

**GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF CIVIL SUPPLIES
ITANAGAR.**

NO. DCS/MON/92(A)98(Vol-I)

Dated Itanagar, the 1st April 2005

NOTIFICATIONS.

In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955, (10 of 1955) read with the Govt. of India in the Minister of Civil Supplies, (Department of Civil Supplies & cooperation) Order No. 681 (E) dated 30th November, the Governor of Arunachal Pradesh makes the following Order, namely: -

1. Short title, extent and commencement:

1. This Order may be called the Arunachal Pradesh Kerosene (Licensing and Distribution) control Order, 2005.
2. It shall extent to the whole of the State of Arunachal Pradesh
3. It shall come into force on the date of its publication in the Gazette.

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

- (a) "Dealer" means a person engaged in the business of purchase, sale or storage for sale of kerosene oil whether whole sale or retail and includes a hawker and an agent of an OIL COMPANY who has entered into an agreement with the Oil Company to distribute kerosene as whole-sale or retail dealer as the case may be but does not include an Oil Company.
- (b) "Form" means a 'Form' appended in the schedule to this order.
- (c) "Hawker" means a person who carries kerosene from place to place for sale in retail not exceeding 5 litres per person at any one time.
- (d) "Kerosene" shall have the meaning assigned to it in item No.7 of the first schedule to the Central Excise and salt Act, 1944 (1 of 1944) and shall not include Aviation Turbine Fuel.
- (e) "Licensing Authority" means the Director of Civil Supplies, Govt. of Arunachal Pradesh.
- (f) "State Government" means the Government of Arunachal Pradesh.
- (g) "Director" means the Director of Civil Supplies, Government of Arunachal Pradesh and includes any other officer of the said department not below rank of the Superintendent of Supplies of Civil Supplies Department authorized by the Government in this behalf to perform all or any of the functions of the Director under this order.
- (h) "Deputy Commissioner" means the Deputy Commissioner within their jurisdiction over the respective areas where the dealer carries on his business.

- (i) “Whole sale dealer” means a dealer who sells kerosene to any other person for retailing or otherwise at whole sale rates in quantities of 20 litres or more at any one time.
- (j) “Retail dealer” means a person who sells kerosene in small quantities not exceeding 20 litres per person at any one time fixed by Government.
3. Prohibition against carrying on business as a dealer without a license: Every person carrying on business as a dealer shall possess a license under this order and abide by the terms and conditions of the license granted in this behalf by the licensing authority.
4. Application for license: A person desires to obtain a license under this order shall make an application to the licensing authority in form ‘A’ through the concerned Deputy Commissioner and the licensing authority if he is satisfied may grant his license in form ‘B’.
5. Form of license: Licenses shall be issued to the whole sale dealer and the retailer under this order in form ‘B’ –(I) respectively and license issued to the Hawker be in Form ‘B’ –(III).
6. Security Deposit: Every person applying for license under this order, shall before the license is issued to him, deposit with the licensing authority, a security as specified here under for the performance of the conditions subject to which the license, is granted to him.
- | | | | |
|-----|------------------------------|----|-------------|
| (a) | In case of Whole sale dealer | :- | Rs. 10000/- |
| (b) | In case of retail dealer | :- | Rs. 1000/- |
| (c) | In case of Hawker | :- | Rs. 500/- |
7. Period of license and its renewal: Every license granted under this order shall valid for a period ending 31st day of March in the year in which it is issued and may be renewed for a period of one year with time.
7. Renewal of license: Every license shall deposit their license for renewal within 30th day of April of the year following with a renewal fee of Rs. 100/- along with an application to the licensing authority.
- However, fine or late renewal of license is livable at the rate of Rs. 25/- per calendar month or fraction thereof, if the license is not renewed within due date.
9. Fee for license:
1. The fee payable for issue of a license or a duplicate copy of license in case of defaced, lost or destroyed or otherwise shall be Rs. 2000/- for Whole seller, Rs. 250/- for Retailers and for renewal Rs. 500/- for whole seller, Rs. 100/- for retailer and Rs. 50/- for Hawker.

