

सत्यमेव जयते

बिहार गजट

असाधारण अंक

बिहार सरकार द्वारा प्रकाशित

4 अक्टूबर 1924 (सं०)

(सं० पटना 517)

पटना, सोमवार, 25 नवम्बर 2002

खाद्य, आपूर्ति एवं वाणिज्य विभाग

प्रधिसूचनाएं

14 नवम्बर 2002

श्री० एम० आर० 7, दिनांक 25 नवम्बर, 2002—भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय के आदेश सं० का० नि० 519 (घ), दिनांक 5 जून, 2000 द्वारा प्रकाशित बिलायक, रेफिनेट और स्लाय (अर्जन, विक्रय, भंडारण और शोधोपयोग में उपयोग का निवारण आदेश 2000) (शुद्धि-पत्र सं० 1) की धारा 3 एवं 4 के साथ वाचित आवश्यक वस्तु अधिनियम, 1955 (1955 का अधिनियम 10) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार की पूर्व सहमति से बिहार के राज्यपाल भारत सरकार की पेट्रोलियम और प्राकृतिक गैस मंत्रालय के पत्र सं० पी०-39014/2/2000-डिस्ट, दिनांक 21 नवम्बर, 2000 निबंधनों के अनुसार बिहार सरकार के जिला पदाधिकारियों को अपनी अधिका-रिता के अधीन "अनुज्ञापन प्राधिकारी" तथा बिहार सरकार के नियुक्त प्राधिकारियों को अपनी अधिका-रिता के स्वामीय क्षेत्रों के भीतर "बिलायक, रेफिनेट और स्लाय के स्वाम या परिसर में प्रवेश, तलाशी एवं अधिग्रहण करने की शक्तियों का प्रयोग करने हेतु" तुरत के प्रभाव से प्राधिकृत करते हैं—

- (1) अनुज्ञापन प्राधिकारी
- (2) आयुक्त एवं सचिव/सचिव, खाद्य, आपूर्ति एवं वाणिज्य विभाग, बिहार, पटना।
- (3) आरक्षी उप-महानिरीक्षक (प्राधिकृत अपराध), बिहार, पटना।
- (4) जिला पदाधिकारी
- (5) अनुमण्डल पदाधिकारी
- (6) विशिष्ट अनुमानन पदाधिकारी, पटना
- (7) आरक्षी अवीक्षक एवं आरक्षी अधीक्षक (खाद्य)
- (8) उप-निदेशक, खाद्य एवं असेनिक आपूर्ति
- (9) आरक्षी उपाधीक्षक, आरक्षी उपाधीक्षक (खाद्य)
- (10) खाद्यापुस्त के सचिव, खाद्य, आपूर्ति एवं वाणिज्य विभाग, बिहार, पटना।
- (11) जिला आपूर्ति पदाधिकारी
- (12) सहायक जिला आपूर्ति पदाधिकारी

- (13) उप-अनुपालन पदाधिकारी, पटना
- (14) अहामक अनुपालन पदाधिकारी, पटना ।
- (15) प्रभारी सहायिका, उद्गमवस्था, खाद्य, आपूर्ति एवं वाणिज्य विभाग, बिहार, पटना ।
- (16) पंचव पदाधिकारी ।
- (17) प्रबन्ध आपूर्ति पदाधिकारी ।

(प्र० 4-ब०-1-01/2000)
बिहार-राज्यपाल के आदेश है,
के० एम० शर्मा,
सरकार के उप-सचिव ।

14 नवम्बर 2002

बी० एच० धार० 8, बी० एच० धार० 7, दिनांक 25 नवम्बर, 2002 का अंग्रेजी भाषा में संलग्नित अनुवाद बिहार-राज्यपाल के आदेश है इसके द्वारा प्रकाशित किया जाता है, जो भारत के संविधान के अनुच्छेद 348 के अन्तर्गत (3) के अर्धीन अंग्रेजी भाषा में इसका प्राधिकृत पाठ समझा जायगा ।

(प्र० 4-ब०-1-01/2000)
बिहार-राज्यपाल के आदेश है,
के० एम० शर्मा,
सरकार के उप-सचिव ।

