## THE GAZETTE OF INDIA: EXTRAORDINARY

[PART 11-SEC. 3(i)]

## MINISTRY OF PETROLEUM AND NATURAL GAS

ORDER

New Delhi, the 26th April, 2000

In exercise of the powers confound by section 3 of the Essential modifies Act, 1955 (10 of 1955), the Central Government hereby makes the

short title and commencement. - (1) This Order may be called the Liquefied Petroleum Gas (Regulation of Supply and Distribution) Order, 2000.

It extends to the whole of India.

It shall come into force on the date of its publication in the Official

Befinitions - In this Order, unless the context otherwise requires,

- (a) 'Chief Controller of Explosives' shall have the same meaning assigned to it in the Explosives Act, 1884 (4 of 1884);
- (b) "consumer" means a registered person, firm, company, institution, association of persons, co-operative society or organisation, who has been granted liquefied petroleum gas connection or supply, either in bulk or in cylinder, by a distributor or a Government oil company or a parallel marketoer;
- (c) "cylinder" means a metal container utilized for storing liquefied" petroleum gas conforming to the specifications laid down in Schedules
- (d) "delivery person" means a person engaged by a distributor of a Government Oi, Company or a parallel marketeer to deliver liquefied petroleum gas in cylinder to consumers;
- (e) "distributor" means a person, firm, association of persons, company, institution, organisation or a co-operative society appointed by a Government Oil Company or parallel marketeer and engaged in the business of purchase, sale, or storage for sale of liquefied petroleum

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gas in cylinders to consumers on the basis of an agreement with a government Oil Company or a parallel marketeer as the case may

'gas cylinder valve" means a valve which is fitted to a cylinder;

"Government Oil Company" means, -

Bharat Petroleum Corporation Limited Bongagaigaon Refinery and Petrochemicals Limited Cochin Refineries Limited Gas Authorithy of India Limited Hindustan Petroleum Corporation Limited, Indian Oil Corporation Limited, re-Indo-Burma Petroleum Company Limited, Chennal Petroleum Company Limited, Numaligarh Refinery Limited, Oil India Limited,

Oil and Natural Gas Corporation Limited, or

2) any other Government Company or a statutory body or a company or a firm, declared as such by notification in the Official Gazette, to be a "Government Oil Company by the Central Government, for the purposes of this Order:

"Indian Standard" shall have the same meaning as assigned to it in dause (g) of section 2 of the Bureau of Indian Standards Act, 1986 (63

"liquefield petroleum gas (or LPG)" means a mixture of light hydrocarbons which may include propane, isobutane, normal butane, butylenes etc., which are gaseous at normal ambient temperature and almospheric pressure but may be condensed to liquid state at normal ambient temperature by the application of pressure and which conforms to Indian Standa specification number IS 4576;

paraliel markoteer" means any person, firm, company, institution, association of persons, co operative society or organisation carrying on any or all of the business of importing, storing, bottling, marketing, distributing and/or selling liquefied petroleum gas under the parallel

parallel marketing system means the system other than the public distribution system, under which a parallel marketeer carries on any or all of the business of importing, storing, bottling, distribution or selling h bulk or in retail, packed or filled in cylinder, liquefied petroleum gás



- "public distribution system" means the system of distribution, marketing or selling of liquefied petroleum gas by a Government Oil Company at the Government controlled or declared price through a distribution system approved by the Central or a State Government;
- m) "pressure regulator" means the equipment used for regulating the flow and pressure of liquefied petroleum gas from a cylinder to a gas stove;
- "Schedule" means a Schedule appended to this Order:
- "seal" means seal put on the cap of the valve of the cylinder for the purpose of sealing a cylinder after it has been filled with liquefied
- storage point" means the premises licensed by the Chief Controller of
- "transporter" means a person authorised by a Government Oil Company, parallel marketeer or a distributor for transportation of LPG in bulk or in cylinders and also of empty or defective cylinders.

striction on unauthorised possession, supply and consumption of

A person having a connection for liquefied petroleum gas under the

possess more than one connection of liquefied petroleum gas granted

Provided that the Central Government or the Chief Executive Officer of a Government Oil Company, may sanction more than one connection of liquefied petroleum gas under the public distribution system in avour of any person, keeping in view the difficulty and hardship experienced by such person in obtaining supplies of the LPG;

possess or use liquefied petroleum gas filled in cylinder or in bulk, mless he has received the supply from a Government Oil Cempany or

