

# RAJASTHAN PETROLEUM PRODUCTS (LICENSING & CONTROL) ORDER, 1990

[Pub. in Raj. Gaz. Ord. Pt.4 (Ga) (I) dt. 8.8.91]

## AMENDMENTS MADE TO THE ORDER :-

1. S.O. 297	Dt. 29-01-91
2. G.S.R 1	Dt. 25-03-91
3. G.S.R. 7	Dt. 15-05-92
4. F. 17(24)FS/Legal/90	Dt. 22-11-93
5. S.O. 60	Dt. 29-06-95
6. S.O. 107	Dt. 30-08-95
7. S.O. 288	Dt. 20-02-97
8. S.O. 419	Dt. 22-03-99
9. S.O. 242	Dt. 17-11-04
10. S.O. 162	Dt. 26-07-06
11. G.S.R. 74	Dt. 27-01-07
12. G.S.R. 564	Dt. 22-02-11
13. G.S.R. 38	Dt. 18-05-12

## GOVERNMENT OF RAJASTHAN (FOOD & CIVIL SUPPLIES DEPARTMENT) ORDER

Jaipur, November 28, 1990

**G.S.R. 47.-** Whereas the State Government is of the opinion that it is necessary and expedient so to do for securing the equitable distribution and availability of petroleum products at fair prices.

Now, therefore, in exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955) read with the orders of the Government of India in the Ministry of Industry and Civil Supplies (Department of Civil Supplies & Co-operation) published under S.O. 681 (E) and 682 (E) dated 30th November, 1974, the State Government hereby makes the following order, namely :-

**1. Short title, extent and commencement.-** (1) This order may be called the Rajasthan Petroleum Products (Licensing & Control) Order, 1990.

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

(3) It shall come into force at once.

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

(a) "Collector" means the Collector of a district and includes Additional Collector;

(b) "Commissioner" means the Commissioner, Food & Civil Supplies Department, Rajasthan and includes Addl. Commissioner <sup>5</sup>[x x x], Food & Civil Supplies Department, Rajasthan.

### COMMENTS

The words "and Deputy Commissioner" have been omitted vide Amending Order S.O.60

dt.29.6.95 (issued in Hindi)

\*4[(c) "Dealer" means a person, a firm, an association of persons or a cooperative society engaged in the business of purchase, sale or storage for sale of any Petroleum products and includes :-

- (i) Authorised dealer of any Oil Company; and
- (ii) Barrel point Dealer engaged in the business of purchase of High speed Diesel from an authorised dealer of any Oil Company and sale or storage for sale of the same;

but does not include an Oil Company]

(d) "form" means a form appended to this order;

(e) "licence" means a licence issued under the provisions of this order;

(f) "Licensing Authority" means an Officer appointed by the State Government to exercise the powers and perform the duties of the licensing authority under this order;

#### COMMENTS

The Collectors, Distt. Supply Officers, Additional District Supply Officers & the Officers of the Food & Civil Supplies Department not below the rank of Deputy Commissioner have been appointed as Licensing Authorities vide Notification dated 28.11.90. Vide Noti. 13.8.2003, the D.S.Os. & Addl. D.S.Os. posted at Deptt. head qrs. have also been given powers of Licensing Authority relating to clauses 11, 12 & 14 of the Order.

\*9[(g) "Oil company" means the Indian Oil Corporation Limited, the Hindustan Petroleum Corporation Limited, the Bharat Petroleum Corporation Limited, Indo Burma Petroleum Corporation Limited or any person, firm or company authorised by the Central Government who is engaged in marketing and sale of Motor Spirit or High Speed Diesel directly to consumers or dealers in accordance with the stipulations laid down by the Central Government from time to time]; and

(h) "Petroleum products" means High Speed Diesel Oil, Light Diesel Oil, Motor Spirit.(Petrol) \*11[Liquefied Petroleum Gas and Ethanol Blended Petrol.]

#### COMMENTS

E.C. Act, 1955 - Sec.3; Rajasthan Petroleum Products (Licensing & Control) Order, 1979- Cooking gas compressed & stored in gas cylinder is not liquefied petroleum gas. Storing of gas cylinders does not fall within the purview of the state Order and therefore not punishable under Sec. 3/7 of E.C. Act - Cooking gas stored in a gas cylinder is compressed gas & not liquefied petroleum gas. It does not, therefore, fall within the definition of petroleum products. The matter is governed by the Indian Explosives Act & Gas Cylinders Rules, 1981 - No charge could, therefore, be framed against the petitioners - Revision allowed. [Ram Chander vs. State of Rajasthan - 1989 EFR 309]

**3. Licensing of Dealers.-** (1) 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 under this order.

(2) Every dealer doing business at the commencement of this Order shall apply for the issue of a licence under this Order within fifteen days of such commencement or within such additional time, if any, as may be notified by the Commissioner in this behalf.

