

**THE MEGHALAYA LIQUIFIED PETROLEUM GAS  
[ REGULATION FOR SALE AND DISTRIBUTION ] ORDER, 1988.**

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**NO. SUP. 19 / 87 / 19**, dated **19<sup>th</sup> July, 1988**. :: In exercise of the Powers conferred by **Section - 3** of the **Essential Commodities Act, 1955 [ 10 of 1955 ]** read with Govt. of India, in the Ministry of Industry and Civil Supplies [ **Department of Civil Supplies and Co - Operation** ] Notification NO. S.O. 681 [ E ] dated the **30<sup>th</sup> November, 1974**, the Govt. of Meghalaya hereby make the following Order, namely :-

**01. Short title, extend and commencement :-**

- (i) This Order may be called the **Meghalaya Liquefied Petroleum Gas [ Regulation for Sale and Distribution ] Order, 1988**.
- (ii) It extends to the whole of the State of Meghalaya.
- (iii) It shall come into force on the Date of its Publication of this Order in the Gazette of Meghalaya.

**02. Definition :-** In this Order, unless there is anything repugnant in the Subject or Context :-

- (a) "**business premises**" means a place where the Dealer normally stores and sells or distributes LPG to the Consumers ;
- (b) "**dealer**" means a person who stores and sells or distribute LPG to the Consumers and the word "**deal**" shall be construed accordingly ;
- (c) "**Deputy Commissioner**" includes the Additional Deputy Commissioner and Sub - Divisional Officer having jurisdiction over the respective Areas where the Dealer carries on his business ;
- (d) "**Director**" means the **Director of Supply**, Meghalaya or any other Officer authorised by the State Govt. to exercise the Powers of the Director under the Provisions of this Order ;
- (e) "**Form**" means a Form appended to this Order ;
- (f) "**Licence**" means a Licence granted under Clause - 3 ;
- (g) "**L P G**" means Liquefied Petroleum Gas which is used as Fuel ;
- (h) "**Oil Company**" means a company manufacturing and marketing Petroleum and Petroleum Products ; and
- (i) "**State Government**" means the Govt. of the State of Meghalaya.

03. **Licensing of a Dealer :-**

- (1) No Person shall sell or distribute LPG in Cylinders or otherwise unless he is appointed such an Agent or Distributor by an Oil Company and except accor-granted by the Deputy Commissioner.
- (2) A Person who desired to obtain a Licence under Sub - Clause ( 1 ) shall make an application to the Deputy Commissioner in Form - " **A** " with a Court Fee stamp of Rupees Ten and the Deputy Commissioner, if he is satisfied, may grant the Licence in Form - " **B** ".

04. **Fee for Issue of Licence :-**

- (1) The Fee payable for issue of a Licence or a Duplicate copy thereof shall be Rupees Ten and for Renewal Rupees Five.
- (2) The Fees shall have to be deposited in the Form of Treasury Challan under the relevant Head of Account.

05. **Security Deposit :-**

Every Person applying for a Licence shall before the Licence is issued to him, deposit with the Deputy Commissioner a sum of Rupees Five Hundred only as Security for the due performance of the terms and conditions of the Licence.

06. **Period of Licence and its Renewal :-**

- (1) Every Licence granted under this Order shall be valid for a period ending 31<sup>st</sup> day of December in the year in which it is issued and may be renewed for a period of one year at a time.
- (2) (a) When a Licence applies for the renewal of Licence before the 31<sup>st</sup> day of January of the year following, it shall be accepted by the Deputy Commissioner.  
(b) No application for renewal shall thereafter be entertained by the Deputy Commissioner, unless the Deputy Commissioner, is satisfied that the application for renewal could not be made in time for valid and sufficient reasons.
- (3) When it is found that a Licence is carrying on the business of selling LPG Cylinders without obtaining a renewal of his Licence, within the prescribed time limit, subject to Clause - 9, his Security Deposit, without the prejudice to any action for prosecution under the Provision of the Essential Commodities Act, 1955, be forfeited to Govt. at the rate of Rupees Five per day. Provided that, after Thirty Days from the expiry of the prescribed time limit, the remaining amount of the Security Deposit may be forfeited to Govt.