Ise liquefied petroleum gas for any purpose other than for which the onsumer is registered with the distributor of a Government Oil Company:



provided that the Central Government may by a general or special or permit the use of liquefied petroleum gas for such other purposes as, it may, by order, specify.

supply of liquefied petroleum gas to domestic category consumers shall alle in 14.2 Kg capacity cylinder and to those falling under non-capacity cylinders as may be notified, by the Central Government from time.

dributor of a Government Oil Company shall supply liquefied potroleum filed in cylinder to any person unless he - (a) has been registered and de a connection for liquefied petroleum gas under the public distribution or (b) holds a valid authorisation from the Government Oil pany.

istributor of a Government Oil Company or a parallel marketeer, as the may be, shall commit or cause to commit any of the activities billed herein including those specified in Schedule -1.

idlen on storage and transport of liquefied petroleum gas -

No person shall -

- pfill any cylinder with liquefied petroleum gas or transfer liquefied petroleum gas from one cylinder to another cylinder or from one container to another container unless authorised by the Chief Controller of Explosives;
- transport or store a cylinder filled with liquefied petroleum gas except in an upright position;
- store or use or cause to be stored or used a cylinder filled with the liquefied petroleum gas except in a cool, dry, well-ventilated and cessible place under cover, away from boilers, upon flames, steam pipes or any potential source of heat;
- re, nove the seal prior to use of the cylinder:

Provided that the distributor or his authorised representative or the delivery person may remove such seal in the presence of the consumer either for testing, checking or installation of the cylinder:

b) use cylinder, pressure regulator and gas cylinder valve other than those specified in Schedules II and III.

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(2) No transporter or delivery person shall deliver or cause to deliver liquidied petroleum gas either in cylinder or in bulk to any person other than the consumer or distributor.

Restriction on sale or distribution of liquefied petroleum gas below or in excess of the standard weight. - No Government Oil Company, distributor or parallel marketeer shall supply, sell or distribute to a consumer liquefied petroleum gas in cylinders which contains less than or in excess of the weight of liquefied petroleum gas specified in the Schedules II and III or as indicated on the cylinder.

## Prohibition on carrying unauthorised business of selling LPG. -

No person other than a Government Oil Company, a parallel marketeer or a distributor shall be engaged in the business of selling liquefied petroleum gas to the consumer.

- 7. Possession, supply or sale of liquefied petroleum gas equipments. -
- (1) No person shall -
  - (a) supply or sell filled or empty cylinder, gas cylinder valve and pressure regulator to any person other than a Government Oil Company or a parallel marketeer;
  - (b) unless authorised by a Government Oil Company or a parallel marketeer, supply or sell filled or empty cylinder, gas cylinder valve and pressure regulator to any person other than a consumer;
  - (c) possess filled or empty cylinder, gas cylinder valve or pressure regulator, unless he is a distributor or a consumer.
- (2) Every manufacturer of cylinder, gas cylinder valve and pressure regulator shall destroy by crushing those cylinders, cylinder valves and pressure regulators which do not conform to the Indian Standards.
- B. Display of stock and price of liquefied petroleum gas. Every distributor shall prominently display the stock and price of the liquefied petroleum gas at a conspicuous place of the business premises including the storage point, showing -
  - (i) the opening balance of filled, empty and defective cylinders and regulators;
  - (ii) the backlog of preceding working day of the filled cylinders to be supplied;

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procurement, storage and sale of liquelled petroleum gas by a

No distributor having stock of liquefied petroleum gas at the business premises, including storage point, shall, unless otherwise directed by a Government Oil Company or a parallel marketeer, refuse to sell LPG on any working day during working hours, to the consumer registered with that distributor.

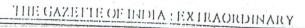
No distributor shall keep his business premises including the storage point closed during working hours on any working day without the prior written permission of the Government Oil Company or the parallel marketeer.

