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ORDER

No. SGM-40/90, the 17th July, 1992. In exercise of the power conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955) read with the Govt. of India Ministry of Petroleum and Chemicals Department of Petroleum and Natural Gas Order No. GSR-811 (E) dt. 22. 9. 1990, the Governor of Mizoram hereby makes the following order ; namely : —

1. SHORT TITLE, EXTENT AND COMMENCEMENT

- (a) This Order may be called the Mizoram Motor Spirit and High Speed Diesel (Prevention of Malpractices in Supply and Distribution) Order, 1992.
- (b) It shall extend to the whole of Mizoram.
- (c) It shall come into force at once.

2. DEFINITIONS : — In this order, unless the context otherwise requires,

- (a) "Adulteration" means the introduction of any foreign substances into motor spirit/high speed diesel illegally/un-authorisedly with the result that the product does not conform to the requirements indicated in Schedule-I ;
- (b) "Consumer" means a person who purchases products directly from an oil company and storage and utilises the products for his own consumption and shall include his representatives, employees or agents;
- (c) "Dealer" means a person appointed by an oil company to purchase, receive, store and sell motor spirit and high diesel oil whether or not in conjunction with any other business, and shall include his representatives, employees or agents;
- (d) "High Speed Diesel" means any hydrocarbon oil (excluding mineral colza oil and turpentine substitute) which has its flash point at or above 25 degree Celsius and is suitable for use as fuel in compression ignition engines;

- (e) "Malpractices" shall include the following acts of omission and commission in respect of motor spirit and high speed diesel, namely
- (i) Adulteration,
 - (ii) Pilferage,
 - (iii) Stock Variation,
 - (iv) Unauthorised exchange,
 - (v) Unauthorised purchase,
 - (vi) Unauthorised sale;
- (f) "Motor Spirit" means any hydrocarbon oil (excluding crude mineral oil) which has its flash point below 25 degree Celsius, and which, either by itself or in admixture with any other substance, is suitable for use as fuel in spark ignition engines;
- (g) "Oil Company" means any of the following oil companies and such other oil companies as may be specified by the Central Government, from time to time, namely
- (i) Indian Oil Corporation Limited
(including Assam Oil Division);
 - (ii) Bharat Petroleum Corporation Limited;
 - (iii) Hindustan Petroleum Corporation Limited;
 - (iv) IBP Company Limited;
- (h) "Pilferage" means stealing or attempt to steal of product from a container used for transportation of the product or from a receptacle used for the storage of the product and shall include any unauthorised attempt or act or tampering with such container/receptacle;
- (i) "Product" means motor spirit and high speed diesel oil.
- (j) "Stock Variation" means variation beyond the permissible variation in stocks as given in Schedule—II;
- (k) "Transporter" means a person authorised by an oil Company, a dealer, or a consumer, to transport motor spirit or high speed diesel oil and shall include his representatives, employees or agents;
- (l) "Unauthorised exchange" means transfer or receipt of the products from a dealer or consumer or to any other person in contravention of the directives and issued by the Government or Oil Companies;
- (m) "Unauthorised purchase" means purchase of the products from sources other than those authorised by the Oil Companies or sources not authorised by the Government;
- (n) "Unauthorised Sale" means sale of products by a dealer or consumer to another dealer or to consumer or to any other person in contravention of the directives issued for the purpose by the State Government or Oil Companies.

3. PRODUCT, SUPPLY AND TRANSPORTATION

- (1) The product from the supply point shall be transported by the transporter in a container or tank truck certified fit by the concerned authorities to carry the product with accurate calibration as certified by the Weights and Measures authorities and supported by delivery documents and deliver the same to the storage or dispensing point in the same condition as delivered to him by the originating supply point, in respect of quality and quantity;
 - (2) The transporter shall ensure that the product is transported only in containers/tank trucks which are properly sealed by the oil company.
4. The dealer or consumer shall inspect such containers or tank trucks in which he receives the product to ensure:-
- (a) that the container or tank truck, including the seals are not in any manner tampered with;
 - (b) that the quantity and quality of the products are as per delivery documents issued by the oil companies and the quality of the product conforms to the requirements indicated in Schedule - I. For this purpose, the dealers or consumers shall maintain a record of densities as indicated in Schedule - I.

