



**Government of Jammu And Kashmir**  
**Department of Food, Civil Supplies and Consumer Affairs**  
**Civil Secretariat, J & K Srinagar**

Subject:- Revised guidelines in terms of Solvent, Raffinate and Slop (Acquisition, Sale, Storage and Prevention of use in Automobile) Order, 2000 .

Government Order No:- 150 - FCS&CA of 2016  
D a t e d:- 28- -09- 2016

Whereas the Ministry of Petroleum and Natural Gas vide GSR 519 (E) issued vide notification dated 05-06-2016 while exercising the power conferred by section 3 of Essential Commodities Act, 1955 has made an order under the name and style "Solvent, Raffinates and Slop (Acquisition, Sale, Storage and Prevention of use in Automobile) Order, 2000" (herein after refer to as said Act).

Whereas, clause 3,4&5 of said order provides as under:-

*"Restriction on sale and use of Solvents, Raffinates and Slops and other products: -(1) No person shall either acquire, store or sell Solvents, Raffinates and Slops 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 and 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 of trading of Solvents, Raffinates and Slops or their equivalent and other product, either imported or indigenious, for any purpose, whatsoever, shall file end-use certificates from consumers to whom he sells and furnish*

*J. M. A. N. S.*

*customer-wise 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 and 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 Authorities, on a quarterly basis.*

*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 of 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 authorize*

*G. N. S. Nayak*

*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 to be kept by the concerned oil company or department and the third to be used for laboratory analysis.*
  - (3) The samples shall be taken in clean glass or aluminum 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 sub clause*

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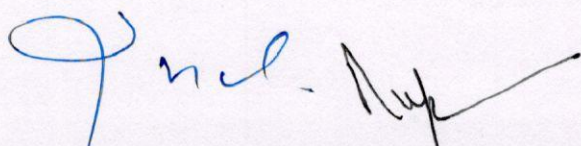
(2) *within a period of 10 days, to any of the laboratories specified in Schedule III of the Motor Spirit and High Speed Diesel (Regulation of Supply and Distribution and Prevention of Malpractices) Order, 1998 for the purpose of analysis of samples to check the product."*

whereas, the Clause 6 of the Solvent, Raffinates and Slop (Acquisition, Sale, Storage and Prevention of use in Automobile) Order, 2000 further provides that the State Government may from time to time by general or Special Order issue to any person such direction as it considered necessary regarding storage, sale, transportation, disposal and use of product.

Whereas, the Department of Food, Civil Supplies & Consumer Affairs vide Government Order No. 49-CAPD of 2008 dated:15-04-2008, has issued certain direction regarding designation of licensing authorities, end use certificate and search and seizure.

Now therefore, in view of the above, and in supersession of all previous orders passed in this behalf, it is ordered as follows:-

1. **(I) Issue of license:-** (1) Under sub-clause (i) of Clause 3 of the Solvent, Raffinate and Slop (Acquisition, Sale, Storage and Prevention of use in Automobile) Order, 2000 the Director, Food, Civil Supplies and Consumer Affairs shall exercise the powers and functions as Licensing authority. The licensing authority shall issue the license on the recommendations of the inspection report of the inspection Committee subject to fulfilling of following conditions:-
  - i. The applicant must be permanent resident of the State of Jammu & Kashmir.
  - ii. The applicant must possess good moral character to be certified from the Police Department by an Officer not below the rank District Superintendent of Police
  - iii. Every license shall be issued in the prescribed form given under Solvent, Raffinates and Slop (Acquisition, Sale,



Storage and Prevention of use in Automobile) Order, 2000 (appended as schedule II of this Order).


- iv. The applicant should have not been a convicted of any offence relating to Essential Commodities Act.
- v. Production of Pollution clearance certificate from the State Pollution Control Board.
- vi. He must possess all the clearance Certificate of Government dues, if any.
- vii. Installation of Fire Fighting equipments and NOC from the Fire and Emergency Department.

(2) Every application for a Licence or renewal thereof shall be so made to the Licensing Authority in prescribed format (appended as Scheduled II) for issue of Licence under the Solvent, Raffinates & Slops (Acquisition, Sale, Storage and Prevention of use in Automobiles) Order, 2002 along with such information/documents as may be required by the Licensing Authority showing truthfully the particular asked for and following documents must be attached with the Application Form:-

- i. Details of explosive License duly issued by the competent authority in terms of law/rules in vogue.
- ii. Details of Industrial Licence duly issued by the competent Authority.
- iii. Details of Storage.
- iv. Sales Tax Registration details;
  - (a) State Sales Tax Registration details;
  - (b) Central Sales Tax Registration details;

After the receipt of application by the Licensing Authority following supporting documents shall also be obtained by the Applicant.

- (1) Memorandum of Article of the firm
- (2) List of Board of Directors/Partners.



(3) Proof of Sole Proprietor/Partners/Directors.