(3) All dealers who are authorised agents of the Oil Companies at the time of

commencement of the order shall be issued a licence provided they satisfy the conditions laid down in the order.

(4) Every dealer referred to in sub-clause (2) shall become subject to the provisions of this order, a licensee from the date of commencement of this order and shall comply with the terms and conditions specified in Form-C and the provisions of this order, till such time as either licence has been issued to him or the grant of licence has been refused by the licensing authority.

<sup>4</sup>[(5) In the rural areas where no authorised retail out-let dealer for High Speed Diesel exists, the barrel point dealers can sell the High Speed Diesel in such areas under such directions which may be issued by the Government or District Collector from time to time :

Provided that no licence shall be issued to carry on business as a Barrel Point Dealer within a radius of 10 K.M. of any regular Diesel retail out let of any Oil company.]

#### COMMENTS

(1) The time limit for applying for a licence has been extended upto 27.1.91 vide Notifications dated 13.12.90 & 10.1.91.

(2) A person dealing in LDO is required to obtain a licence under this clause as L.D.O. is included in the definition of petroleum products. Similar provision was made in the Solvent Raffinate & Slop (Acquisition, Sale, Storage & Prevention of use in Automobiles) Order, 2000 as the L.D.O. was covered in the definition of solvent vide amendment dt 21.11.06. As the provisions of the Central Govt. order have over-riding effect on the State Govt. order, the person dealing in L.D.O. was required to obtain licence under the Central Govt. Order & it was not necessary for him to obtain a separate licence under this clause. But now the L.D.O. has been omitted from the aforesaid central Order vide amending order dt. 1.11.07. Hence, the person dealing in L.D.O. is now required to obtain a licence under this clause.

(3) E.C. Act, 1955 - Sec.3, U.P. High Speed Diesel oil and Light Diesel oil (Maintenance of Supplies and Distribution) Order, 1981 - cl. 16(6) Govt. Order dt. 16.9.87 prohibiting grant of a retail licence within a radius of 5 km. of a regular diesel retail out let is inconsistent with cl. 16(6), arbitrary & violative of Art.19(1)(g) of the Constitution - writ petition allowed [Daulat Ram Gupta vs. State of U.P. = AIR 1996 All.30]

#### 4. Issue of Licence :-

(1) (a) Every application for the grant of licence shall be made to the Licensing Authority in from 'A' along with the prescribed fee.

(b) Every Licence issued under this order shall be in From 'C' and subject to the terms and conditions mentioned therein;

<sup>\*6</sup>[(c) The licence shall be valid for 20 years upto 31st March of the 20th year]

(d) If a licence granted under this order is defaced, lost or destroyed, the licensee shall forthwith inform the licensing authority who <sup>\*1</sup>[will], on application and on the payment of prescribed fee by the licensee, issue a duplicate licence.

(2) A separate licence shall be necessary for each place of business.

<sup>6</sup>[(3) In case of change of ownership of the establishment/shop during the currency of a licence, a new licence shall be issued. However renewal/transfer will be automatic in case of inheritance.]

5. Renewal of Licence.- An application for renewal of a licence shall be

made after the payment of due fee specified in clause 6 to the licensing authority in Form 'B'. The licence may be renewed for a period upto <sup>\*6</sup>[20 years] <sup>4</sup>{in case of authorised dealer and upto <sup>\*6</sup>[20 years] in case of barrel point dealer} at a time. In case the licensee fails to furnish the application alongwith specified fee before the expiry of the validity of the licence, the licensing authority may entertain the application upto 30th April, upon the payment of late fee of Rs. 10/.

<sup>\*6</sup>[6. Fee chargeable.- The fees specified below shall be chargeable in respect of each licence, namely :-

- |  |                  |
|--|------------------|
| (a) For issue of licence to the dealers having a licence under the Petroleum Rules, 1976 | Rs. 2000/-       |
| (b) For issue of licence to others-  | Rs. 1000/-       |
| (c) For renewal of licence to dealers having a licence under the Petroleum Rules, 1976-  | Rs.100/-per Yr.  |
| (d) For Renewal of Licence to others   | Rs. 50/- per Yr. |
| (e) For issue of duplicate licence   | Rs. 50/-]        |

<sup>\*13</sup>[7. Deposit of Security: - Every dealer shall deposit such amount as specified below, in cash/NSC/Bank Guarantee, as security with the Licensing Authority for the due performance of the provisions of this order, namely:-

- |  |             |
|--|-------------|
| (a) For Petrol Pump  | Rs. 5000 /- |
| (b) For Liquefied Petroleum Gas  | Rs. 2500/-  |
| (c) For Kisan Sewa Kendra & other Rural Outlets<br>Authorised by any Oil Company | Rs. 2000/-  |
| (d) For Barrel point   | Rs. 2000/-  |

Provided that if the license holder is a Co-operative Society registered under the Rajasthan Co-operative Societies Act, 2001, the amount of security to be deposited by it shall be equal to one-fourth of the security amount mentioned as above.]

