

(34)

LUBRICATING OILS AND GREASES (PROCESSING,  
SUPPLY AND DISTRIBUTION REGULATION),  
AMENDMENT ORDER, 1988<sup>1</sup>

G.S.R. 373 (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 further to amend the Lubricating Oils and Greases (Processing, Supply and Distribution Regulation) Order, 1987, namely :—

1. (1) This Order may be called the Lubricating Oils and Greases (Processing, Supply and Distribution Regulation), Amendment Order, 1988.

(2) It shall come into force on the 1st day of April, 1988.

2. In the Lubricating Oils and Greases (Processing, Supply and Distribution Regulation) Order, 1987 :—

(a) in clause 2,

(i) for sub-clauses (b) and (c), the following sub-clauses shall be substituted, namely :—

“(b) “lubricating oil or grease” means any of the products classifiable under sub-heading Nos. 2710.32, 2710.70, 2710.80, 2710.93, 2710.94, 2710.95, 2710.99 or heading No. 3403.00 of the Schedule to the Central Excise Tariff Act, 1985 (5 of 1986);”

<sup>1</sup> Vide Gazette of India, Pt. II, Sec. 3 (i), New Delhi, Dated 24th March, 1988.

- (c) "processor" means any person carrying on or proposing to carry on the business of manufacturing, blending, packaging, re-refining sale or resale of any lubricating oil or grease and includes a representative or agent of such processor but does not include the oil companies specified in Schedule I appended to this Order :
- (ii) in sub-clause (d), for the words "declared therefor by the processor", the words "declared by or applicable to the processor" shall be substituted;
- (b) for clause 4, the following clause shall be substituted, namely :—
- "4. Prohibition of business of lubricating oil or grease.—No person shall carry on the business of manufacturing, blending, packaging, re-refining, selling or transporting for sale any lubricating oil or grease which has been adulterated."*
- (c) in clause 5,—
- (i) for sub-clause (1), the following sub-clause shall be substituted, namely :—
- "Any person desiring to carry on the business of a processor, other than a seller or a re-seller, shall make an application in Form 1 and every seller or re-seller shall make an application in Form 1-A specified in Schedule I appended to this Order to the competent authority, together with a fee of rupees twenty five";*
- (ii) in sub-clause (2), after the word and figure "Form 2", the words, figure and letter "or, as the case may be, Form 2 A specified in Schedule I appended to this Order" shall be inserted;
- (iii) in sub-clause (4),—
- (a) for the words "a licence", the words and figure "a licence in Form 1 specified in Schedule I appended to this Order" shall be substituted;
- (b) for the words "lubricant and grease", wherever they occur, the words "lubricating oil or grease" shall be substituted;
- (iv) in clause 5, for the figures and words "31st day of March, 1988", the figures and words "30th day of June, 1988" shall be substituted;

- (d) after clause 5, the following clause shall be inserted, namely :—
- "5-A. The declaration as to specification of lubricating oil or grease.—*
- (1) Every processor who is neither carrying on nor proposing to carry on business of re-refining of lubricating oil or grease shall make a declaration as to the specification of such lubricating oil or grease and shall conform to such specifications.

- (2) Every processor who is carrying on or proposing to carry on the business of re-refining of lubricating oil or grease,—
- (a) if such refining is being undertaken under a licence issued under Section 15 of the Bureau of Indian Standard Act, 1986 (63 of 1986), shall conform to the Standard Mark specified under the said Act;
- (b) if such re-refining is being undertaken other than under a licence referred to in sub-clause (a), shall make a declaration as to the specification of such lubricating oil or grease and shall conform to such specifications.

Provided that the requirements of sub-clause (b) shall not be applicable to the re-refiners of re-refined base oil if such re-refiners sell such base oil only to major users or to one of the oil companies specified in Schedule I.

*Explanation.—*For the purpose of this sub-clause, "major user" means any institution which acquires lubricating oil or grease directly from one of the oil companies and gets the waste oils re-refined by one of the re-refiners registered under this Order for its own use";

- (e) in clause 6,—
- (i) for the marginal heading, the following shall be substituted, namely :—
- "Suspension or cancellation of licence.";*
- (ii) in the opening paragraph, for the word "cancel", the words "suspend or cancel" shall be substituted;
- (iii) in the proviso for the word "cancelled", the words "suspended or cancelled" shall be substituted;
- (f) in clause 8, in sub-clause (1), for the words beginning from "Any police officer" and ending with "or higher thereto", the words "Any officer not below the rank of an Inspector of Police" shall be substituted;
- (g) in clause 9, for the words "lubricant and grease", the words "lubricating or grease" shall be substituted;

(h) in Schedule I,

(i) under the heading "Names of Oil Companies", after S. No. (ix) and the entry relating thereto, the following S. No. and entry shall be inserted, namely :—

"(x) Madras Refineries Limited.  
480, Khivraj Complex,  
Nandanam,  
Annasalai,  
Madras-600 035"

(ii) in Form I, for the heading, the following heading shall be substituted, namely :—

"Manufacturing, blending, packaging or re-refining of lubricating oils or greases";

(iii) after Form 1, the following Form shall be inserted, namely :—

"FORM NO. 1-A

[See Clause 5, 1 of Lube Oil/Greases Processing Supply & Distribution Regulation Order, 1987]

**APPLICATION FOR THE GRANT OF LICENCE TO CARRY ON TRADING OF FINISHED LUBRICATING OILS/GREASES/SPECIALITIES BY AN EXISTING UNIT PROPOSED UNIT/RENEWAL OF LICENCE**

(This application form is for Registration/Renewal of trading activities in Lubricating Oils & Grease including used/Re-refined Oils).

1. Full name of the Applicant :
2. Address in full :
3. Location of the place(s) of business/address :
4. Name of company/companies whose product is being traded :
5. Name of suppliers & address in full :
6. New Licence  Renewal

I solemnly declare that the information given above is true to the best of my knowledge and belief.

Place :

Date :

Signature of the Applicant  
(Name in Block Letters)"

(iv) after Form 2, the following Form shall be inserted, namely :-

"FORM NO. 2-A

**FORM FOR LICENCE FOR AN EXISTING UNIT/PROPOSED UNIT FOR  
TRADING IN FINISHED LUBRICATION OILS/GREASES/  
SPECIALITIES/RENEWAL OF LICENCE**

Licence to carry on the business of a processor (only for the activity of sale) is hereby granted to the party at the place and subject to the terms and conditions below and provisions of the Lubricating Oils and Greases (Processing, Supply & Distribution Regulation) Order, 1987.

Description of the party, the location of the unit and Product(s)

1. Full name of the licence holder :
2. Address in full :
3. Location of the place(s) of business/address :
4. Licence No. ....
5. Date of Issue .....
6. Valid upto :
7. Name of the Company/Companies whose product he is trading :
8. Name of supplier & address in full

Date :

Competent Authority

State of ..... ..

Terms and Conditions of the Licence :

1. The licence is issued subject to the provisions of the Lubricant Oils and Greases (Processing, Supply and Distributing Regulation) Order, 1987.
2. The holder of the licence shall maintain correctly and completely such records as are necessary for verifying the particulars given in the application form of the applicant and this licence granted to him.
3. The holder of the licence shall permit an officer authorised by the competent authority under the provisions of the Lubricating Oils and Greases (Processing, Supply and Distribution Regulation) Order, 1987 to inspect the places where trading of lubricating Oils or greases is being undertaken, shall furnish samples thereof, shall permit on demand by such officer such records or documents in his possession or under his control and shall allow to enter or search any premises and seize any article to which this order applies.

Competent Authority

State of .... ..