

2nd November 1979

Local Administration and Welfare Department

ORDER

10-5/Pet-Pred/LAWD/79

Whereas the Administrator is of the opinion that for maintaining supplies and for securing availability of fair prices of Motor Spirit and High Speed Diesel Oil in the Union Territory of Goa, Daman and Diu, it is necessary and expedient so to do. Now, therefore, in exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955), read with the Government of India, Ministry of Industry and Civil Supplies S. O. No. 681(E), dated the 30th November, 1974, the Administrator of Goa, Daman and Diu hereby makes the following Order, namely:—

1. *Short title, extent and commencement.*— (1) This Order may be called the Goa, Daman and Diu Motor Spirit and High Speed Diesel Oil (Maintenance of Supplies) Order, 1979.

(2) It shall extend to the whole of the Union territory of Goa, Daman and Diu.

(3) It shall come into force at once.

2. *Definition.*— In this Order, unless the context otherwise requires.—

(a) "Authorised Officer" means the Director of Civil Supplies and Deputy Director of Civil Supplies in the district of Goa, the Collector of Daman in the district of Daman and the Civil Administrator of Diu in the district of Diu and includes any other officer appointed by the Government to exercise the powers and perform the functions of an authorised officer under this Order;

(b) "Dealer" means a person engaged in the business of purchase, sale or storage for sale of Motor Spirit and/or High Speed Diesel Oil but does not include an oil company;

(c) "Oil Company" means any of the Oil companies specified below:—

1. Indian Oil Corporation Ltd.,
2. Hindustan Petroleum Corporation Ltd.,
3. Bharat Petroleum Corporation Ltd.,
4. The Indo Burma Petroleum Co. Ltd.,
5. Hindustan Petroleum Corporation Ltd., (VMU).

(d) "Working hours" means the working hours which the dealer has been observing immediately prior to the date of commencement of this Order;

3. *Regulation of sale/Supply of Motor Spirit and/or High Speed Diesel Oil.*— (1) Every dealer shall, within 24 hours from the date of commencement of this order;

(i) display the working hours at a conspicuous place at his business premises and also;

(ii) display of stock-cum-price board at a prominent place at his business premises showing the opening balance of Motor Spirit and/or High Speed Diesel Oil of the day and rate per litre.

(2) No dealer shall refuse to sell Motor Spirit or High Speed Diesel Oil to any customer while having stocks of the same with him on any day during working hours.

(3) Notwithstanding anything containing in any provision of law for the time being in force in the Union territory of Goa, Daman and Diu no dealer shall keep his premises closed during working hours on any day without prior permission in writing of the authorised officer.

(4) Every dealer shall take all reasonable steps to ensure that he has adequate stocks of Motor Spirit and High Speed Diesel Oil, at his business premises at all time.

(5) Every dealer shall maintain true and correct accounts of all purchases and sales of Motor Spirit and High Speed Diesel Oil.

(6) Every dealer and oil company shall comply with the directions that may be given to him in writing by the authorised officer in regard to the purchase, sale or storage for sale of Motor Spirit and High Speed Diesel Oil and in regard to the manner in which accounts thereof shall be maintained and further in regard to the submission of stock returns.

(7) No dealers shall act in a manner prejudicial to the maintenance of supplies of Motor Spirit and High Speed Diesel Oil in the Union territory of Goa, Daman and Diu.

4. *Powers of entry, search, seizure E.T.C.*— (1) The authorised Officer or any stipendiary magistrate or any police officer not below the rank of Sub-Inspector or any Inspector/Asstt. Inspector/Sub-Inspector of Civil Supplies Department or any other Officer authorised by the Government or by the Authorised Officer may with such assistance, if any, as he thinks fit:—

(a) require the owner, occupier or any other person incharge of any place, premises, vehicles or vessels in which Motor Spirit and/or High Speed Diesel Oil is stored, kept or being carried where he has reason to believe that any contravention of the provisions of this Order has been, is being or is about to be committed, to produce any books of accounts or other documents or furnish such information relating to Motor Spirit and/or High Speed Diesel Oil or transactions relating thereto as may be required.

(b) enter, inspect or break open and search, seal or reseal any place, premises, vehicles or vessels in which he has reasons to believe that any contravention of the provisions of this Order has been, is being or is about to be committed.

(c) inspect or seize any documents or account books or take or cause to be taken extracts from or copies thereof showing transactions relating to Motor Spirit and High Speed Diesel Oil.