#### COMMENTS

Prior to amendment dt. 26.07.06 the security for dealers having license under Petroleum Rules, 1976 was Rs. 1,000/- and for other dealers it was Rs. 500/-. The amount of security was enhanced vide amending order dt. 26.07.06. It has been reduced now vide amending order dt. 18.05.12.

<sup>\*6</sup>[8. Time limit for orders on the application.- A licence shall be issued by the Licensing Authority within a period of 30 days from the date of receipt of application under clause 4 and renewed within a period of 15 days from the date of receipt of application under clause 5, if the applicant has acquired permission from Oil Company concerned and Explosives Deptt. of Government of India. If no licence is issued within 30 days and renewed within 15 days, the applicant may start business as a dealer even after expiry of the said period. The Licensing Authority may, after giving a reasonable opportunity of being heard to the person affected and for reasons to be recorded by him in writing, refuse to issue or renew a licence.]

9. Addition and alteration to licence.- The Licensing authority may make necessary additions, deletions and alternations in the entries made in the licence relating to godowns, place of business, names of partners, working hours etc, <sup>1</sup>[x

x x x] on the application of the licensee [x x x].

**10. Contravention of conditions of Licence.**- No holder of a licence issued under this order or his agent or servant or any other person acting on his behalf shall contravene any of the terms and conditions of the licence.

**11. Suspension and Cancellation of Licence.**- If any licensee or his agent or servant or any other person acting on his behalf contravenes any of the terms and conditions of the licence, then, without prejudice to any other action that may be taken against him, under the Essential Commodities Act, 1955 (Central Act 10 of 1955), his licence may be cancelled or suspended by an order in writing of the Licensing Authority:

\*<sup>1</sup>[Provided that no order shall be made under this clause unless the licensee has been given a reasonable opportunity of being heard against the proposed cancellation or suspension] :

\*<sup>12</sup>[Provided further that during the pendency or in contemplation of proceedings of cancellation of a licence, the Collector, Deputy Commissioner, Food, Civil Supplies and Consumer Affairs Department, Rajasthan or District Supply Officer posted at the headquarter of Food, Civil supplies and Consumer Affairs Department, Jaipur may suspend the licence for a period of thirty days.]

#### COMMENTS

Prior to amending order dated 22.02.2011, the District Supply Officer posted at the head quarters of the Food Department was not empowered to suspend the licence under this proviso. But he has now been empowered vide amending order dated 22.02.2011.

**12. Disposal of Petroleum products when licence is suspended or cancelled.**- When a licence issued under this order is cancelled or suspended, the stocks of petroleum products available with the dealer at the time of such cancellation or suspension, shall be disposed of within \*<sup>8</sup>[seven days] by him only in accordance with the direction of Licensing Authority.

**13. Consequences of convictions.** Where a licensee has been convicted by a court of Law for the contravention of any order made under section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955), the Licensing Authority may, by order in writing, cancel his licence :

Provided that where such conviction is set aside in any appeal or revision, the Licensing Authority may, on an application by the dealer, whose licence has been cancelled, restore the licence to such dealer.

**14. Forfeiture of security Deposit-** (1) Without prejudice to the provisions of clause 11, if the Licensing Authority is satisfied that the licensee has contravened any of the terms and conditions of the licence and that a forfeiture of the security deposit is called for, it may, by order after giving the licensee a reasonable opportunity of being heard forfeit the whole or any part of the security deposited by him and communicate a copy of the order to the licensee.

(2) The licensee shall, if the amount of security at any time falls short of the amount specified in clause 7, forthwith deposit on being required by the Licensing Authority to do so, the amount to make up the deficiency.

(3) Upon due compliance by the licensee of all obligations under the licence,

the amount of security or such part thereof which is not forfeited as aforesaid, shall be refunded to the licensee after the termination of the licence.

**15. Restriction on storage of Petroleum Products.-** No person shall, either by himself or by any person on his behalf, store or have in his possession at any time any petroleum products in quantity exceeding the limits prescribed by the \*<sup>3</sup>[State Government or any other officer authorised by the State Government] from time to time, and notified in the official Gazette :

Provided that where a person has in his possession petroleum products in excess of the quantity prescribed under this clause, he shall declare such stock to the Licensing Authority within 3 days from the date of issue of the notification :

Provided further that stock available in service tank of his vehicle will be added while computing total stocks with him.

