The Light Diesel Oil (Fixation of Ceiling Prices) Order, 1973

UNION OF INDIA India

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Rule

THE-LIGHT-DIESEL-OIL-FIXATION-OF-CEILING-PRICES-ORDER-1973 of 1973

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The Light Diesel Oil (Fixation of Ceiling Prices) Order, 1973Published vide Notification U.P. Gazette, dated 20.9.1973 (1st April, 1973)Last Updated 26th July, 2019Ministry of Petroleum and Chemicals of Government of India(Petroleum Aur Rasayan Mantralaya)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, extent and commencement.

(1)This Order may be called the Light Diesel Oil (Fixation of Ceiling Prices) Order, 1973.(2)[It extends to the whole of India.(3)It shall come into force in the States of Punjab, Rajasthan, Gujarat and Haryana on the 1st day of April 1973, and in the remaining States and in the Union territories on the date of publication of the Light Diesel Oil (Fixation of Ceiling Prices (Second Amendment) Order, 1973 in the official Gazette, and any reference in this Order, to the date of commencement of this Order, shall in relation to any State or Union territory, mean the date on which this order comes into force in such State or Union territory.] [Substituted by Notification No. G.S.R., dated 30.6.1973.]

2. Definitions.

- In this Order, unless the context otherwise requires,-(a)"dealer" means a person carrying on the business of selling Light Diesel Oil, whether wholesale or retail and whether in conjunction with any other business or not any includes-(i)his representative or agent; and(ii)an oil company making wholesale supply from it storage or selling point;(b)"declared price" in relation to Light Diesel Oil sold in any area in the State means the maximum selling price declared in accordance with the

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provisions of Clause 3-(1)by the State Government or District [* * *] [Omitted by Notification, dated 30.6.1973.] or(2)by such officer as the State Government may empower in this behalf, as the price at which the Light Diesel Oil is to be sold by the dealer in that area from the date of commencement of this order or from the date of declaration of price by any of the aforesaid authorities;(c)the expression "Light Diesel Oil" shall have the meaning assigned to it in Item No. 9 of the First Schedule to the Central Excises and Salt Act, 1944 (1 of 1944).(d)"Schedule price" in relation to Light Diesel Oil sold in any area in the State means the price of Light Diesel Oil at the nearest main port or the refinery, as the case may be, as indicated in Schedule appended to this Order;(e)["State" includes a Union territory; [Inserted by Notification, dated 30.6.1973.](f)"State Government" in relation to a Union territory, means the Administrator thereof appointed by the President under Article 239 of the Constitution.]

3. Fixation of maximum selling price of Light Diesel Oil.

- On and from the date of commencement of this Order, no dealer shall sell Light Diesel Oil to any person at a price, which is in excess of the declared price which shall include the following namely,-(a)the schedule price;(b)the increase or decrease, if any, the Central duties after the date of commencement of this Order [* * *] [Omitted by Notification, dated 30.6.1973.];(c)[(i) the rate of dealer's commission at rupees eight per kilo litre; [Substituted by Notification No. G.S.R. 416 (E), dated 13.12.1976.](ii)reimbursement, if allowed by the State Government, or with the previous approval of the State Government, by the District Collector or the Deputy Commissioner of the area, as the case may be, by notification in the official Gazette, of any extraordinary expenditure which the dealers may have to incur under local conditions].(d)(i)the railway freight actually payable on the date of commencement of this Order for transporting the quantity of Light Diesel Oil from the nearest port of installation or the refinery, as the case may be, to the place of sale and the increase, or decrease if any, in such freight after that date; (ii) the road transportation charges actually payable on the date of commencement of this order for the transportation of supplies of Light Diesel Oil by the dealer from the nearest storage or selling point of any oil company to the place of sale, as the State Government or with the previous approval of the State Government the District Collector or the Deputy Commissioner of an area in the State may, having regard to the transportation charges payable for the transportation of goods by he shortest route, allow and the increase or decrease therein, if any, after that date; (e) the sales tax and any other local tax payable on the date of commencement of this Order, on the quantity of Light Diesel Oil, and the increase or decrease, if any, therein after that date;(f)the surcharge, if any over the prices mentioned in the Schedule appended to this Order which may be imposed by the Central Government from time to time.

4. Light Diesel Oil stock to be displayed.

- Every dealer shall cause to be permanently displayed on a special board to be nominated for this purpose at or near the entrance or the place of sale-(a)the stocks of Light Diesel Oil held by him form time to time and ready for the delivery;(b)the declared price of Light Diesel Oil; and(c)the price at which he proposes to sell Light Diesel Oil.

5. Prohibition against withholding Light Diesel Oil form Sale.

- No dealer having stock of Light Diesel Oil shall withhold it from sale.

6. Inspection and maintenance of books of account, documents and records.

- Any officer authorised in this behalf by the State Government in relation to an area in a State may, with a view to securing compliance with this Order-(a) require the dealer to maintain and produce for inspection such books of account or other document and records relating to his business and to furnish such information relating thereto; as he may specify; and(b) prescribe the manner in which accounts of sale or purchase of or other transactions in Light Diesel Oil shall be kept.

7. Power of entry, search and seizure.

(1)Any officer authorised in this behalf by the State Government in relation to an area in a State 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 for the contravention of this Order, and(b)search, seize and remove stocks of Light Diesel Oil and animals, vehicles, vessels or other conveyance used in carrying Light Diesel Oil in contravention of the provision of this Order, and thereafter take or authorise the taking of all measures necessary for securing the production of the said stocks and the animals, vehicles, vessels or other conveyance so seized, in a court and for their safe custody pending such production.(2)The provisions of Section 102 and 103 of the Code of Criminal Procedure, 1898 (5 of 1898), (New Section 100 of 1973) (No. 2 of 1974) relating to search and seizure shall, so far as may be, apply to searches and seizures under this Order.

8. Provisions of the Order to prevail over previous Order of State Government.

- The provisions of this Order shall have effect notwithstanding anything to the contrary contained in any Order made by the State Government or by any Officer of the State Government before the date of commencement of this Order, except as respects anything done or omitted to be done thereunder before such commencement.[The Schedule] [Substituted by S.O. 687 (E), dated 16th September, 1992.][See Clauses 2(d) and 3]Basic Ceiling Selling Prices of Light Diesel Oil in bulk per kilolitre ex-Main Port/Refinery.

Sl. No.

Main Port/Refinery

Light

Diesel Oil

Rs.

1. [[Substituted by Notification No. G.S.R. 405 (E), dated 14.7.1975 and again Substituted

Bombay/Loyali/Mathura/Cochin/Madras/Visakhapat**nago/Alad**dia/Digbo Barauni/Bongaigaon

by Notification No. G.S.R. 157

(E), dated 1.3.1978.]

2.	Calcutta	5418.91
3.	Kandla	5435.47
4.	Okhla	_
5.	Goa	5431.51]