07. **Power to refuse a Licence :-**

The Deputy Commissioner may , after giving the Dealer concerned and opportunity of stating his case and for reasons to be recorded in writing, refuse to grant or to renew a Licence.

08. **Provisions for cancellation or suspension of Licence :-**

If a Dealer either by himself or through his Agent or Servant acting on his behalf contravenes any of the provision of this Order or any of the terms and conditions of the Licence, then, without prejudice to any other action that may be taken against hi,, the Licensing Authority may, after given him an opportunity for making his representation. By Order suspend or cancel the Licence.

09. **Forefeiture of Security Deposit :-**

- (1) Without prejudice to the Provision of Clause - 8, if the Deputy Commissioner is satisfied that the Licensee has Licence or any provision of this Control Order and that a forfeiture of the Security Deposit is called for, he may, after giving the Licensee a reasonable opportunity if stating his case against the forfeiture of the Security of the Security Deposit is called for, he may after giving the Licensee a reasonable opportunity of stating his case against the forfeiture, by Order, forfeiture whole or / any part of the Security Deposited by him and communicate a copy of the Order to the Licensee.

Provided that, where a cancellation of the Licence duly ordered by the Deputy Commissioner, the Order of cancellation shall also be accompanied by an Order forfeiting the entire Deposit.

- (2) The Licensee shall, if the amount of security at any time falls short of the amount specified in Clause - 6, fourth with deposit further security to make up that amount on being required by the Deputy Commissioner to do so.
- (3) Upon due compliance by the Licensee with all obligations under the Licence, the amount of security or such part thereof, which is not forfeited, as aforesaid, shall be returned to the Licensee after the termination of the Licence.

10. **Regulation for Sale etc. of L.P.G :-**

- (1) No Dealer shall sell L P G at a Price higher than the fixed by Deputy Commissioner.
- (2) A Dealer shall maintain a Daily stock account of the L P G and display it alongwith its Price at a conspicuous place of his business premises.
- (3) A Dealer shall indicate at the business premises the working hours and shall not closes the premises during those working hours without prior permission of the Deputy Commissioner,
- (4) A Dealer shall have a Godown for storage of L P G filled Cylinders and shall obtain **Explosive Licence** for storage of the same in accordance with the Laws and Rules in force.
- (5) A Dealer shall take all reasonable steps to ensure that adequate stock of LPG is kept at his business premises at all times and shall not act in any manner prejudicial to the maintenance of supply or distribution of L P G to the Public.

- (6) A Dealer shall keep with him the Duplicate copy of the Consumer's Registration Cards, the Original of which shall remain with the Consumer. The Consumer's Registration Card shall be in Form - " C ".
- (7) A Dealer shall maintain a true and correct account of purchase and sale of L P G.
- (8) A Dealer shall comply with the directions that may be given from time to time by the State Govt. the Deputy Commissioner with regard to purchase, sale or storage of L P G, fixation of working hours, maintenance of Accounts, submission of Returns or to any matter connected with the business.

11. **Power of entry, search, seizure, etc. :-**

- (1) The Director, Deputy Commissioner or any Officer of the Food and Civil Supplies Department not below the rank of a Sub - Inspector or any officer or Person authorised in this behalf by the State Govt. may, with a view to satisfying himself that the provisions of this Order are complied with, my inspect any place, Books of Accounts or other documents and where he has reasons to believe that any of the provisions of this Order is contravened or about to be contravened, other, break open or seal any place, premises, vehicle or vessel and search, seize or remove any LPG Cylinder, Books of Accounts, Vehicle, vessels or other conveyance used for carrying LPG Cylinders and may authorise the taking of all measures necessary for their custody.
- (2) The provision of **Section - 100**, of the **Code of Criminal Procedure, 1973**, shall apply to searches and seizures under this Clause.

12. **Power to grant exemption :-**

The State Govt. may, if it is necessary in the 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 time suspend or cancel such exemption.

13. **Appeal :-**

An Appeal against any Order of the Deputy Commissioner shall lie to the State Govt. within **30 days** of the date of the Order appealed against.

14. **Penalty :-**

Any Person contravening any of the Provisions of this Order shall be liable to be punished under **Section - 7** of the **Essential Commodities Act, 1955**.