#### COMMENTS

(1) Previously the State Government had prescribed 200 Litres as maximum limit for diesel to be kept by a person vide Noti. dt. 20.2.91. Vide Noti. dt. 11.3.93, this limit was raised to 400 litres. It did not include diesel in tank of a vehicle upto 200 litres. This limit of 400 litres was raised to 2500 litres vide Noti. S.O. 267 dt. 2.11.94. Vide Noti. dt. 16.10.04, this limit has been reduced to 500 litres (inclusive of diesel in tank of the vehicle). This limit has been again raised to 1000 litres (inclusive of diesel in tank of the vehicle) vide Noti. dt. 11-4-05 .

Vide Noti.S.O.280 dt. 24.11.94, the maximum limit for a Barrel point dealer is 4000 litres.

(2) Vide Noti. S.O. 83 Dt. 2.7.92, the State Government has authorised Collectors to prescribe maximum limit of diesel for Industries.

(3) **Rajasthan Petroleum Products (Licensing and Control) Order, 1979- Cl. 19 - The District Collector gave direction to Dealers not to mix any other Oil in petroleum products - charge that sample of petrol contains unwashed gums in excess of maximum requisite specifications - Prosecution case prima facie do not make out any case - Cl.19 does not cover the matter regarding quality of petroleum product. - Collector's order is without jurisdiction - Petitioner discharged. (State of Rajasthan vs. Pooran Mal & another = 1992 (2) EFR 224.)**

(4) **U.P. High Speed Diesel Oil and L.D.O. (Maintenance of Supply & Distribution) Order, 1981 -clause 16(6) - Storage limit of 4000 litres for petty diesel licensee fixed thereunder by Govt-Order dated 16.9.87 - The petty diesel dealers were allowed to sell diesel with the help of dispensing pump unit - Merely dealer is using dispensing pump unit, he cannot ask the State to increase capacity - Storage capacity can not be increased even if he uses dispensing pump unit - Petition dismissed. [M/s Rafiq Ahmed vs. D.M. Bareilly and another -1995(2) E.F.R. 455]**

**16. Sale on permits.-** The licensing authority may, by general or special order in writing require any dealer holding stocks of Petroleum Products to sell such products on permits issued by the licensing authority or such other officer authorised in this behalf by the State Government.

**17. Permit to be non-transferable.-** No holder of permit shall transfer the permit or the Petroleum products received on such permit to any other person without prior permission of the authority by whom the permit has been issued.

**18. Revocation of permit.-** The officer issuing the permit may, after giving the permit holder an opportunity of being heard, at any time revoke the permit issued under clause 16 for any of the following reasons :-

(a) that the permit has been obtained by the permit holder by

misrepresentation of material particulars; or

(b) that the provisions of this order have been contravened by the permit holder; or

(c) that issuing of the permit, in the opinion of the officer issuing the permit is not otherwise justified for reasons to be recorded in writing by him.

**19. Power to issue directions to dealers.-** The State Government or the Collector or the licensing authority may issue directions to any dealer with regard to purchase, sale, disposal and storage of petroleum products, in accordance with the provisions of this order.

**20. Appeal :-** (1) Any person aggrieved by an order made by any authority under this Order may :-

(a) if the order is made by any authority lower in rank than the Collector, appeal to the Collector; and

(b) if the order is made by the Collector, appeal to the Commissioner;

<sup>5</sup>[(ग) यदि आदेश खाद्य एवं नागरिक रसद विभाग के उपायुक्त द्वारा किया गया है तो आयुक्त को अपील कर सकेगा।]

#### COMMENTS

Sub-clause (c) has been added vide Amending Order S.O. 60 dt.29.6.95. As English translation is not available, it has been incorporated in Hindi.

(2) No Such appeal shall be entertained if not preferred within 30 days from the date of receipt of the order appealed against by the appellant.

(3) No Order shall be passed under this clause, which adversely affects any person, unless such person has been given a reasonable opportunity of being heard.

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

**21. Revision :-** The Commissioner *suo moto* or on an application may call for the record of any case decided by the Collector or the Licensing Authority under the provisions of this order and if he is satisfied that the Collector or the Licensing Authority-

(a) has exercised a jurisdiction not vested in him; or

(b) has exercised the jurisdiction vested in him with material irregularity; or

(c) has improperly failed to exercise the jurisdiction vested in him;

he may pass such order as he thinks fit.