Explanation. - For the purposes of sub-clauses (a) and (b), the expression 'working hours' means the working hours fixed by the concerned Government Oil Company or the parallel marketeer in accordance with the provisions of the Shops and Establishments Act and the rules made thereunder, as in force in the ruspective States or the Union territories, as the case may be.

- (c) Every distributor shall take steps to ensure that stocks of liquefied petroleum gas are available at the business premises, including the storage point, at all times.
- (d) No distributor shall sell liquefied petroleum gas at a higher price, than that fixed by the Government Oil Company or the parallel marketeer.
- (e) No distributor shall, without prior written permission of the concerned Government Oil Company, refuse to make home delivery at the address of the consumer, as registered with the distributor:

Provided that the State Government may, fix additional charges for home delivery of LPG cylinders to the consumers, as it may deem necessary in view of the geographical terrain and/or the distance in the area of distribution.

- (f) Every distributor shall display the working hours prominently at the place of business including the place of storage on a conspicuous place.
- 10. Maintenance of register, account books by a distributor. -
  - (a) Every distributor shall maintain proper accounts of daily purchase, sale and storage of liquefied petroleum gas at the business premises indicating therein, -
  - (i) the opening stock of the filled, empty and defective cylinders;



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- (ii) the number of filled, empty and defective cylinders received during the day;
- (iii) the number of filled, empty and defective cylinders sold, delivered or otherwise disposed of during the day;
- (iv) the closing stock of the filled, empty and defective cylinders;
- (v) such other relevant particulars as the concerned Government Oil Company or the parallel marketeer may by order in writing, specify.
- (b) The distributor shall maintain a register giving the details of names and addresses of persons registered for obtaining liquefied petroleum gas connection.

Assessment and Certification Rating of parallel marketeers. -

- (1)(a) No parallel marketeer shall commence any activity, such as, importing, storing, transporting, bottling, marketing, distribution, sale or any activity incidental thereto, relating to the business of liquefied petroleum gas without obtaining a rating certificate, for his capability, infrastructure network and readiness to carry out professed business and deliver goods and services promised, provision for adequate safety backup for transportation, accident relief during transportation, and attending to emergency complaints of consumers by an agency given in Schedule IV, on the basis of its evaluation and rating.
- (b) The rating certificate shall be issued in the format as specified in Schedule-V, and as per the forwarding letter given in Schedule-VI.
- (c) The rating certificate shall,-
  - (i) be valid for a period of two years in case of 'good and 'satisfactory' reting and one year in case of other ratings from the date of its issue, and
  - (ii) require renewal by the rating agency.
- Every parallel marketeer announcing details of his activity or inviting offers of any kind in the field of import, transport, marketing, bettling, distribution or sale of liquefied petroleum gas, either in a flewspaper, handout, pamphiei, leaflet or by any other medis of communication or advertising shall indicate the rating awarded to him in words i.e. Good, satisfactory, Low-risk, High risk, whichever is applicable, and prominently publish the rating certificate, as given by the rating agency.
- There shall be paid in respect of every application to a rating agoncy -

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for the rating certificate awarded to the parallel marketeer, a fee at the rate of 0.05% of the project cost, subject to a minimum of rupees fifty thousand and maximum of rupees ten lakhs; and

for the renewal of the rating certificate by the parallel marketeer, a fee of one-tenth of that required to be paid for such a certificate.

The renewal of rating certificate by the parallel marketeer shall be as per the following periodicity, namely:-

certificate in the previous year.

once in a year for those having rating certificate other than 'good' and 'satisfactory' in the previous year.

The agencies given in Schedule-IV for the purpose of evaluation shall, on payment of fee by the parallel marketeer, evaluate the parallel marketeer whose case is either referred to it or who approaches it, on such parallel marketeer in the format as specified in Schedule-VII or such other information as may be required by the rating agency.

rating with the Ministry of Petroleum and Natural Gas, Oil Codination Committee, Ministry of Food and Civil Supplies of the Central the State Government and Collector of the District in which he ports, transports, bottles, markets, distributes or sells liquefied

etter-heads or communications of a parallel marketeer shall have the wing description of rating: -

Name of the rating agency,

(i)Rating awarded to him, and

Date of Issue.

