Order was published in the Gazette of India vide number GSR 529(E) dated the 3-8-1993 and subsequently amended vide number GSR (6(E) dated 06-01-1994.

(File No. P-45011/2/95-Mkt)
Devi Dayal, JT.Secy

MINISTRY OF PETROLEUM AND NATURAL GAS ORDER

New Delhi , the 21st October, 1998

G.S.R.639(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 1995, namely –

1.(a) This order may be called the Kerosene (Restriction on Use and fixation of Ceiling Price) (Amendment) Order 1998.

It shall come into force on the date of its publication in the Official Gazette.

In the Kerosene (Restriction on Use and Fixation of Ceiling Price) Order 1993, in clause 2, in item (h), for the word "importing" the words "importing, storing" shall be substituted.

In clause 2, in item (I), for the word "imports" the words "imports, stores" shall be substituted.

After clause 3, the following clauses shall be inserted, namely, -

"3A Restriction on sale and use of Kerosene imported under Parallel Marketing System :-

No person shall sell or use Kerosene imported under the parallel marketing system as a fuel or as additive to the fuel in a motor vehicle.

"3B Restriction on sale of Kerosene by persons not authorised :-

No person other than the dealer or government Oil Company or parallel marketeer shall sell Kerosene to any person."

(i) In clause 7, - after item ©, the following items shall be inserted, namely:-

(d) The Parallel Marketeer shall file End Use Certificates from Industrial consumers to whom he sells the Kerosene and also furnish customer-wise sales to the State Civil Supplies Authorities by whatever name called, on a quarterly basis".

The Parallel Marketeer shall ensure that quality checks are carried out to ensure that Kerosene meets Bureau of Indian Standards Specification No.IS-1459 in all respects before the imported Kerosene is discharged into the storage infrastructure at the port or sold to any person".

In item (a) for the word "import", the words "import, store" shall be substituted,

In clause 7 A,-

in sub clause (I), in item (a), for the word, "import", the words "import, store" shall be substituted.

In sub clause (I), in item (a), the provision shall be omitted;

for clause 11 the following clause shall be substituted, namely :-

"11. Power to exempt :-

The Central Government, if it considers necessary in public interest by notification in the Official Gazette, exempt any person or class of persons from all or any of the provisions of this order, subject to such conditions, if any, as may be specified in that notification."

(File No.P-11013/3/98-Dist.)

DEVI DAYAL, Addl. Secy.

FOOT NOTE :- The Principal Order was published in the Gazette of India vide No.GSR 584(E) dated the 2nd September, 1993 and subsequently amended vide –

1. No.GSR 509 (E), dated 19th June, 1995

2. No.GSR 126 (E), dated 12th March, 1996.

Source : Ministry of Petroleum and Natural Gas (Government of India)

NOTIFICATION

New Delhi , the 5th December 2003

G.S.R 931 (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, 2003.

(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, after clause

3B, the following clause shall be inserted, namely :-

“3C Restriction on sale and use of Kerosene, indigenously produced or imported and marketed by Indian Oil Corporation Limited, Hindustan Petroleum Corporation Limited, Bharat Petroleum Corporation Limited and IBP Co. Limited :- No person shall sell or use kerosene marketed by Indian Oil Corporation, Hindustan Petroleum Corporation Limited, Bharat Petroleum Corporation Limited and IBP Co. Limited whether indigenously produced or imported, as a fuel or as additive to the fuel in a motor vehicle.”

3. In Clause 7, after item(s), the following shall be inserted, namely:-

“(f) Hindustan Petroleum Corporation Limited, Bharat Petroleum Corporation Limited and IBP Co. Limited shall file end-use certificate from industrial consumers to whom they sell the Kerosene and also furnish customer-wise sales to the State Civil Supplies Authorities by whatever name called, on the monthly basis;

(g) Hindustan Petroleum Corporation Limited, Bharat Petroleum Corporation Limited and IBP Co. Limited shall ensure that quality checks are carried out to ensure that kerosene meets Bureau of Indian Standards specification No. IS-1459 in all respects before the indigenously produced kerosene is sold and in case of imported kerosene before the imported kerosene is discharged into the storage infrastructure at the Port or sold “

[F.No. P-21025/15/2003-Dist]
A.K. SRIVASTAVA, Jt. Secy.

Foot Note :- The principal Order was published vide number GSR 584(E), dated the 2nd September, 1993 and subsequently amended vide :-

- 1.G.S.R 509(E), dated 19th June, 1995
- 2.G.S.R 126(E), dated 8th March, 1996
- 3.G.S.R 638(E), dated 21st October, 1998
- 4.G.S.R 105(E), dated 22nd February, 2001

MINISTRY OF PETROLEUM AND NATURAL GAS
NOTIFICATION

New Delhi, the 5th December 2003

S.O 1397(E).---- In pursuance of clause 11 of the Kerosene (Restriction on Use and Fixation of Ceiling Price) Order, 1993, the Central Government hereby exempt the Government companies, namely, Indian Oil Corporation Limited, Core 2, SCOPE Complex, 7 Institutional Area, Lodhi Road, New Delhi – 1100 0013, Hindustan Petroleum Corporation Limited, Petroleum House, 17 Jamshedji Tata Road, Post Box No. 11041, Mumbai – 400 020, Bharat Petroleum Corporation Limited, Bharat Bhavan, 4 and 6 Currimbhoy Road, Ballard Estate, Mumbai – 4000 001 and IBP Co. Limited IBP House, 34-A, Nirmal Chandra Street, Kolkata – 700 013 from the provisions of clauses 3A, 7 and 7A of the said Control Order.

[F.No. P-21025/15/2003-Dist]
A.K. SRIVASTAVA, Jt. Secy.