**22. Power of entry, search & seizure etc.-** <sup>\*1</sup>[(1) The Licensing Authority or Executive Magistrate or Police Officer not below the rank of Deputy Superintendent of Police or any Officer of the Food & Civil Supplies Department not below the rank of Enforcement Officer or any other Officer of the Government not below the rank of an Enforcement Officer of the Food & Civil Supplies Department authorised by the State Government in this behalf within their respective jurisdiction, may with a view to securing compliance of this order or to satisfy himself that this order has been complied with, with such

assistance if any, as he thinks fit:-

- (a) require the owner, occupier or any other person incharge of any place, premises, vehicle or vessel in which petroleum products is stored, kept or being carried, where he has reasons to believe that any contravention of the provisions of this order has been, is being or is about to be committed, to produce any books of accounts or documents or furnish such information relating to petroleum products or transaction relating thereto, as may be required;
- (b) enter, inspect or break open and search, seal or reseal place or premises, vehicle or vessel in which he has reason to believe that any contravention of the provisions of this order has been, is being or is about to be committed;
- (c) inspect & seize any books of accounts and documents which in his opinion may be useful for, or relevant to, any proceedings under the Essential Commodities Act, 1955 (Central Act 10 of 1955) and the person from whose custody such books of accounts or documents are seized shall be entitled to make copies thereof or to take extracts therefrom in the presence of an Officer having the custody of such books of accounts or documents. A receipt of books of accounts and documents etc. seized from the person and a copy of inspection report shall be given to the person;
- (d) search, seize and remove stocks of petroleum products together with the vehicles, vessels or other containers in which the same are found stored or seal the underground tanks in which the same are stored where he has reason to believe that a contravention of this order has been committed and thereafter take or authorise the taking of all measures necessary for securing the production of such stocks & articles before the Collector and for their safe custody by way of supurdagi or otherwise pending such production; and
- (e) for the purpose of such inspection etc. interrogate any persons.]

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

**23. Exemptions :-** (1) The \*<sup>3</sup>[State Government or any other officer authorised by the State Government] may, by general or special order, and subject to such conditions or restrictions as may be specified in such order, exempt any person or class of persons or firms or association of persons or any Cooperative society from the operation of all or any of the provisions of this order and may at any time suspend or rescind such exemption.

(2) Nothing in this order shall apply to the purchase, sale or storage for sale of petroleum products by or on behalf of-

- (i) the Central Government; or
- (ii) the State Government; or



(iii) institutions or other organisations of the State Government or such agencies as may be approved by the State Government.

**COMMENTS**

Vide Noti. dt 9.6.99, the State Govt. has exempted L.P.G. Dealers under parallel marketing system from the provisions of this Order with certain conditions.

**FORM-A**

[See clause 4 (1) (a)]

**Application for grant of licence.**

To

The Licensing Authority.

Sir,

I hereby apply for the grant of a licence under the Rajasthan Petroleum Products (Licensing & Control) Order, 1990. The required particulars are given here under :-

1. Particulars of applicant.

Name.....S/o.....age..... Caste.....

2. Residential address of applicant :-

(a) House No..... (b) Mohalla.....

(c) Village/Town..... (d) Tehsil.....

3. Name/style in which licence is required.....

4. Particulars of Petroleum Products for which the applicant wants to obtain Licence:-

- 1.
- 2.
- 3.
- 4.

5. Name of partners, if any, of the firm :-

(1) Shri..... S/o..... age..... Caste.....

(2) Shri..... S/o..... age..... Caste.....

(3) Shri..... S/o..... age..... Caste.....

(4) Shri..... S/o..... age..... Caste.....

6. Number of licence held by the applicant under the Petroleum Rules, 1976.

7. How long has the applicant been trading in the petroleum products for which the licence has been applied for ?

8. Particulars regarding stocks of petroleum products in possession on the date of application.

9. Complete address (with house No., Mohalla etc.) of Godown or place where petroleum products for which licence has been applied for will be stored :-

- 1.
- 2.
- 3.

- 10. What are the working hours of the shop.....
- 11. Has the applicant ever been convicted by a Court of Law for contravention of any order issued under Essential Commodities Act, 1955?
- 12. Whether the applicant was declared or adjudged as insolvent by a Court?

I.....declare that the particulars mentioned at item No. 1 to 12 above are true to the best of my knowledge and belief and nothing has been concealed therein.

I have carefully read the provisions of the Rajasthan Petroleum Products (Licensing & Control) Order, 1990 and I agree to abide by them.

Place.....

Signature of Proprietor/Partner

Date.....

**FORM-B**  
(See Clause 5)

**Application for renewal of licence No.....**

To,

The Licensing Authority,

.....  
.....

Sir,

I hereby apply for renewal of my licence No.....issued to me under the Rajasthan Petroleum Products (Licensing & Control) Order, 1990. The required particulars are given below :-

- 1. Date on which the licence expires.....
- 2. Name in which the licence stands.....
- 3. For how many years the renewal is desired ?.....
- 4. Details of the action taken against the licensee during the last three years for contravention of an order issued under the E.C. Act, 1955.....

I.....hereby declare that the particulars mentioned above are correct to the best of my knowledge and belief, and nothing has been concealed therein.

