

The Orissa Petroleum Products (Sale by Dealers) Order, 1979

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Rule

THE-ORISSA-PETROLEUM-PRODUCTS-SALE-BY-DEALERS-ORDER-1 of 1979

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The Orissa Petroleum Products (Sale by Dealers) Order, 1979Published vide Notification S.R.O. No. 190/79, dated 5th February, 1979, Orissa Gazette Extraordinary No. 350/17.3.1979Notification S.R.O. No. 190/79, dated 5th February, 1979. - In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955) read with the notification of the Government of India in the Ministry of Industry and Civil Supplies (Department of Civil Supplies and Co-operation) No S.O. 681 (E), dated the 30th November, 1974 published in the Gazette of India, Extraordinary [Part II, Section 3, Sub-section (1), dated the 30th November, 1974], the State Government do hereby make the following order, namely :

1. Short title, extent and commencement.

- (i) This Order may be called the Orissa Petroleum Products (Sale by Dealers) Order, 1979.(ii)It shall extend to the whole of the State of Orissa.(iii)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)"Collector" means the Collector of the district and includes an Additional District Magistrate;(b)"dealer" means a person who carries on directly or otherwise, the business of sale or storage for purpose of sale of petroleum-products to consumers and includes the representative or agent of such person;(c)"Petroleum products" include-

- 1. Fuel oil;**
- 2. Light diesel oil;**
- 3. High speed diesel oil;**
- 4. Motor spirit of all grades.**

(d)"Schedule" means Schedule appended to this Order.

3. Reservation of stock.

(1)The Collector or any officer not below the rank of a Sub-divisional Officer authorised by him may, for equitable distribution by notice issued from time to time in writing, require the dealers of any place within his jurisdiction to keep such quantity or percentage of stocks of any or all items of petroleum products received by them in their retail outlets as specified in the notice, reserved for sale under and in accordance with a permit issued by the Collector or by any officer not below the rank of Assistant Civil Supplies Officer authorised by him in this behalf in the form specified in the Schedule.(2)The notice issued under Sub-clause (1) shall specify the period not exceeding thirty days at a time for which it shall remain in force.(3)The notice shall cease to have effect on the expiry of the period specified therein as per Sub-clause (2) or from the date of issue of a subsequent notice, whichever is earlier.

4. Supply of information.

- Every dealer shall on receipt of the petroleum products in his depot or godown furnish on the same date information of the same to the Collector or/to such officer not below the rank of a Sub-divisional Officer as authorised by the Collector for the purpose.

5. Maintenance of books of accounts.

(1)Every dealer shall maintain registers of daily accounts maintaining therein -(a)the opening stocks on each day;(b)the quantity received on each day;(c)the quantity delivered on each day;(d)the closing stock on each day.(2)The dealer shall display in a prominent place of his business the opening stock of each item of petroleum products on each day.(3)The dealer shall maintain separate accounts for separate items of petroleum products dealt with by him.

6. Inspection.

- The stocks in the possession of the dealer and the account maintained by him under Clause 5 shall be opened for inspection by the Collector or any officer not below the rank of Inspector of Supplies authorised by him or by any-officer of the Enforcement Squad of the Food and Civil Supplies Department authorised by the State Government in this behalf.

7. Powers of entry, search and seizure.

(1) Any officer not below the rank of Inspector of Supplies authorised in this behalf by the State Government may with a view to securing compliance with this Order or to satisfying himself that this Order has been complied with and with such assistance, if any, as he thinks fit—(a) enter, inspect or break open and search any place or premises, vehicle or vessel which he has reason to believe has been or is being used in the contravention of this Order; (b) take or cause to be taken extracts from or copies of any document showing transactions relating to such contravention; and (c) seize stock of any petroleum products 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 as far as may be, apply to search and seizure under this Order.

Schedule

Permit [See Clause 3 (3) of the Orissa Petroleum Products (Sale by Dealers) Order, 1979]

1. Name and address of the dealer..:.....

2. Name of the permit holder..

3. Name of the petroleum products-

Fuel oil Light diesel oil High speed diesel oil Motor spirit

4. Quantity.....

5. Registration No. of the vehicle owned by the permit holder.....

(This permit is valid for a period of three days from the date of issue) Signature of the permit Issuing Authority