(d) search, seize and remove stocks of Motor Spirit and High Speed Diesel Oil together with the vehicles, vessels or other containers in which the same are found stored or seal the underground tanks in which the same are stored where he has reasons to believe that contravention of this Order has been committed and

thereafter take or authorise the taking of all measures necessary for securing the production of such stocks and articles in a court of law and for their safe custody by way of spurdagi or otherwise pending such production.

(2) The provisions of section 100 of the Code of Criminal Procedure, 1973 (II of 1974), relating to search and seizure shall so far as may apply to searches and seizures under this clause.

By order and in the name of the Administrator of Goa, Daman and Diu.

N. D. Vengurlekar, Under Secretary (Revenue).

Panaji, 26th October, 1979.

Notification

6-30-76-LSG

As per approval conveyed by the Government of India, Ministry of Home Affairs, New Delhi, vide their letter No. 11014(i)/21/76-SCT-II, dated 28-10-1978 the following Rules for the grant of financial assistance to Scheduled Caste and Scheduled Tribes for repairs of houses, are hereby published for due effect.

This issues with the concurrence of the Finance Department vide their U. O. No. Fin (Exp)/4498/79, dated 5th October, 1979.

By order and in the name of the Administrator of Goa, Daman and Diu.

N. D. Vengurlekar, Under Secretary (Revenue).

Panaji, 24th October, 1979.

SCHEME FOR PROVIDING FINANCIAL ASSISTANCE TO SC/ST MEMBERS FOR REPAIR OF HOUSE

It is noticed that a good number of old houses of Harijans in this Territory which were constructed by them requires repairs. Due to their poor Economical condition, the SC/ST members are not able to keep the houses in good repairs resulting in collapse of houses which renders them destitute. To overcome the difficulties faced by the Harijans the following scheme for grant of financial assistance amounting to Rs. 1,000/- (Rupees one thousand only) to scheduled castes and scheduled tribes members is framed:—

THE SCHEME

1. The Director of Social Welfare, Collector of Daman and Civil Administrator of Diu shall be competent to sanction the financial assistance under this scheme within their respective jurisdiction i. e. Goa District, Daman District and Diu District respectively.

2. Under the scheme 25% of the cost of repair of house shall be granted as loan and 75% of the cost as subsidy. Accordingly the following change could be made in the para (i) and (ii) of the clause 2.

(i) First instalment will consist of the entire loan amount plus 33½% of the subsidy due which shall be paid immediately.

(ii) The second and final instalment consisting of the remaining amount of subsidy shall be granted after the BDO or the Extension Officer (Rural Engineer) certifies that the amount of the first instalment has been fully utilised.

3. The loan portion shall be recoverable in ten yearly instalments without interest. The first instalment shall be recovered after a period of 12 months from the date of disbursement of the last instalment of the amount.

4. Persons belonging to the Scheduled Castes and Scheduled Tribes only and having ownership right of the house which require repairs shall only be eligible to the benefits under this scheme.

5. Applications for financial assistance shall be submitted to the concerned Block Development Officer in the prescribed form who shall scrutinize and submit the same to the sanctioning authority along with his recommendations. The following certificates should accompany the application.

- Caste certificate issued by the Mamlatdar of concerned taluka.
- Ownership of house certificate issued by the Mamlatdar of the concerned Taluka.
- Certificate from the Extension Officer (Rural Engineer) Block Development Officer to the effect that the house requires repairs exceeding Rs. 1500/- (Rupees one thousand five hundred only).

6. The Financial assistance shall be granted against the personal security and in addition one or more surety solvent to the extent of the amount of loan-cum-subsidy.

7. The financial assistance sanctioned should be utilised for the purpose for which it is sanctioned.

8. The beneficiary shall start the work within 15 days from the date of receipt of financial assistance. The sanctioning authority may however, extend the said period of utilisation by another 15 days in genuine cases at the request of the beneficiary and if so recommended by the concerned Block Development Officer.

9. The Block Development Officer shall verify the proper utilisation of financial assistance and submit a certificate to that effect to the sanctioning authority within two months from the date of disbursement of the assistance.

10. The beneficiary under this scheme shall be eligible again for financial assistance under this scheme after a lapse of 15 years. In case of the beneficiary who have constructed a house with Government assistance, he/she shall be eligible for financial assistance under this scheme only after a lapse of 20 years from the date of construction.

11. In the case of breach of any of the above conditions imposed on the beneficiary under the scheme, the entire amount of financial assistance shall be treated as loan and shall be recovered in one lump sum from the beneficiary as arrears of land revenue.

12. The subsidy amount shall be debited to the budget head "288-Social Security and Welfare" and the loan amount of the budget head "688-Loans for Social Security and Welfare".