2. The fee payable shall have to be deposited in the form of Treasury Challan under the relevant head of Account.
10. Power to refuse license: The licensing Authority after giving the dealer concerned an opportunity of stating his case in writing and for reason be to recorded in writing refuse to grant or renew a license.
11. Provision for cancellation or suspension of license: If a dealer either by himself or by his agent, or his servant on his behalf contravened any of the provisions of this order or any of the conditions of the license, than without prejudice to any other action, that may be taken against him, the licensing authority may after giving him an opportunity for making his representation, by order suspend or cancel the license.
12. Forfeiture of security deposit:
 - (i) Without prejudice to the provisions of clause.
 - (ii) If the licensing authority is satisfied that the dealer has contravened any of the conditions of the license and forfeiture of the security is called for, he may after giving the dealer a reasonable opportunity of being heard, by order forfeit the whole or any part of the security deposited by him and communicate a copy of the order to the dealer
 - (iii) If the amount of security at any time fall short of the amount specified in clause 6, the dealer forthwith shall deposit further security to make up the amount on being required by the licensing authority to do so.
 - (iv) Upon due compliance by the dealer with all the conditions of the license, the amount of security or such part thereof which is not forfeited as aforesaid, shall be returned to the dealer after the termination of the license.
13. Maintenance of accounts: Every license shall maintain correct and true accounts in respect of his business in such form and manner as the direction may specify.
14. Complying with orders and directions: Every licensee to whom any order or direction is issued under any powers conferred by or under this order shall comply with such orders or directions.
15. Requisitions for sale of kerosene:
 - (i) No. dealer shall sell kerosene at a price higher than the price fixed by the licensing authority.
 - (ii) A dealer shall prominently display a stock-cum-price list at his business premises or near the entrance to the place of sales depot showing the opening balance of kerosene of the day and the selling price per liter.
 - (iii) A dealer shall obtain an explosive license for storage of kerosene, if necessary, from the appropriate authority.

- (iv) A dealer shall display the working hours at a conspicuous place of the business premises. No dealer shall keep his sale depot/sub-depot closed during the working hours on any day without prior permission of the licensing authority.
- (v) A dealer shall take all steps to ensure that he has adequate stock of kerosene at his depot/sub-depot at all times.
- (vi) A dealer shall maintain a true and correct accounts of purchase and sale of kerosene.
- (vii) A dealer shall comply with the directions that may be given by the licensing authority Deputy Commissioner or any other officer of the Department not below the rank of Superintendent of Supplies in regard to purchase, transport, sale or storage of kerosene, hours of sale or any other matter relating to kerosene which they may think fit to regulate the sale.
- (viii) No dealer shall act in a manner prejudicial to the maintenance of supplies of kerosene in the state.
- (ix) The licensee shall give all facilities at all reasonable times to the licensing authority or any other officers of the Civil Supplies Department not below the rank of Sub-Inspector of Supplies, or any other officers or any person or a class of persons authorized by the licensing authority for inspection of the stock and accounts of kerosene and produce the license for inspection on demand.

16. Returns by licensee: Every licensee shall submit a monthly return of kerosene to the Licensing Authority as per prescribed form 'C' to reach the licensing authority on 1st day of every following month.

13. Power of entry, search, seizure etc:

- (i) The Director, Deputy Commissioner or any officer of Civil Supplies of the state not below the rank of sub-Inspector of Supplies or any officer authorized in this behalf by the State Government may with a view to secure compliance with the provision of this order, inspect any place, books of accounts or other documents and where he has reason to believe that any of the provision of this order contravened or about to contravene, break open or seal any place, premises, vehicle, or vessel and search, seize or remove any quantity of kerosene, books of accounts, vehicle, vessel or any other conveyance used for carrying kerosene and may authorize the taking of all measures for their safe custody.
- (ii) The provision of section 100 of the code of Criminal Procedure, 1973 92 of 1974) shall apply to search and seizure under this clause.

14. Power to grant exemption in special case: If the state Government considers it necessary or expedient in public interest so to do by order exempt any person or class of persons from

the operation of all or any of the provisions of this order for such period and subject to such conditions (if any) as may be specified and may at any time suspend or cancel such exemption.

15. Appeal: An appeal against any order of the licensing authority shall lie to the State Government within 30 days of the order appealed against.
16. Penalty: Any person contravening any of the provisions of this order be liable to be punished under section 7 of the Essential Commodities Act, 1955.
17. Regulation for storage and sale: The licensee shall maintain a reserve stock not exceeding 4000 litres of SKO at all times for distribution on the basis of permits to be issued by the licensing authority/Deputy Commissioner or any other officer of Civil Supplies Department not below the rank of Superintendent of Supplies to meet emergency requirements during any natural calamity, law and order problem, general election and any other emergent circumstances to such consumers as may be indicated in the permit.