Signature of applicant

Place :

Date :

**FORM-C**

[See Clause 4(1) (b)]

THE RAJASTHAN PETROLEUM PRODUCTS (LICENSING & CONTROL) ORDER, 1990

**LICENCE**

i) Licence No.....

ii) Security deposited Rs.....vide challan No.....Dated.....

iii) Name of dealer alongwith partners if any.

1.....

2.....

### TERMS AND CONDITIONS

1. Subject to the provisions of the Rajasthan Petroleum Products (Licensing & Control) Order, 1990 and to the terms and conditions of this licence, Mr./M/s.....is/are hereby authorised to carry on business of purchase, sale, store for sale the under-mentioned petroleum products :-

(1) High Speed Diesel Oil

(2) Diesel Oil

(3) Motor Spirit (Petrol)

(4) Liquefied Petroleum Gas.

<sup>11</sup>[(5) Ethanol Blended Petrol]

<sup>4</sup>[1(a) The Barrel point licensee will purchase High Speed Diesel only from such authorised Retail Outlet dealers of Oil Companies, which are so specified by the State Government or District Collector by a written order issued from time to time.]

2. (a) The licensee shall carry on the business of aforesaid Petroleum Products between.....to.....hours at the following place ;-

.....  
(b) The Petroleum Products in which the aforesaid business is to be carried on shall not be stored at any place other than the godowns mentioned below:-

1. ....

2. ....

Note :- If the Licensee intends storing the petroleum products in places other than those specified above, he shall give intimation in writing to the Licensing Authority within a period of forty eight hours of actually storing of the petroleum products therein. He shall also produce the licence before the Licensing Authority within a fortnight of his giving intimation mentioned above, for the purpose of making requisite changes.

3. (a) The Licensee shall maintain a stock register of daily accounts in form 'E' for the petroleum products mentioned in paragraph 1 showing correctly :-

(i) The opening stock on each day;

(ii) The quantities received on each day showing the place from where and the source from which received.

(iii) The quantities delivered or otherwise removed on each day showing the places of destination; and

(iv) The closing stock on each day.

*Explanation :-* The licensee may maintain separate stock register for each petroleum products or may allot separate page(s) for different products in one stock register.

(b) <sup>1</sup>[x x x x]

4. <sup>1</sup>[The licensee shall furnish to the Licensing Authority concerned a monthly return in form "D" of the stocks, receipts and deliveries of each of the petroleum products mentioned in paragraph 1 above within five days of the close of month],
5. The licensee shall display at a conspicuous place of his business premises; legibly written in Hindi, the opening stock of petroleum products, price per litre and the working hours of shop.
6. <sup>1</sup>[The licensee shall on demand issue to a customer a cash memo or invoice, as the case may be, giving his own name, address and licence number, address and licence No. (if any) of the customer, the date of transaction, the quantity of petroleum products sold and the price charged. He shall keep a duplicate of the same to be available for inspection on demand by the Licensing Authority or any other officer authorised in this behalf :

Provided that the dealer shall comply with any direction given by the Collector regarding issue of cash memos for all the transactions as and when the situation warrants:

Provided further that in case Commissioner so specifies by an order in writing for a specified period this clause may be suspended in respect of a particular item of petroleum products.]

<sup>2</sup>[Provided also that if petroleum product is supplied to a customer in the tank of his vehicle, its registration number shall be mentioned in place of name and address of the customer.]

7. Subject to the general or specific directions of the licensing authority, no dealer shall refuse to sell petroleum products to any customer while having stocks of the same with him on any day during working hours.
8. The licensee shall give all facilities at all reasonable times to the inspecting authority for the inspection of his stocks and accounts at any shop, godowns or other places used by him for the storage, sale or purchase and for the taking of samples of the petroleum products mentioned in paragraph 1 for examination.
9. The Licensee shall comply with a direction that may be given to him by the State Government or the Collector or the Licensing Authority.
10. <sup>1</sup>[x x x x]
11. The licensee shall not-

- (i) Enter into any transaction involving purchase, sale or storage for sale of petroleum products in speculative manner prejudicial to the maintenance and easy availability of their supplies in the market.
- (ii) Compel the customer to purchase any other item alongwith petroleum products as a pre-condition for sale thereof.
- (iii) Sell or offer to sell any petroleum product at a price higher than the price fixed by the competent authority and displayed.
- (iv) \*<sup>1</sup>[Keep his premises closed during working hours on any day without exhibiting the reasons for closure of the business premises.]
- (v) Contravene the provisions of this order or any other law relating to essential commodities for the time being in force.

<sup>2</sup>[11A. The Licensee shall have running storage licence under Petroleum Act/Explosive Act, failing which this licence shall stand automatically cancelled.]

12. This licence shall be attached to an application for renewal.

13. This licence shall be valid upto 31st March, 19.....

Place :

Licensing Authority

Date :

**FORM 'D'**

(See condition 4 of the licence)

Monthly return for the month ending..... Name of licensee..... Licence No.....