The 14th November 2002

G. S. R. 7, dated the 25th November 2002—In exercise of the powers conferred Under Section 3 & 4 of the Solvent, Refined and Slop (Acquisition, Sales, Storage and prevention of use in Automobiles) order 2000 (with corrigendum) published by the Government of India, Ministry of Petroleum and Natural Gas Vide Order No. G. S. K-519 (E), dated 5th June, 2000 read with Under Section 3 of the Essential Commodities Act 1955 (10 of 1955) and with prior concurrence of the Govt. of India in terms of letter no. P-59014/2/2000-Dist. dt. 21st November, 2001 of Ministry of Petroleum & Natural Gas, Government of India, the Governor of Bihar is pleased to authorise District Officers of Bihar Government as 'Licensing Authority' under their jurisdiction and the following officers of the Bihar Government to exercise the powers of entry, search and seizure of place or premises of the 'Solvent, Refined and Slop' within the local area of their jurisdiction—

- (1) Licensing Authority
- (2) Commissioner and Secretary/Secretary, Food, Supply and Commerce Department, Bihar, Patna.
- (3) Deputy Inspector General of Police (Economic Offences) Bihar, Patna.
- (4) District Magistrate
- (5) Sub-divisional Officer
- (6) Special Officer, Rationing, Patna.
- (7) Superintendent of Police Superintendent of Police (Food)
- (8) Deputy Director, Food and Civil Supply
- (9) Deputy Superintendent of Police Deputy Superintendent of Police (Food).
- (10) Secretary to Food Commissioner, Food Supply and Commerce Department, Bihar, Patna.
- (11) District Supply Officer
- (12) Assistant District Supply Officer
- (13) Deputy Rationing Officer, Patna
- (14) Assistant Rationing Officer, Patna
- (15) Magistrate incharge flying squad, Food, Supply & Commerce Department, Bihar, Patna.
- (16) Marketing Officer
- (17) Block Supply Officer

(Pra-4, B-1-01/2000)
By order of the Governor of Bihar,
K. M. SHARMA;
Dy. Secretary to the Govt.

430

SOLVENT RAFFINATE AND SLOP

(ACQUISITION, SALE, STORAGE AND PREVENTION OF USE IN AUTOMOBILES) ORDER, 2000

Dated the 5th June, 2000

G.S.R. 519(E) - 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 Solvent, Raffinate and Slop (Acquisition, Sale, Storage and Prevention of use in Automobiles) Order, 2000.
- (2) It extends to the whole of India.
- (3) It shall come into force on the date of its publication in the Official Gazette.

2. Definitions - In this Order, unless the context otherwise requires:-

- (a) "Automobile" means any vehicle registered with the Road Transport Authority by any person where fuel certified for use in such automobile is Motor Spirit, High Speed Diesel, Liquefied Petroleum Gas or Compressed Name Gas.
- (b) "Government Oil Company" means an oil refining company or oil marketing company which is a Government company as defined in section 617 of the Companies Act, 1956 (1 of 1956):
- (c) "High Speed Diesel" means any hydrocarbon oil (excluding mineral colza oil and turpentine substitute) which meets the requirements of Bureau of Indian Standards, specification No. IS-1460 and is suitable for use as fuel in Compression Ignition Engines:
- (d) "Motor Spirit" means any hydrocarbon oil (excluding crude mineral oil) which meets the requirements of Bureau of Indian Standards specification No. IS-2796 and is suitable for use as fuel in spark ignition engines.
- (e) "Oil Company" means any person, firm or company engaged in sale of Motor Spirit and, or the High Speed Diesel to consumers and, or the dealers and authorised to do so by the Central Government;
- (f) "Other Product" means a product other than a Solvent, Raffinate or Slop as defined hereunder and or their equivalent, having the power or ability to dissolve in Motor Spirit and, or the

High Speed Diesel:

- (g) "Raffinate" means a lean Solvent stream in liquid extraction process where solvent is used to separate two components in hydrocarbon mixture;
- (h) "Slop" means unfinished product stream generated in any industry during Unstabilised period of plant operation;
- (j) "Solvent" means volatile fractions derived either directly or indirectly from petroleum or coal. These solvents can be single hydrocarbon components like propane, benzene, toluene, xylene etc. or narrow or wide boiling ranges of hydrocarbon.