5. RESTRICTION FROM INDULGING IN MALPRACTICE

The dealer, transport, consumer or any other person shall not in any manner indulge in any of malpractice listed in clause (e) of paragraph 2 above.

6. DELIVERY FROM AUTHORISED PUMP OUTLETS

The delivery or sale of motor spirit and high speed diesel oil shall be made by dealer only from authorised retail pump outlets.

7. POWER OF SEARCH AND SEIZURE

- (1) The Director of Food and Civil Supplies, the Deputy Commissioner or any officer of the Department of Food and Civil Supplies not below the rank of Sub-Inspector Supplies or Police Officer not below the rank of Sub-Inspector authorised in this behalf by the Government and also any officer of the Legal Metrology Department not below the rank of Inspector, Legal Metrology or any officer of an oil company not below the rank of a Sales Officer may, with a view to securing compliance with the provision of this order for the purpose of satisfying himself that this order for any order made thereunder has been complied with -
 - (a) enter and search any place or premises being made use of or suspected to be made use of in the business of the dealer, Transporter,

consumer or any other person who is an employee or agent of such dealer, transporter or consumer with respect to which there is reason to believe that the provisions of this order have been/are being or about to be contravened:

- (b) Stop and search any person or vehicle or receptacle used or intended to be used for the movement of the product;
 - (c) inspect any book of accounts or other documents or any stock of the product used or suspected to be used in the business of the dealer, transporter, consumer or any other person suspected to be an employee or agent of the dealer, transporter or Consumer;
 - (d) take samples of the product and/or seize any of the stocks of the products which the officer has reason to believe, has been or is about to be used in contravention of this order and hereafter take or authorise the taking of all measures necessary for securing the production of stocks/items so seized before the Deputy Commissioner or Additional Deputy Commissioner having jurisdiction under the provisions of the Essential Commodities Act, 1955 (10 of 1955) and for their safe custody pending such production.
- (2) While exercising the power of seizure provided clause (d) of subparagraph (1) the authorised officer shall record in writing the reasons for doing so, a copy of which shall be given to the dealer, transporter, consumer or any other concerned person.
 - (3) 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 searches and seizure under this order.

8. SAMPLING OF PRODUCT

- (1) The officer authorised in paragraph-7 shall draw the sample from the tank, nozzle of receptacle as the case may be to check whether density of the product conforms to requirements indicated in schedule-I.
- (2) The officer authorised in paragraph-7 shall take, sign and seal three samples of 750 millilitres to one litre each of the product, one to be given to the dealer, transporter or concerned person under acknowledgement with instructions to preserve the sample in his safe custody till the testing investigations are completed the second sample to be kept by the concerned oil company laboratory analysis.
- (3) Sample shall be taken in clean glass or aluminium containers shall not be used for drawing samples.
- (4) The sample label should be jointly by the officer who has drawn the sample, and the dealer or transporter or concerned person or his representative and the label shall contain information as regards the

product, name of retail outlet, quantity of sample, date, name and signature of the dealer or transporter or concerned person or his representative.

- (5) The authorised officer shall send the third sample of the product taken under sub-paragraph (2) within 10 days to any of the laboratories mentioned in Schedule III appended to this order for analysis with a view to checking whether the density of the product conforms to requirements indicated to Schedule-I.

9. **PROVISION OF THE ORDER TO PREVAIL OVER PREVIOUS ORDER OF STATE GOVERNMENT, ETC.**

The provision of this order shall have effect notwithstanding anything to the contrary contained in any order made earlier by the Government or by an officer of such Government before the commencement of this order except as respects anything done or omitted to be done thereunder before such commencement.

Vanhela Pachuau,
Secretary to the Govt. of Mizoram,
Food & Civil Supplies Department.

SCHEDULE-I

(See paragraph 2 (a) 4 (b), 8 (1) and (5))

PRODUCT QUANTITY

1. The density at 15 degree celsius of motor spirit or high speed diesel at the receiving end (received by dealer) shall be within ± 0.0030 of the density at 15 degree Celsius at the despatch depot of the oil company as indicated in the delivery document.
2. The density at 15 degree celsius of motor spirit or high speed diesel in the dealers tank, retail outlet pump/retail point/receptacle or any other point in retail outlets premises where from sample is taken and tested shall be within ± 0.0030 of the recorded density of the last receipt at the retail outlet and or the density taken in the morning following the last receipt. The dealer shall maintain the record of densities as mentioned here before in a separate Register, which shall be made available as and when required to the authorised inspecting personnel.

