

The Orissa Motor Spirit and High Speed Diesel Oil (Maintenance of Supplies) Order, 1979

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Rule

THE-ORISSA-MOTOR-SPIRIT-AND-HIGH-SPEED-DIESEL-OIL-MAINTENANCE-OF 1979

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The Orissa Motor Spirit and High Speed Diesel Oil (Maintenance of Supplies) Order, 1979Published vide Notification Orissa Gazette S.R.O. No. 771/1980S.R.O. No. 771/80. - In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955) read with the notification of Government of India in the Ministry of Industry and Civil Supplies (Department of Civil Supplies and Co-operation) S.O. No. 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.

- This Order may be called the Orissa Motor Spirit and High Speed Diesel Oil (Maintenance of Supplies) Order, 1979.(2)It shall extend to the whole of the State of Orissa.(3)It shall come into force from the date of its publication in the official Gazette.

2. Definitions.

- In this Order, unless the context otherwise requires-(a)"Collector" means the Collector of the district;(b)"dealer" means a person engaged in the business of purchase, sale or storage for sale of motor spirit and/or high speed diesel oil but does not include an Oil Company;(c)"Oil Company" means any of the oil companies specified below:(i)Indian Oil Corporation Ltd.(ii)Hindustan Petroleum Corporation Ltd.(iii)Bharat Petroleum Corporation Ltd.(iv)The Indo-Burma Petroleum Company Ltd.(v)Hindustan Petroleum Corporation Ltd. (V.M.V.).

3. Regulation of sale.

(1)Every dealer shall, within twenty four hours from the date of commencement of this Order, display at a conspicuous place of his business-(i)the working hours of business; and(ii)a stock-cum-price board showing the opening balance of motor spirit and/or high speed diesel oil of the day and the rate per litre.(2)No dealer shall, except for the quantity reserved under any other law for the time being in force, refuse to sell motor spirit or high speed diesel oil to any customer while having stocks of the same with him on any day during working hours.(3)Notwithstanding anything contained in any law for the time being in force, no dealer shall keep his premises closed during working hours on any day without prior permission in writing of the Collector or any other officer authorised by him in this behalf.Explanation. - Working hours for the purpose of this clause shall be the working hours which the dealer has been observing immediately before the date of commencement of this Order.(4)Every dealer shall take all reasonable steps to ensure that he has adequate stocks of motor spirit and/or high speed diesel oil at his business premises at all times.(5)No dealer shall act in a manner prejudicial to the maintenance of supplies of motor spirit and high speed diesel oil in the State of Orissa.

4. Maintenance of accounts.

- Every dealer shall maintain true and correct accounts of all purposes and sales of motor spirit and high speed diesel oil.

5. Direction.

- Every dealer and Oil Company shall comply with the directions that may be given to him in writing by the Collector in regard to the purchase, sale or storage for sale of motor spirit and high speed diesel oil and in regard to the manner in which accounts thereof shall be maintained and the returns be submitted.

6. Powers of entry, search, seizure, etc.

(1)The Collector or any other officer authorised by the State Government in this behalf may with such assistance, if any, as he thinks fit-(a)require the owner, occupier or any other person in charge of any place, premises, vehicle or vessel in which motor spirit and/or high speed diesel oil is stored, kept or being carried, where he has reason 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, accounts or other documents or furnish such information relating to motor spirit and/or high speed diesel oil or transactions relating thereto as may be required;(b)enter, inspect or break open and search, seal or reseal any place, 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 or seize any documents or account books or take or cause to be taken extracts from of copies thereof showing transactions relating to motor spirit and high speed diesel oil;(d)search, seize and remove stocks of motor spirit and high speed diesel oil together with the vehicle, vessel 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 and articles in a court of law and for their safe custody pending such production.(2)The provisions of Section 100 of the Code of Criminal Procedure, 1973 (2 of 1974) relating to search and seizure shall, so far as may be, apply to search and seizures under this clause.Notifications(23rd December, 1986)(Authorisation to the Assistant Director, Quality Control, Food and civil Supplies Department to exercise the powers under Clause 6 of the above Order).S.R.O.No. 2/87. - In pursuance of Sub-clause (i) of Clause 6 of the Orissa Motor Spirit and High Speed Diesel Oil (Maintenance of Supplies) Order, 1979, the State Government do hereby authorise the Assistant Director Quality Control, Food and Civil Supplies Department to exercise the powers specified under the said clause within the State of Orissa.No. 28526. - In pursuance of Sub-clause (i) of Clause 6 of the Orissa Motor Spirit and High Speed Diesel Oil (Maintenance of Supplies) Order, 1979, the State Government do hereby further authorise the Officers mentioned below to exercise the powers under the said clause within their respective areas of jurisdiction.

1. Market Intelligence Officer

2. Market Intelligence Supervisor

3. Market Intelligence Inspector.