**(II) Procedure to be adopted by the Licensing Authority after applying of fresh and renewal of license:-** On Receipt of the application accompanying the requisite renewal/issuance fee as prescribed in the schedule (I) attached with this order, by the Director, FCS& CA, will refer the same to the Standing Inspection Committee. The Committee will submit their inspection report alongwith all the documents with specific recommendation to the Director, FCS&CA within a period in a period of 1 Months.

**(III). Inspection Committee:** The Director, Department of Food, Civil Supplies & Consumer Affairs Concerned will constitute a Standing Committee comprising of :-

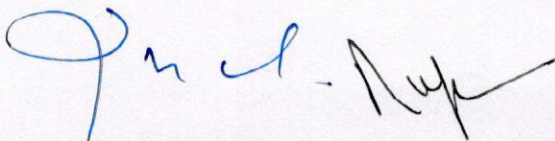
- |      |   |                      |
|------|---|----------------------|
| i.   | Joint Director, FCS&CA.                           | Convener             |
| ii.  | Deputy Director, Supplies , FCS&C                 | Member.              |
| iii. | Deputy Controller, Legal Metrology (Enf))         | Member.              |
| iv.  | Assistant Director FCS&CA, concerned<br>District. | Member<br>Secretary. |

Provided that the inspection Committee shall submit their report after proper examination of the documents attached with the Application Form and making of such investigation as it may deems fit having due regard to:-

- (a) the suitability of the premises for which licence has been applied for; and
- (b) the need for licence in a particular area/locality; and
- (c) any other relevant factor.

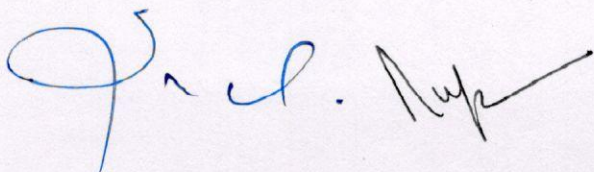
**(IV) Grant license/Renewal:-**The Director, FCS&CA on receipt of the inspection report will dispose of the application within 15 days and issue license on the prescribed form .

2. **End Use Certificates:-** Under sub-clause (3) of Clause 3 of the Solvent, Raffinates and Slop (Acquisition, Sale, Storage and



Prevention of use in Automobile) Order, 2000, the end-use certificates and the particulars regarding customer-wise sales shall be filed/furnished to the Director Food, Civil Supplies and Consumer Affairs of respective divisions with a copy to the State Level Co-ordinator of the Oil Industry for information every month.

3. **Authorization for Search & Seizure:-** Under sub-clause (1) of clause 4 of the Solvent, Raffinate and Slop (Acquisition, Sale, Storage and Prevention of use in Automobile) Order, 2000, the following officers for the purpose of the said clause may be authorized:-
  - i. All Officers of Food, Civil Supplies and Consumer Affairs Department not below the rank of Assistant Director Food, Civil Supplies and Consumer Affairs.
  - ii. All Officers of Legal Metrology Department not below the rank of Inspector Legal Metrology Department .
4. **Inspecting Authority:** In order to prevent the misuse of Solvents, Raffinates and Slops or their equivalent and other product as Automobile fuel and adulterant of Automobile fuels, the Officers entrusted with the duties of search and seizure of premises mentioned above shall also be authorized as Inspecting Officer under clause 4 of the said Order.
5. **Fixation of Limit:-** No dealer, transporter, consumer or any other person who is an employee or agent of such dealer, transporter, consumer shall:-
  - (a) hold in stock at any one time a quantity of product exceeding the maximum limit fixed as per requirement of the concerned District ( to be fixed by the concerned ADFCS&CA).
  - (b) sell or offer for sale in any one transaction a quantity of product exceeding the maximum fixed limit;
6. **Proper storage facility and proper safety measure:-**
  - i. The dealer shall certify that he possess proper and safe storage facility just outside the limits of residential areas and install all required safety apparatus / measures there:-



- ii. They should possess proper transport facilities to safeguard any untoward incident.
7. **Compensation for damages to property/Live Stock etc.:-**If there is any damage caused by leakages, wrong storages, fires during transportation or loading/unloading the losses incurred to both property and biotic component shall be borne by company/agency or his agents besides legal actions punishments as provided under law in vogue.

**By order of the Government of Jammu & Kashmir.**

Sd/-

**(Sajad Ahmed Khan)IAS**

Secretary to the Government


Department of Food, Civil Supplies and  
Consumer Affairs

Dated: 28-09-2016

NO:- CAPD/Legal/87/2016

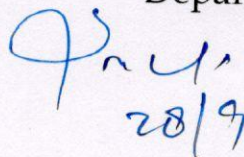
Copy to the:-

1. Secretary, Government of India, Ministry of Consumer Affairs, Food and Public Distribution, Department of Food and Public Distributions, Krishi Bhawan, New Delhi-110001.
2. Directors, FCS&CA Jammu /Kashmir.
3. OSD to the Hon'ble Minister for Department of FCS& CA for information of Hon'ble Minister.
4. Private Secretary to Secretary to Government, FCS&CA department for information of Secretary.
5. Government Order file.
6. In charge Website.