SCHEDULE-II

(See paragraph - 2 (j))

DETAILS OF NORMS FOR PERMISSIBLE STOCK VARIATION.

Variation in stocks in underground tanks is considered to be beyond normal operation level when the inspection establishes that the variation in stocks in the underground tanks is beyond $\pm 4\%$ of tank stock over and above.

- i. Evaporation/ handling losses in motor spirit as follows: 0.75% on annual average Sales of 0-600 kilolitre 0.60% on annual average sale of above 600 kilolitres.

NOTE

In case of motor spirit shortage beyond permissible limits, the explanation of the Dealer will be called for before any action is taken under till control order.

- ii. Handling losses in high speed diesel as follows :- 0.25% on annual average sales of 0.600 kilolitres 0.20% on annual average sale of above 600 kilolitres.

(Shrinkage loss on motor spirits/ high speed diesel and temperature variation allowance quantities on HSD to be taken into account wherever the same are applicable.

SCHEDULE - III

(See Clause 8 (5))

LABORATORIES FOR TESTING OF PETROLEUM PRODUCT SAMPLES
HINDUSTAN PETROLEUM CORPORATION LIMITED LABORATORIES

1. Hindustan Petroleum Corporation Limited
Fuels Refinery Division Laboratory,
BOMBAY - 400074.
2. Hindustan Petroleum Corporation Limited
Lubes Refinery Laboratory,
Corridor Road Mahul,
BOMBAY - 400074.
3. Hindustan Petroleum Corporation Limited,
Visakh Refinery Laboratory,
P. O. BOX No. 50,
Vishakhapatnam - 530001.

HINDUSTAN PETROLEUM CORPORATION LIMITED

4. Hindustan Petroleum Corporation Limited
Mazagaon Laboratory,
Haybunder Road,
BOMBAY - 400033.

Hindustan Petroleum Corporation Limited
Mazagaon Laboratory
Bombay - 400033

5. Hindustan Petroleum Corporation Limited,
Budge Budge Laboratory,
Budge Budge, 24 Parganas,
WEST BENGAL - 743319.

Hindustan Petroleum Corporation Limited
Budge Budge Laboratory
Budge Budge, 24 Parganas
West Bengal - 743319

6. Hindustan Petroleum Corporation Limited,
Laboratory,
98/99 Elaya Mudali Street,
P.O. Box No. 1170
Washermanpet P.O.
MADRAS.

Hindustan Petroleum Corporation Limited
Laboratory
98/99 Elaya Mudali Street
P.O. Box No. 1170
Washermanpet P.O.
Madras

7. Hindustan Petroleum Corporation Limited
Laboratory,
Rohtak Road,
Sakurbasti,
DELHI - 110056.

Hindustan Petroleum Corporation Limited
Laboratory
Rohtak Road
Sakurbasti
Delhi - 110056

8. Hindustan Petroleum Corporation Limited,
Laboratory,
O.B. No. 43
Gandhidham (Kachin) 370201.

Hindustan Petroleum Corporation Limited
Laboratory
O.B. No. 43
Gandhidham (Kachin) 370201

9. Hindustan Petroleum Corporation Limited,
Vasco Terminal Laboratory,
P.B. No. 48
Vasco Da Gama, Goa.

Hindustan Petroleum Corporation Limited
Vasco Terminal Laboratory
P.B. No. 48
Vasco Da Gama, Goa

10. Hindustan Petroleum Corporation Limited,
Ernakulam Terminal Laboratory,
P.B. No. 2611,
Ernakulam,
Cochin - 682031.

Hindustan Petroleum Corporation Limited
Ernakulam Terminal Laboratory
P.B. No. 2611
Ernakulam
Cochin - 682031

11. Hindustan Petroleum Corporation Limited,
Loni Terminal Laboratory,
Loni Kalbhor,
Pune - 412201.

Hindustan Petroleum Corporation Limited
Loni Terminal Laboratory
Loni Kalbhor
Pune - 412201