Parallel marketeer shall either give incomplete, incorrect, misleading, ue information in the newspaper, handout, pamphlet, leaflet or effisement or submit such information to the rating agency:

Provided that a parallel marketeer carrying on the business of sportation, marketing, distribution or selling of liquefied petroleum as an agent of another parallel marketeer, who has obtained a rating cate, shall not be required to obtain a rating certificate.

be regarded as an agent of another parallel marketeer if the former



ppointed an agent for the above purposes by the latter through a linstrument,

enance of records and furnishing of information by parallel

Every parallel marketeer before commencing the import, nation, bottling, marketing, distribution or sale of liquefied petroleum intimate to the Ministry of Petroleum and Natural Gas all or any of we activities which he intends to undertake, specifying therein by to do so, and any other relevant particulars.

The parallel marketeer shall ensure that the quality checks are out and the liquefied petroleum gas meets the BIS specification (IS 4576, in all respects before the imported liquefied petroleum gas arged into the storage infrastructure at the port.

The parallel marketeer shall ensure that the liquefied petroleum less the BIS specification number IS, 4576 before it is sold to any less.

The parallel marketeer of liquefied petroleum gas shall submit a return before the 15<sup>th</sup> day of the following month giving details of spetroleum gas produced and or imported port-wise, to the Ministry of mand Natural Gas.

The parallel marketeer shall furnish to the Ministry of Petroleum was or to such authority as may be specified by the Central ment, such information as may be required.

er of entry, search and seizure. -

Any Officer of the Central or the State Government not below the of Inspector duly authorised by a general or a special order, by the rail Government or the State Government, as the case may be or any of a Government Oil Company not below the rank of Sales Officer, while the Central Government, may, with a view to securing due liance of this Order or any other order made thereunder;

stop and search any vessel or vehicle used or capable of being used for the transport or storage of any petroleum product,

enter and search any place,

seize stocks of liquefied petroleum gas alongwith container and/or equipments, such as cylinders, gas cylinder valves, pressure regulators and seals in respect of which he has reason to believe



that a contravention of this Order has been, or is being, or is about to be made.

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The sales officer of a Government Oil Company shall be authorised to secure compliance of this Order by the distributors appointed under the public distribution system and or by the consumer registered by them.

Overriding effect of the Order. -The provisions of this Order shall have overriding effect notwithstanding anything contained in any Order made by a State Government or a Union Territory Administration.

Power to exempt. The Central Government may, if it considers necessary, for avoiding any hardship or in consideration of the public interest, by a notification in the Official Gazette, exempt any person or class of persons from all or any of the provisions of this Order, either generally or for any specific purpose, and subject to such conditions as may be specified in the notification.

#### Repeal and savings. -

The Liquefied Petroleum Gas (Regulation of Supply and Distribution) Order, 1993 is hereby repealed:

Provided that such repeal shall not effect:

- (a) the previous operation of the said Order or anything duly done or suffered therein; or
- (b) any right, privilege, obligation or liability acquired, accrued or incurred under the said Order; or
- (c) any penalty, forfeiture or punishment incurred in respect of any offence committed against the said Order; or
- (d) any investigation, legal proceedings or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if the said Order had not been repealed. THE GAZETTE OF HIDIA: EXTRAORDINARY

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Schedule-I (see clause 3(4))

#### Prohibited Activities (for Government Oil Companies)

Forced sale of Stove/Holplates to the consumers.

Recovery of unauthorised charges from applicant at the time of registration/ release of new connection.

Supply of partially used cylinder/pillering product from cylinder/cylinders with pillered product to LPG consumer.

Unauthorised and/or out of turn release of new LPG connections.

Unauthorised diversion of domestic cylinder for non-domestic use of LPG.

Acceptance of fake documents including Termination Vouchers and Transfer Termination Vouchers.

Possession of spurious LPG equipment.

Induction of spurious LPG equipment and/or replacement by a spurious equipment.

Manipulation of mandatory records.

Non-home delivery of LPG refill supplies to consumer and/or not giving rebate on non-home delivery to LPG consumer.

Overcharging by distributor on LPG refill supplies, installation charges, mechanic charges and/or any other charges authorised by the Government Oil Company.

Refusal to register requests for new connection and/or double bottle conhection.

Prohibited Activities (for Parallel Marketeers)

Forced sale of Stove/Hotplaton to the concumers.