Sd/- J. P. Rai
Secretary (CS)
Govt. of Arunachal Pradesh,
Itanagar.

Memo No. DCS/MON/92(A)98(Vol.I)

Dated Itanagar, the 1st April 2005.

Copy to :-

1. The Under Secretary to Government of India, Ministry of Consumer Affairs, and Food and Public Distribution, Krishi Bhawan, New Delhi with reference to his letter No. 1-1/2001-BP-III dated 7/1/2001.
2. The Secretary to the Governor of Arunachal Pradesh, Itanagar for information of the Governor.
3. The private Secretary to the Chief Secretary, Arunachal Pradesh, Itanagar for information of the Chief Secretary.
4. The Director of Information and Public Relation & Printing, Naharlagun with a request to get the notification published in the next Arunachal Pradesh gazetted (2 copies).
5. The Inspector general of Police, Arunachal Pradesh, Itanagar.
6. The Director of Civil Supplies, Arunachal Pradesh Naharlagun.
7. All Deputy Commissioner, Arunachal Pradesh.
8. The Director of Supply & Transport, Arunachal Pradesh, Naharlagun.
9. The Register of Cooperative Society, Arunachal Pradesh, Naharlagun.
10. The Controller Legal Metrology, Arunachal Pradesh, Naharlagun.

(K.P.Balachandran)
Under Secretary (CS)
Govt. of Arunachal Pradesh,
Itanagar.

FORM – A
(See clause –4)

FORM OF APPLICATION FOR LICENSE FOR PURCHASE, SALE AND STORAGE FOR
SALE OF KEROSENE.

PART –I

- 1) Applicant's full name and permanent residential address.
- 2) Present address of the applicant.
- 3) Whether wholesale dealer, retail dealer or Hawker.
- 4) Whether applicant is an Agent or Sub-agent of any Oil Company and if so, which?
- 5) Age of the applicant.
- 6) How long has the applicant been trading in kerosene?
- 7) Quantities of kerosene likely to be handled by the applicant monthly, during the current year.
- 8) Average quantity of kerosene likely to handled by the applicant monthly, during the current year.
- 9) Whether the applicant has been convicted in a court of law or found guilty in any Department inquiry regarding any Breach of this order or any other control orders if so, give details.
- 10) Whether the applicant has trading license from concerned Municipality or District Council as the case may be.
- 11) Particulars of Agreement made with the Oil Company for supply of SKO.

I have not previous applied for such license.

I have applied for such license on
and was not granted a license on

I have carefully read the conditions of the license in Form II/III in the schedule to the Arunachal Pradesh kerosene (Licensing and Distribution) control order, 2005.

I declare that the information furnished above is correct.
Date

Strike out the clause which is not applicable.

Signature of applicant.

Signature of the
Deputy Commissioner.

FORM –B (I)

(See Clause – 5)

LICENSE FOR PURCHASE SALE AND STORAGE OF KEROSENE FOR WHOLESALE DEALER.

License No.....

1. Subject to the provisions of the Arunachal Pradesh kerosene (Licensing and Distribution) control order, 2005 and to the terms and conditions of this license is/are hereby authorized to purchase sell and store for sale kerosene.
2. The license shall carry on the aforesaid business within the area of
3. No dealer shall sell kerosene at a price higher than the price fixed by the licensing Authority.
4. A dealer shall prominently display a stock-cum-price list at his business premises or near the entrance to the place of sales depot showing the opening balance of kerosene of the day and the selling price per litre.
5. A dealer shall obtain an explosive license for storage of kerosene, if necessary, from the appropriate authority.
6. A dealer shall display the working hours at a conspicuous place of the business premises. No dealer shall keep his sales/sub-depot closed during the working hours on any day without prior permission of the Licensing Authority.
7. A dealer shall take all steps to ensure that he has adequate stock of kerosene at his depot/sub-depot at all times.
8. A dealer shall maintain and correct accounts of purchase and sale of kerosene.
9. A dealer shall comply with the directions that may be given by the licensing authority/Deputy Commissioners or any other officer of the department not below than the rank of Superintendent of Supplies in regard to purchase, transport sale or storage of kerosene which they may think fit to regulate the sale.
10. No dealer shall act in a manner prejudicial to be maintenance of supplies of kerosene in the state.
11. The license shall give all facilities at all, reasonable times to be licensing authority or any other officer of the Civil Supplies, department not below the rank of Sub-Inspector of Supplies, or any other officers or any person or a class of persons authorized by the licensing authority/Deputy Commissioners for inspection of the stock and accounts of kerosene and produce the license for inspection of demand.
12. The license shall be valid upto and shall be renewed before 31st March of the year following.