12. Hindustan Petroleum Corporation Limited,
D. 99, TTC Indl. Area,
Vashi - 100703,
NEW BOMBAY.

Hindustan Petroleum Corporation Limited
D. 99, TTC Indl. Area
Vashi - 100703
New Bombay

INDIAN OIL CORPORATION LIMITED LABORATORIES

13. Indian Oil Corporation Limited,
(Marketing Division),
Allahabad Laboratory
Post Box No. 44, Allahabad - 211001.
14. Indian Oil Corporation Limited
Ambala Laboratory,
G. T. Road, Pipeline Terminal,
Ambala Cantonment,
PIN - 133001 (Haryana).
15. Indian Oil Corporation Limited,
Jalandhar Laboratory,
Suchipud,
Jalandhar City - 144009.
16. Indian Oil Corporation Limited,
Haldia Laboratory,
P.O. Haldia Refinery,
Dist. Midnapur (West Bengal).
17. Indian Oil Corporation Limited,
Mughalsarai Laboratory,
Mughal Sarai - 232101.
18. Indian Oil Corporation Limited,
Port Blair Laboratory,
P.O. Haldia Refinery,
Andaman & Nicobar Island,
PORT BLAIR.
19. Indian Oil Corporation Limited,
Bangalore Laboratory,
Bansawadi Road,
M.S. Nagar,
BANGALORE - 560033.
20. Indian Oil Corporation Limited,
Antop Hill Laboratory,
Antop Hill,
BOMBAY - 400031.
21. Indian Oil Corporation Limited,
Shakurbasti Laboratory,
Opp Shivaji Park,
Shakurbasti,
DELHI - 110056.

22. Indian Oil Corporation Limited,
Delhi Terminal Laboratory,
Curgoan Road, Bijiwasan,
NEW DELHI.
23. Indian Oil Corporation Limited,
Calcutta Airport Terminal Laboratory,
(DUM DUM LAB.)
Calcutta Air Port,
Calcutta - 700052,
24. Indian Oil Corporation Limited,
Korkupet Laboratory,
Kabtiavakkam High Road,
Madras - 600021.
25. Indian Oil Corporation Limited,
Laboratory,
Railway Colony Post,
Ahmedabad - 380019.
26. Indian Oil Corporation Limited,
Rajabandh Terminal Laboratory,
Durgapur -- 713212.
27. Indian Oil Corporation Limited,
Laboratory,
Si para,
Post -- Parsav,
Poon, Poon : Patna.
28. Indian Oil Corporation Limited,
Laboratory,
Village : Panchpara,
P. O. Radhadashi,
Dist. Howrah.
29. Indian Oil Corporation Limited,
Laboratory,
Panambur, Mangalore,
PIN -- 575010.
30. Indian Oil Corporation Limited,
Laborator,
Near New Jalpaiguri Station,
Post. : Siliguri - 734401.
31. Indian Oil Corporation Limited,
Laboratory,
Wellington Islands,
P. B. No. 35,
Cochin - 682003.

32. Indian Oil Corporation Limited,
Naphtha Terminal Project,
Laboratory,
OPP, United Salt Works,
Kandla Port - Port Office,
Kandla (Kutch).
33. Indian Oil Corporation Limited,
Laboratory,
P. B. No. 154,
Vasco Da Gama,
GOA - 403001.
34. Indian Oil Corporation Limited,
Laboratory,
Malkapuram Post Office,
Vishakhapatnam - 530011.
35. Indian Oil Corporation Limited,
Laboratory,
Tuticorin Harbour Project Premises,
TUTICORN - 628004.
36. Indian Oil Corporation Limited,
Laboratory,
Post Office Armapore,
KANPUR - 208009.
37. Indian Oil Corporation Limited,
Laboratory,
24 Parganas,
BUDGE, BUDGE - 743319.
38. Indian Oil Corporation Limited,
Laboratory,
Post Office Fatch Bagh
Industrial Estate,
Sannath Nagar,
HYDERABAD - 500018.
39. Indian Oil Corporation Limited,
Laboratory,
Madhura Refinery Laboratory,
P. O. Mathura Refinery,
MATHURA - 231005, (U. P.).
40. Indian Oil Corporation Limited,
Barauni Oil Refinery Laboratory,
Dist. Bogusary Laboratory-851112,
BIHAR.