Supply of partially used cylinder/pillering product from cylinder/cylinder with pillered product to LPG consumer.

pssession of spurious LPG equipment.

induction of spurious LPG equipment and/or replacement by a spurious equipment.

Manipulation of mandatory records.

Schedule - II (see clauses 4(1) (e) & 5)

Applicable to distributors of a Government Oil Company

standard size and specification of Liquefied Petroleum Gas Cylinders shall to IS 3196 (Part I), 1992 Colour code specification IS 4379 and the agree to the specification IS 4379 and the agree to th

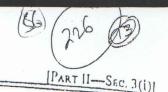
nternal diameter of cylinder

Net weight of liquefied petroleum gas in the cylinder

( - Indicate the variations on either side)

Standard size and specification of Gas Cylinder Valve under the public stribution system shall conform to IS 8737 Part II specifications having an outlet collar diameter of 25.6 mm.

figssure regulator shall conform to IS 9798 specification having an inlet diameter of 25.6 mm.



## Schodulo - III see clauses 4(1)(e) & 5)

# (Applicable to Parallel Marketing System)

A parallel marketeer under the parallel marketing system shall deal with and

Cylinder of any size, shape, design and weight other than those specified in Schedule 'II' conforming to Indian Standard specifications.

Gas cylinder valve conforming to IS specification 8737, Part II of any size having

Pressure regulator conforming to IS specification 9798 of any size and having an

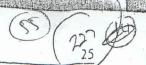
DTE.

The cylinder used by a parallel marketeer shall be provided with a valve protection ring different in shape from that in the cylinder used by a Government

The cylinder used by a parallel marketeer shall be clearly marked with Colour Band and Logo of their respective company, firm or person marketing liquefied petroleum gas, as approved by the Chief Controller of Explosives.

Maximum permissible error on net quantities declared by weight or by volume shall be as below;-

lared quantity	Marimum permissible error in excess or in deficiency						
or ml	%						
10000	1.5%	gm or ml					
15000		150					
han 15000	1.0%						



### Schedule - IV [see clause 11(1)(a) & (4)]

ne and address of agencies for evaluation of a Parallel Marketeer

Name

Address

CRISIL ::(The Credit Rating Information

Services of India Ltd.)

Nirlon House, 2rd Floor, 254 B, Annie Besant Road, Worli, Bombay-400025

CARE (Credit Analysis and Research Ltd.)

RBC, Mahindra Towers, 5th Floor, Road No. 13, Worli, Bombay-400018

MDRA (Marketing and Development Research Area, Cpp. JNU, N. Delhi-67 Associates)

Secular House, 9/1, Institutional

ICRA (Investment Information Credit Rating Agency of India Ltd.)

Kailash Building, 4th Floor, 26, Kasturba Gandhi Marg, New Delhi - 1

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[PART 11-SEC. 3(i)]

Schodulo-V (see clause 11(1)(b))

Rating Certificate for the Parallel Marketeer

me of Firm/Company:	Date of Issue:
gistered Office Address:	
me of Promoter/Chairman/Managing Director:	
vilies;	
icular of Bankers:	
g Scale	Overall Rating
Good Satisfactory Low Risk	

High Risk

Signature and Seal of the Rating Agency



### Schedule-VI [see clause 11(1)(b)]

Forwarding Letter for the Certificate of rating.

# To whomsover it may concern

Inis	is	to	certify	that	lard						
he purpose	of is:	suing	certifica		we	have	made	an	evaluation  nce with the p	10	M/s
The Liquett	ed P	etrole	eum Gas	(Regu	a ratir lation	ng to the	em in acc	cordai	nce with the pution). Order		for
We ha	ve o	btain	مط ملا با			or anbl	ply and [	istribu	ution). Order	2001	310115

We have obtained all the information and explanations which to the best of our mowledge and belief were necessary for the purpose of Issuing this certificate. The entificate issued by us is as a result of our examination of the documents, records and successive the information obtained by us and the Evaluation of capability, and entired by the parallel marketeer. We are satisfied that the information and and collected by us are sufficient enough to enable us to evaluate providing the rating as specified.

rating. are awarded

Salient facts about M/s are as

- 1. Total investment planned.
- 2. Total investment made upto date.
- Promoter's equity.
- 4. Proposed/likely date of commissioning.