Sd/-  
Secretary to the Govt. of Meghalaya,  
Food and Civil Supplies Department.

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**FORM ' A '**  
**[ See Clause - 3 ( 2 ) ]**  
**Application for Grant / Renewal of Licence.**

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01.	Applicant's Name.	::	
02.	Applicant's Occupation.	::	
03.	Applicant's Residential Address and Police Station.	::	
04.	Location of Applicant's business premises with particulars as to the Town and Village and the number of Houses therein.	::	
05.	How long has the Applicant been dealing in L P G.	::	
06.	Quantities of LPG likely to be handled during the year.	::	
	(a) Quantity of LPG Cylinders, full and empty, in the possession of the Applicant on the date of Application and Places where they are kept.	::	
	(b) Address of the Place where LPG Cylinders are proposed to be stored.	::	
07.	Particulars of the Licence or Appointment as Agent or Distributor in LPG by an Oil Company.	::	
08.	Particulars of Explosive Licence held.	::	
09.	(a) I have not previously applied for a Licence in any District.	::	
	(b) I have earlier also applied for a Licence in the District of _____ Hill and was not granted or was granted or was granted by the _____ being Licence NO. _____, dated _____.	::	
10.	I hereby apply for the Renewal of Licence _____, dated issued to me on _____, for the period of one year.	::	
11.	I have carefully read the condition of the Licence in Form - " B ", appended to the Meghalaya LPG [Regulation for Sale and Distribution] Order, 1988, and I agree to abide by them.	::	
12.	I declare that the above information are true to the best of my knowledge and belief.	::	
[ Affix a Court Fee stamp of Rs. 10/- ( Rupees Ten ) only to this Application ]			

Dated \_\_\_\_\_,  
The \_\_\_\_\_.

*Signature of Applicant.*

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**FORM ' B '**  
**[ See Clause - 3 ( 2 ) ]**  
**Licence for Storage and Sale of L P G.**

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**Licence No.**     ::

01.		Subject to the Provisions of the Meghalaya L P G [ Regulation for Sale and Distribution [ Control Order, 1988, and to the under mentioned terms and conditions Sri. / Srimati. / M/s. _____ , S/o. _____ , R/o. _____ , is / are hereby authorised to store and sell Liquified Petroleum Gas.	::		
02.	(a)	The Licensee shall carry on the aforesaid business at the following Place (s).	::		
	(b)	LPG Cylinders shall not be stored at any place other than any of the Godowns or Places mentioned below :-	::		
		(i)		::	
		(ii)		::	
		(iii)		::	
03.	(a)	The Licensee shall maintain a Register of Daily Account of the LPG correctly.	::		
	(i)	the Opening Stock of each Day ;	::		
		quantity received on each day and the source from which received ;	::		
		quantity sold each day ;	::		
		The closing stock on each day ;	::		
	(b)	The Licensee shall close the Account Daily	::		
	(c)	The Licensee shall keep in the business premises, all the records and Books relating to the transactions of Purchase, Sale or Storage so as to make them readily available to the Inspecting Officers.	::		
04.		The Licensee shall submit to the Director and the Deputy Commissioner Monthly Returns showing Opening Stock, Quantity Received during the Month, sale and Closing Balance of LPG so as to reach them within Five Days after the close of such Month or as often as may be required by the Director or the Deputy Commissioner.	::		
05.		The Licensee shall not contravene the Provisions of Meghalaya LPG [ Regulation for Sale and Distribution ] Order, 1988, or any other direction relating to storage and Sale of LPG issued by the Competent Authorities.	::		