S. No.	Name of Petroleum Products	Stocks at the beginning of month,	Stock purchased or otherwise received during month	Total	Stock sold or otherwise removed during the month	Stock at the end of the month
1	2	3	4	5	6	7

Signature of Licensee

Place .....

Date .....

To

The Licensing Authority

.....

**FORM 'E'**  
(See condition 3 of the licence)  
**STOCK REGISTER**

Name of petroleum Products.....

Date	Opening balance	Receipts	Source of receipts	Total (Col 2&3)	Deliveries/ sale	Place of destination	Closing balance.
1	2	3	4	5	6	7	8

[No. F. 17 (24) Food sup/Legal/90]

By order of the Governor  
(Jagdish Chandra Sharma)  
Dy. Secretary to the Govt.

\* \* \*

**IMPORTANT NOTIFICATIONS ISSUED UNDER THE ORDER :-**

(1) **Jaipur, November 28, 1990**

**G.S.R.48.-** In pursuance of sub-clause (f) of clause 2 of the Rajasthan Petroleum Products (Licensing & Control) Order, 1990 the State Government hereby appoints the officers specified in column No. 1 of the Schedule appended hereto by virtue of their office to exercise the powers and to perform the duties of the Licensing Authority under the said order, for the area specified against each in column No. 2 thereof.

**SCHEDULE**

1	2
1. Collectors	For their respective jurisdiction
2. District Supply officer/ Additional District Supply Officer	For their respective jurisdiction.
3. Officers of the Food & Civil Supplies Department not below the rank of Deputy Commissioner	For the whole of the State of Rajasthan

**COMMENTS**

The following proviso was added to this Notification vide G.S.R. 44 dt.18.6.94. The same has been omitted vide G.S.R. 143 dt.6.3.97

“परन्तु बैरल पाइन्ट डीलर्स को अनुज्ञापति जारी करने के लिए केवल वही अधिकारी सक्षम होंगे, जो उपरोक्त अनुसूची की क्र. सं. 3 पर विनिर्दिष्ट किये गये हैं।”

[No. F. 17(24) FS/Legal/90]

[Pub in Raj Gaz Ord. Pt. 4 (C) (I) Dt. 8.8.91]

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(2) जयपुर, जुलाई 2, 1992

एस.ओ. 83:- राजस्थान पेट्रोलियम उत्पाद (अनुज्ञापन तथा नियंत्रण ) आदेश, 1990 के खण्ड 15 द्वारा शक्तियों का प्रयोग करते हुए राज्य सरकार, जिलों के समस्त जिला कलेक्टरों को अपनी-अपनी अधिकारिता में उक्त आदेश के खण्ड 15 के उपबन्धों के अन्तर्गत उद्योगों को हाई स्पीड डीजल भण्डारण के लिये स्टॉक सीमा निर्धारण हेतु एतद् द्वारा प्राधिकृत करती है।

(एफ. 17(24) खा.वि./विधि/90)

(Pub. in Raj. Gaz. Extra. Pt. 4 (C) (II) Dt. 3-7-92)

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(3) जयपुर, नवम्बर 24, 1994

एस.ओ. 280:- राजस्थान पेट्रोलियम उत्पाद (अनुज्ञापन तथा नियंत्रण ) आदेश, 1990 के खण्ड 15 में प्रदत्त शक्तियों का प्रयोग करते हुए राज्य सरकार, बैरल पाइन्ट, डीलर द्वारा एक समय में भण्डारण किये जाने वाले डीजल की अधिकतम मात्रा 4000 लीटर (चार हजार लीटर) नियत करती है।

(संख्या एफ. 17(24) खा.वि./विधि/90)

(Pub. in Raj. Gaz. Extra. Pt. 4 (C) (II) Dt. 29-11-94)

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(4) जयपुर, मई 1, 1998

विभागीय समसंख्यक आदेश दिनांक 30.5.95 के द्वारा राजस्थान पेट्रोलियम उत्पाद (अनुज्ञापन एवं नियंत्रण) आदेश 1990 के अन्तर्गत जयपुर जिले में जिला कलेक्टर/जिला रसद अधिकारी,जयपुर के अन्य कार्यों में व्यस्त रहने के कारण अनुज्ञापन-अधिकारी के कार्य में पर्याप्त समय नहीं दे पाने के फलस्वरूप इनकी शक्तियां एवं कर्तव्यों का निर्वहन तत्काल प्रभाव से उपायुक्त (मुख्यालय), खाद्य एवं नागरिक रसद विभाग, राज. जयपुर को प्रदान की गयी थी।