41. Indian Oil Corporation Limited,
Gauhati Oil Refinery Laboratory,
P. O. Noommati,
Gauhati - 781020.
ASSAM,
42. Indian Oil Corporation Limited,
Laboratory,
Gujarat Oil Refinery Laboratory,
P. O. Jawaharnagar,
Dist. Vadodrah - 391320.
43. Indian Oil Corporation Limited,
Assam Oil Corporation Limited,
P. O. Digboi,
ASSAM - 786171.
44. Indian Oil Corporation Limited,
(R&D Centre),
Sector - 13,
Faridabad - 121001.
HARYANA.
45. Indian Oil Corporation Limited,
Laboratory,
'Pir Pau' Trombay,
BOMBAY - 400074.
46. Indian Oil Corporation Limited,
Laboratory,
Ennore High Road,
Tondiarpeth,
Thiruvottiyur Post,
MADRAS - 600081.
47. Indian Oil Corporation Limited,
Laboratory,
P. 68,
Esaapur,
CALCUTTA - 700043.

BHARAT PETROLEUM CORPORATION LTD. LABORATORIES.

48. Bharat Petroleum Corporation Limited,
R. D. Centre,
'A' Installation, Sawree Port Road,
Sawree (Est.) BOMBAY - 400015.

49. Bharat Petroleum Corporation Limited,
BUDGE, BUDGE Installation Laboratory,
BUDGE, BUDGE P. O. BUDGE,
Dist. 24 Parganas,
WEST BENGAL - 743319.
50. Bharat Petroleum Corporation Limited,
Tondiarpet Installation Laboratory Tondiarpet,
P. B. No. 1152, MADRAS - 600001.
51. Bharat Petroleum Corporation Limited,
Shakurbasti Installation Laboratory,
Shakurbasti, Delhi - 110056.
52. Bharat Petroleum Corporation Limited,
Ernakulam Installation Laboratory,
P. B. 2618, Goods Shed Road,
Ernakulam, Cochin - 682031.

IBP CO. LIMITED LABORATORY.

53. I. B. P. Co. Limited,
Sawree Terminal Laboratory,
BOMBAY - 400015.
54. I. B. P. Co-Limited,
IBP Depot Laboratory,
Rohtak Road,
Shakurbasti,
New Delhi - 110034.

MOBILE LABORATORIES OF OIL COMPANIES.

55. Mobile Laboratories of Oil Companies,
IOC, OPC, IBP Co- & HPC.

OTHER REFINERY LABORATORIES.

56. Gangaon Oil Refinery Limited,
Refinery Laboratory,
P. O. New Gangaon,
P. O. New Gangaon, Dist. Korajhan ASSAM.
57. Madras Refinery Laboratory,
Madras Refinery Limited,
Menali,
MADRAS - 600019.
58. Cochin Refinery Limited,
Refinery Laboratory,
Post : Ambalamugal,
COCHIN - 682302.

59. Director of Airworthiness,
Civil Aviation Departmental Laboratory,
Block 11/111 East,
R. K. Puram,
NEW DELHI - 110066.

60. National Test House,
11/1, Judges Court Road,
Alipore,
CALCUTTA - 790027.

61. National Physical Laboratory,
Pusa,
NEW DELHI - 110012.

DEFENCE LABORATORIES.

62. Chief Controller of Materials,
Controlrate General of Stores Laboratory,
IGS Kanpur, P. B. No. 229:
KANPUR.

63. Inspectorate of Stores Laboratory (IGSL)
DGI Complex,
MADRAS - 60014.

64. Inspectorate General of Stores Laboratory,
DGI Complex,
Hastings, CALCUTTA - 700022.

65. Inspectorate General of Stores Laboratory,
DGI Complex,
Virkhroli, BOMBAY - 400083.

OTHER LABORATORIES.

66. Indian Institute of Technology,
Dehra Dun - 248005.

67. Indian Institute of Technology,
Guiny, MADRAS.

68. Indian Institute of Technology,
Hauz Khas, New Delhi.

69. Indian Institute of Technology,
Powai, Bombay.

70. Indian Institute of Technology,
Kharagpur.

71. Regional Research Laboratory,
Uppal Road, Hyderabad - 500007.

and ALL FORENSIC LABORATORIES IN STATES/UTS.