06.	<i>The Licensee shall not :-</i>	::	
(a)	<i>Enter into any transaction involving purchase, sale or storage of LPG in a speculative manner such as to prejudice the maintenance of supply or distribution of LPG.</i>	::	
(b)	<i>Withhold from sale or supply of LPG on stock except under distribution from the Director or the Deputy Commissioner.</i>	::	
(c)	<i>Charge of Price higher than that fixed by the Deputy Commissioner.</i>	::	
07.	<i>The Licensee shall take all reasonable steps to ensure that adequate stock of LPG is available at his business premises at all times.</i>	::	
08.	<i>The Licensee shall exhibit at the entrance at or at some other prominent place of his business premises a list of the Price and Stock of the LPG held for Sale.</i>	::	
09.	<i>The Licensee shall issue a Consumer's Registration Card to all Registered Consumers and issue Cash Memo to all Customers purchasing LPG.</i>	::	
10.	<i>The Licensee shall give all facilities at all reasonable times to the Licensing Authority, any Officer of Civil Supplies Department not below the rank of Sub - Inspector of Supply or any Officer or Person or Call of Persons authorities by the Licensing Authority to inspect the stock and Books of Accounts at business premises or at other places where LPG or LPG Cylinders are stored.</i>	::	
11.	<i>The Licensee shall comply with any direction as may be given to him by the State Govt., the Director or the Deputy Commissioner in regard to purchase Sale, Storage and Distribution of LPG.</i>	::	
12.	<i>The Licence is not transferable and in cases of change in the Ownership or any concern a Fresh Licence shall have to be obtained.</i>	::	
13.	<i>The Licence shall be attached to the Application for Renewal.</i>	::	
14.	<i>The Licence shall be valid upto _____ 20 _____ .</i>		

Place \_\_\_\_\_ ,  
Date \_\_\_\_\_ day of \_\_\_\_\_ .

*Signature of the Deputy Commissioner,  
Licensing Authority.*

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**GUIDE TO CONSUMERS**  
**Weights and Measures Acts and Rules.**

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1. **The Meghalaya Weights and Measures [ Enforcement ] Act.**
2. **The Meghalaya Weights and Measures [ Enforcement ] Rules.**
3. **The Standards of Weights and Measures Act, 1976.**
4. **The Standards of Weights and Measures [ Packaged Commodities Rules, 1977.**

**Under the Provision of the above Acts and Rules Consumers should know that :-**

01. *Non - standard Weights and Measures are prohibited to be used in trade or be kept in a trading premises. For Example - the use of dry measure such as tins, baskets, etc., for measuring Rice, Atta etc, is illegal. Possession of such measures in a trading premises illegal.*
02. *Demanding or receiving in excess of or less than the quantity fixed by the Weights and Measures is illegal.*
03. *Only verified and stamped Weights and Measures and weighting and measuring instruments should be used in trade. The stamp guarantees accuracy.*
04. *Every Person using a beam - scale should suspend the same to a stand or a chain by a hook in his trading premises.*
05. *Every process of weighting or measuring in trade should be done in full view of the Consumers.*
06. *The Certificates of verification of Weight and measures and weighting and measuring instruments should be exhibited in a conspicuous place in trading premises.*
07. *Bread including brown bread but excluding bun should be packed in quantities 100g., 200g., 400g., and 1,200g.*
08. *Packaged Commodities should bear on the body of the package or on a label securely affixed thereto, the name of the Commodity, the Name and Address of the manufacturer or packer, the Month and Year of manufacture or packing, the net quantity and price.*
09. *Every Retailer of packaged Commodities should display prominently at a conspicuous place of the premises the rates of Local Taxes.*
10. *No Retail Dealer should Sell any packaged Commodity at a Price exceeding the Retail Price.*
11. *No Retail Dealer should obliterate or smudge or alter the Sale Price indicated by the manufacturer of Packer.*
12. *Revised Price is made on a Label or Stiker pasted on the principal display panel by the manufacturer or packer indicating the trade mark of the manufacturer or packer.*

*Consumer are advised to exercise their legal right by demanding accurate weighing or measuring of their goods which shall be worth the money paid for and the price of packaged Commodities not to exceed the Retail Price.*

*They should see that weighting or measuring done in their full view and the pans oscillates freely when no weights are placed. The beam scale is not held by hand. They should look for the stamp of the Inspector and verification Certificate. They should not accept weighting of Rice, etc., by dry measures such as tins, baskets etc.*

*While taking delivery of the Cooking Gas Cylinders they should see that the Seal on it intact.*

*Consumes are advised to complain for any violation of the Weights and Measures Laws and the packaged Commodities Rules to the Local Inspector of Weights and Measures or to the Controller of Weights and Measures, Shillong. The Rules will be notified seen for its enforcement in the State.*

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