(Romesh Kumar Giri)

Under Secretary to the Government  
Department of Food, Civil Supplies and  
Consumer Affairs



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## SCHEDULED I

The fee prescribed below shall be chargeable in respect of each licence, namely:-

(a) For issue of a licence to:

- |      |            |       |            |
|------|------------|-------|------------|
| (i)  | Wholesaler | ..... | Rs,1,000/- |
| (ii) | Retailer   | ..... | Rs, 500/-  |

(b) For renewal of licence to:-

- |      |            |       |           |
|------|------------|-------|-----------|
| (i)  | Wholesaler | ..... | Rs,500/-  |
| (ii) | Retailer   | ..... | Rs, 250/- |

92.

**SCHEDULED II**

**FOR ISSUE OF LICENCE IN TERMS SOLVENT RAFFINATE &  
SLOP (ACQUISITION, SALE, STORAGE AND PREVENTION OF  
USE IN AUTOMOBILES) ORDER-2000**

**APPLICATION FORM.**

To

The Director,  
Food, Civil Supplies and Consumer Affairs Department  
Jammu/Kashmir.

1. Name of the Applicant.
2. Type of firm(strike out whichever is not applicable)
  - 2a. Public Limited Company/Private Limited Company/Partnership firm/Proprietorship firm/Other.

2b. Trader/Processor/Manufacturer/Consumer/others.

3. Address.

3a. Registered office:- \_\_\_\_\_

3b. Storage point(s):- \_\_\_\_\_

4. Names, addresses, telephone numbers of Director/Partners/Proprietor(s)

S.NO.	Name	Office		Residence	
		Address	Telephone	Address	Telephone

5. Industry Registration/License Details

Registration License Number	Date of issue	Valid upto	Issuing Authority

6. Sale Tax Registration Details:-

6a. State Sales Tax

Registration number	Date of issue	Valid upto	Issuing authority



6b. Central Sales Tax

Registration number	Date of issue	Valid upto	Issuing authority

7. Explosives license Details

License number	Date of issue	Valid upto	Storage capacity licensed (in kiloliters)

8. Details of Storage

Location	Solvent\Raffinate\Shop	Tank Number	Capacity (in kiloliters)

9. Use of Solvent/Raffinate/Slop for which the license is required

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

10. a Quantities of Solvent/Raffinate/Slop for which license is applied for

Solvent/Raffinate/Slop	Quantity in Kilolitres

10b. Material balance for which Solvent/Raffinate/Slop is/ are required.

I. Process \_\_\_\_\_ (ATTACHED DETAILS) \_\_\_\_\_

II. Material balance of each unit of Solvent/Raffinate/Sop Consumed (to be given for each Separately)

End Products	Production
Product A	.....%
Product B	.....%
.....	.....%
.....	.....%
Wastage	.....%
Total	100

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DECLARATION

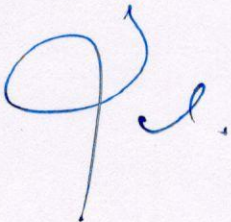
Certified that the above information is true to the best of my knowledge and belief and the information as annexure and statements accompanying this application are correct, complete and truly stated, and if any statement made herein is found to be incorrect, I shall be liable for action under the provisions of law.

Date;-----

Signature;-----

Place;-----

Name;-----

A handwritten signature in blue ink, consisting of a large, stylized 'G' followed by a smaller 'S' and a period.

### SCHEDULED III

#### FORMATE IN WHICH THE LICENCE SHALL BE ISSUED BY THE LICENSING AUTHORITY

1. Name of trader/ processor/ manufacturer/ consumer/others  
(strike out whichever is not applicable)
2. Type of Firm(Strike out whichever is not applicable)  
Public Limited Company/Private Limited Company/Partnership  
firm/Proprietorship firm

ADDRESS.

3a. Registered office.

3b. Storage point(s)

4. Names, addresses, telephone numbers of Director/Partners/Proprietor(s)

S.NO.	Name	Office		Residence	
		Address	Telephone	Address	Telephone

5. Industry Registration/License Details

Registration/ License Number	Date of issue	Valid upto	Issuing Authority

6. Sale Tax Registration Details:-

6a. Stale Sales Tax

Registration number	Date of issue	Valid upto	Issuing authority

6b. Central Sales Tax

Registration number	Date of issue	Valid upto	Issuing authority

*g. e.*

7. Explosives license Details

Registration Number	Date of issue	Valip upto	Storate capacity licensed (in kiloliters)

8. Details of Storage

Location	Solvent\Raffinate\Shop	Tank Number	Capacity (in kiloliters)

9. End Use of Solvent/Raffinate/Slop for which the license is required

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

10. Other conditions of the license.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

11. Details of Solvent/Raffinate/Slop licence

License number	Date of issue	Valip upto (*)	Solvent/Raffinate/Slop	Licensed quantity per year (in Kilolitres)

(\*) License shall be issued for period of one and thereafter shall be renewed for two years on each occasion.

Date \_\_\_\_\_

Place \_\_\_\_\_

Signature \_\_\_\_\_

Name \_\_\_\_\_

Designation:

Seal.