3. Restriction on sale and use of Solvents, Raffinates, Slops and other Product:-

- (1) No person shall either acquire, store or sell Solvents, Raffinates, Slop or their equivalent and other product, without a licence, issued by the State Government or the District Magistrate or any other Officer authorised by the Central or the State Government.
- (2) No person shall either use or help in any manner the use of Solvents, Raffinates, Slops or their equivalent or other product except Motor Spirit and High Speed Diesel, in any automobile.

Provided that nothing in this Order shall preclude the use of such products for research purposes on automobiles.

- (3) Any person whosoever is engaged in the sale or trading of Solvents, Raffinates, Slops or their equivalent and other product, either imported or indigenous, for any purpose, whatsoever, shall file end-use certificates from consumer to whom he sells and furnish customerwise sales to the District Magistrate or to the state Civil Supplies Authorities, on a quarterly basis.
- (4) Any person whosoever is engaged in use of Solvents, Raffinates, Slops or their equivalent and other product, either imported or indigenous for manufacture of any petrochemicals or any other purpose shall file end-use certificates to the District Magistrate or the State Civil Supplies authority on a quarterly basis.

(13)

4. Power of search and seizure:-

- (1) Any gazetted officer of the Central or the State Government or any Police officer not below the rank of Deputy Superintendent of Police duly authorised, by general or special order by the Central or the State Government or any officer of a Government oil company or any other oil company authorised by the Central Government, not below the rank of Sales Officer may, with a view to securing compliance with the provisions of this Order, or for the purpose of satisfying himself that this Order or any order made thereunder has been complied with:-
 - (a) Enter and search any place or premises being used or suspected to be used in the business of the dealer, transporter, consumer or any other person who is an employee or agent of such dealer, transporter, consumer with respect to which there is reason to believe that the provisions of this Order have been or are being or are 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 or using or receiving the product in contravention of this Order;
 - (c) Inspect any book of accounts or other document 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 seize any of the stocks of the product which the officer has reason to believe has been or is being or is about to be used in contravention of this Order and thereafter take or authorise the taking of all measures necessary for securing the production of stocks or items so seized before the Collector having jurisdiction under the provisions of the Essential Commodities Act, 1955 and for their safe custody pending such production.
- (2) While exercising the power of seizure provided under sub-clause (d) of clause (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 seizures under this Order.

5. Sampling of Product :-

- (1) The officer authorised in clause 4 shall draw the sample from the tank, nozzle, vehicle or receptacle, as the case may be, to check whether the provisions of this Order are being or likely to be contravened.
- (2) The officer authorised in clause 4 shall take, sign and seal three samples of 750 ml to 1 litre each of the product, one to be given to the concerned person under acknowledgement with instructions to preserve the sample in his safe custody till the testing and investigations are complete, the second sample shall to be kept by the concerned oil company or Department and the third to be used for laboratory analysis.
- (3) The sample shall be taken in clean glass or aluminium containers and no plastic containers shall be used for drawing samples.
- (4) The sample label should be jointly signed by the officer who has drawn the sample, and the concerned person or his representative and the label shall contain information as regards the product, place of seizure, quantity of sample, date, name and signature of the concerned person or his representative.
- (5) The authorised officer shall send the third sample of the product taken under subclause (2), within a period of ten days, to any of the laboratories specified in Schedule III of the Motor Spirit and High Speed Diesel (Regulation of Supply and Distribution and Prevention of Malpractices) Order, 1998 for the purpose of analysis of samples to check the product.

6. Power of Central and the State Government to issue direction:-

The Central Government or a State Government with the approval of the Central Government may, from time to time, by a general or special order issue to any person such directions as it considers necessary regarding storage, sale, transportation and disposal and use of product and upon the issue of such directions, such person shall be bound to comply therewith.

7. Provision of the Order to prevail over previous orders of State Government:

The provisions of this Order shall have effect notwithstanding anything to the contrary contained in any order made by a State Government or by an officer of such State Government before the

commencement of this Order except as respects anything done, or omitted to be done thereunder before such commencement.

[File No. P. 11013/4/98-Dist.]
NARESH NARAD, Addl. Secy.