Name of the parallel marketeer to be indicated.

(Signature and Seal of the Rating Agency)

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# Schedule-VII [see clause 11(4)]

forma of information to be submitted by the Parallel Marketeer for Evaluation/Rating he Rating Agency.

PARAMETERS

DETAILS .

Market Standing of the Company:

Constitution of the firm
Registered Office
Location & Addresses of Existing Business.
Name of Promoters/Directors/Partners.
Background and full anticidents of promoters/directors/partners.
Networth of Promoters/Directors/Partners.
Current Activity.
Details of existing operations of the Resell Landing Research and Registered Control of the Research Landing Resea

Details of existing operations of the Parallel Marketeer and/or Audited A/cs for the

Audited A/cs for three years of the promoter firm and group concerns with details of promoters constitution.

Working Capital requirement for new Business pertaining to Parallel Marketing with resume of proposed scheme.

Implementation record of typical projects already undertaken, in terms of cost, time, nature of projects and technology.

Business plans and projected cash flows.
Sourcing of funds for existing and proposed Business.
Performance of Parallel Marketeer in his other group
Companies for last three years with income tax clearance entificate.

larketing Plans for Liquelied Petroleum Gas:

Trastructure for Liquefied Petroleum Gas
Ourcing/Hantiling:

port Locations identified.

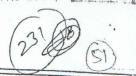
Toposed size of import parcels.

Talus of approvals (ports/statutory/State Government/Chief alus of approvals (ports/statutory/State Government/Chief Introller of Explosives/Environment/Milestone achieved with Wared network-local authorities)

Attus of Progress

Talialis of Talphnological tie ups, if any.

Isiness proposels/Project Feasibility report, Financial Details of Financial risk analysis.



- 2.2 Commercial arrangements and/or consortium for Liquefied Petroleum Gas (if own facilities are not planned):
- Any tie up arrangement finalized with importer. A.
- The supporting agreements/documents for such tie up. B.
- The quantum of product to be imported with minimum quarantee.
- Details of Storage & Handling of product at the import D. location/tie up agreement.
- E. Fall back arrangement to meet the shortfall in case the tie up arrangement does not materialise.
- Storage and Distribution arrangement for Liquefied 3. Petroleum Gas planned:
- Details of Storage facilities of Depots/Bottling plants with their
- B. Status of progress on items mentioned above.
- Plant & Equipment/Technological details. C. D.
- Details of manpower and the arrangement to handle the product.
- Details of designs and standards to be followed for E. construction and operation of these facilities.
- F. Status of approvals for the facilities.
- Details of arrangements for procurement of Cylinders/Valves/ G. Regulators.
- Whether the bottling plants are as per safety standards Oil Industry Safety Directorate 144/169.
- :Arrangements planned to reach the product to consumption Centres/ arkets:
- Details of distributor network planned/already appointed. Α,
- Details of the basis for distributors appointment. В,
- Details of showroom/sales room/office and godown planned/ existing along with status of approvale.
- Details of Distribution arrangement between the distributors godown and the consumer.
- Product Familiarity Training and Provision for Safety: 5.
- Operational knowledge of product (Liquefied Petroleum Gas) A. and its handling.
- The capability and preparedness to meet the safety B. requirement in Liquefied Petroleum Gas, its transportation and accident relief during transportation.
- C. Plans for training the staff and the consumer on safe handling

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pmenVproduct.

ment policy and standards for the staff.

pplicable local acts.

for arrangement for attending emergency complaints

ing Discipline and Guidelines proposed to be

of conduct for distributors and delivery men.

to monitor and control adulteration and unauthorised on of products.

zation in place/proposed for the parallel marketing

of Organizational Structure.
If managerial involvement of the promoter.
If financing the Liquefied Petroleum Gas parallel
Ing including the infrastructure.
It relevant details which the parallel marketeer would
provide.

ial commitment -

slimated project cost.
d (phase-wise) resource mobilisation.
tes arranged and investment made as on date ....
fA, B and C above.

sheets may be used, if required.

[F. Number No. P-17011/25/97-Mkt.]

NARESH MARAD, Addl. Secy.