लेकिन अब जयपुर जिले में आपूर्ति संबंधी कार्य की अधिकता नहीं रहने एवं अन्य प्रशासनिक कारणों से आदेश दिनांक 30.5.95 को निरस्त कर,राजस्थान पेट्रोलियम उत्पाद (अनुज्ञापन एवं नियंत्रण) आदेश, 1990 के खण्ड-2 के उपखण्ड (एफ) के अन्तर्गत अनुज्ञापन अधिकारी की समस्त शक्तियां पूर्ववत् जिला कलेक्टर/ जिला रसद अधिकारी,जयपुर को प्रदान की जाती है।

(एफ. 17(24) खा.वि./विधि/90)

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(5) जयपुर, जून 9, 1999

राजस्थान पेट्रोलियम उत्पाद (अनुज्ञापन एवं नियंत्रण) आदेश, 1990 के खण्ड 23 में प्रदत्त शक्तियों का प्रयोग करते हुए राज्य सरकार एतद्वारा समानान्तर विपणन प्रणाली के तहत द्रवित पेट्रोलियम गैस के व्यवसायियों को उक्त आदेश के प्रावधानों से निम्नांकित

शर्तों के अध्याधीन मुक्त करती हैं:-

(1) द्रवित पेट्रोलियम गैस के समानान्तर विपणनकर्ता एजेंसी को इस विभाग एवं जिला कलक्टर को प्रतिमाह यह सूचना देनी होगी कि उन्होंने राज्य एवं जिले में किन स्थानों पर किन्हें डीलर नियुक्त किया है व प्रति माह प्रत्येक स्थान पर जारी किये गये गैस कनेक्शन की संख्या का विवरण भी प्रस्तुत करना होगा।

(2) द्रवित पेट्रोलियम गैस के समानान्तर विपणनकर्ताओं को सुरक्षा एवं पर्यावरण से संबंधित कानून के प्रावधानों की पालना करना आवश्यक होगा

यह आदेश तुरन्त प्रभाव से लागू होगा। (एफ. 17(34) खा.वि./विधि/93)

(6) जयपुर, अगस्त 13, 2003

एस.ओ.- राजस्थान पेट्रोलियम उत्पाद (अनुज्ञापन और नियंत्रण) आदेश, 1990 के खण्ड-2 के उपखण्ड (च) के अनुसरण में राज्य सरकार, उक्त आदेश के खण्ड 11, 12 एवं 14 के अधीन अनुज्ञापन प्राधिकारी की शक्तियों का प्रयोग करने और कृत्यों का निर्वाहन करने हेतु, एतद्वारा खाद्य, नागरिक आपूर्ति और उपभोक्ता मामले विभाग, राजस्थान (मुख्यालय) पर पदस्थापित जिला रसद अधिकारी/अतिरिक्त जिला रसद अधिकारी को राज्य के समस्त जिलों के लिये अनुज्ञापन प्राधिकारी नियुक्त करती है।

( एफ. 17 (2) खा.वि./विधि/99)

(7) जयपुर, अक्टूबर 16, 2004

एस.ओ. 211- राजस्थान पेट्रोलियम उत्पाद (अनुज्ञापन तथा नियंत्रण) आदेश, 1990 के खण्ड-15 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और राजस्थान राजपत्र, विशेषांक भाग 4 (ग) उपखण्ड (II) में प्रकाशित अधिसूचना (एस.ओ. 267) दिनांक 2.11.1994 को अधिक्रमित करते हुये राज्य सरकार, अनुज्ञापिधारी व्यापारी (Licenced dealer) से भिन्न किसी भी व्यक्ति द्वारा एक समय में अपने कब्जे में रखे जाने वाले डीजल की अधिकतम मात्रा 500 लीटर नियत करती है। इस मात्रा में वाहन के सर्विस टैंक में उपलब्ध डीजल की मात्रा भी सम्मिलित होगी।

( एफ. 17 (24) खा.वि./विधि/90)

(Pub. in Raj. Gaz. Extra. Pt. 4 (C) (II) Dt. 26-10-2004)

(N.B. - Superseded vide Noti. dt. 11-4-2005)

(8) जयपुर, अप्रैल 11, 2005

एस.ओ. - राजस्थान पेट्रोलियम उत्पाद (अनुज्ञापन तथा नियंत्रण) आदेश, 1990 के खण्ड-15 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये और इस विभाग द्वारा पूर्व में जारी अधिसूचना क्रमांक एफ. 17 (24) खा.वि./विधि/90 दिनांक 16.10.2004 को अधिक्रमित करते हुये, राज्य सरकार, अनुज्ञापिधारी व्यापारी (Licenced dealer) से भिन्न किसी भी व्यक्ति द्वारा एक समय में अपने कब्जे में रखे जाने वाले डीजल की अधिकतम मात्रा 1000 लीटर नियत करती है। इस मात्रा में वाहन के सर्विस टैंक में उपलब्ध डीजल की मात्रा भी सम्मिलित होगी।

( एफ. 17 (24) खा.वि./विधि/90)