Place

Licensing Authority

Date Day of

..... area

FORM –B (II)
(See Clause –5)

LICENSE FOR PURCHASE SALE AND STORAGE OF KEROSENE BY RETAIL DEALER
OTHER THAN HAWKER.

LICENSE NO.....

1. Subject of the provisions of the Arunachal Pradesh Kerosene (Licensing and Distribution) Control order, 2005 and to the terms and conditions of this license is/are hereby authorized to purchase, sell and storage kerosene.
2. The license shall carry on the aforesaid business within the area of
3. No dealer shall sell kerosene at a price higher than the price fixed by the Licensing Authority.
4. A dealer shall prominently display a stock-cum-price list at his business premises or near the entrance to the place of sales depot showing the opening balance per litre.
5. A dealer shall obtain an Explosive license for storage of kerosene if necessary, from the appropriate authority.
6. A dealer shall display the working hours at a conspicuous place of the business premises. No dealer shall keep his sales depot/sub-depot closed during the working hours on any day without prior permission of the Licensing Authority.
7. A dealer shall take all steps to ensure that he has adequate stock of kerosene at his depot/sub-depot at all times.
8. A dealer shall maintain a true and correct accounts of purchase and sale of kerosene.
9. A dealer shall comply with the directions that may given by the Licensing Authority/Deputy Commissioners or any other officer of the Department not below the rank of Superintendent of Supplies in regard purchase, transport, sale or any other matter relating to kerosene which they may think fit to regulate the sale.
10. No. dealer shall act in a manner prejudicial to the maintenance of Supplies of kerosene in the state.
11. The licensee shall give all facilities at all reasonable times to the Licensing Authority or any other officer of the Civil Supplies, Department not below the rank of Sub-Inspector of Supplies, or any other officers or any person or a class of persons authorized by the Licensing Authority/Deputy Commissioners for the inspection of the stock and accounts of kerosene and produce the license for inspection on demand.
12. This license shall be valid upto and shall be renewed before 31st March of the year following.

Place

Date Day of

Licensing Authority
..... Area.

FORM –B (III)

(See Clause – 5)

HAWKER’S LICENSE FOR SALE OF KEROSENE
(FREE OF ALL FEES EXCEPT LICENSE FEE)

License No.....

1. Subject to the provisions of the Arunachal Pradesh kerosene (Licensing and Distribution) control order 2005 and to the terms and conditions of this license is/are hereby authorized to sell kerosene as Hawker.
2. No, Hawker shall sell kerosene at a price higher than the price fixed by the Licensing Authority.
3. A Hawker shall prominently display a stock-cum-price list at his business premises.
4. A Hawker shall obtain an explosive license for storage of kerosene if necessary from the appropriate authority.
5. A Hawker shall maintain a true and correct accounts of purchase and sale of kerosene.
6. A Hawker shall comply with the directions that may be given by the Licensing Authority/Deputy Commissioner or any other officer of the department not below the rank of Superintendent of Supplies in regard to purchase, transport, sale or storage of kerosene which they may think fit to regulate the sale.
7. No Hawker shall act in a manner prejudicial to the maintenance of supplies of kerosene in the state.
8. The Licensing Authority or any other officer of the civil supplies Department not below the rank of Sub-Inspector of Supplies, or any other officers or any person or a class of persons authorized by the Licensing Authority/Deputy Commissioner for inspection of the stock and accounts of kerosene and produce the license for inspection on demand.
9. This license shall be valid upto And shall be renewed before 31st March of the following.

Place

Date Day of

Licensing Authority
..... Area.

FORM –C
(See Clause –16)

Form for submission of monthly kerosene Oil Stock by the dealer.

1. Name and address of the dealer: -
2. Name of the Oil Company
Supplying kerosene: -
3. Monthly return for the
month of submitted as under: -

Monthly allocation	Opening stock	Receipt during the month	Total stock available	Sale/issued during the month	Closing balance at the end of the month	Selling Rate		Remarks
						Whole sale	Retail Sale	

Station : -

Date : -

Submitted to
(Licensing Authority)

Signature of the dealer.