

**COMMITTEE ON PETITIONS**

**(FOURTEENTH LOK SABHA)**

**THIRTIETH REPORT**

**MINISTRY OF PETROLEUM & NATURAL GAS**



**LOK SABHA SECRETARIAT  
NEW DELHI**

*August, 2007/ Sravana 1929 (Saka)*

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(FOURTEENTH LOK SABHA)  
MINISTRY OF PETROLEUM & NATURAL GAS

*(Presented to Lok Sabha on 22.8.2007)*



LOK SABHA SECRETARIAT  
NEW DELHI

*August, 2007/ Sravana, 1929 (Saka)*

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## COMPOSITION OF THE COMMITTEE ON PETITIONS

Shri Prabhunath Singh — *Chairman*

### MEMBERS

2. Shri Shingada Damodar Barku
3. Shri Nandkumar Singh Chauhan
4. Shri N. S. V. Chitthan
5. Shri Anant Gangaram Geete
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1. Shri M. Rajagopalan Nair — *Additional Secretary*
2. Shri P.K. Grover — *Joint Secretary*
3. Shri A. K. Singh — *Director*
4. Shri U.B.S. Negi — *Deputy Secretary*
5. Shri V.P. Gupta — *Under Secretary*

THIRTIETH REPORT OF THE COMMITTEE ON PETITIONS  
(FOURTEENTH LOK SABHA)

**INTRODUCTION**

I, the Chairman, Committee on Petitions, having been authorised by the Committee to present the Report on their behalf, present this Thirtieth Report (Fourteenth Lok Sabha) of the Committee to the House on the following matters:

- (i) Representation regarding resitement of Petrol Pump of M/s. Taneja Service Station from Jhilmil Industrial Area, G.T. Road, Shahdara, Delhi.
- (ii) Representation from Shri Anil Kumar Singh, Proprietor Subah HP Gas Agency, Jehanabad, Bihar regarding transfer of consumers.
- (iii) Representation from Shri Kamlesh Kumar Singh, R/o Village Phelpura, District Siwan, Bihar and forwarded by Shri Vijoy Krishna, M.P. alleging about irregularities in selection of dealers by oil companies.
- (iv) Representation from Shrimati Kalpana Singh, proprietor M/s. Vijay Gas Service, Allahabad.

2. The Committee considered and adopted the draft Thirtieth Report at their sitting held on 17th August, 2007.

3. The observations/recommendations of the Committee on the above matters have been included in the Report.

NEW DELHI;  
17 August, 2007  

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26 Sravana, 1929 (Saka)

PRABHUNATH SINGH,  
*Chairman,*  
*Committee on Government Assurances.*

## CHAPTER I

### REPRESENTATION REGARDING RESITEMENT OF PETROL PUMP OF M/S. TANEJA SERVICE STATION FROM JHILMIL INDUSTRIAL AREA, G.T. ROAD, SHAHDARA, DELHI

1.1 Capt. Jai Narayan Prasad Nishad, M.P. (Rajya Sabha) forwarded a representation signed by Capt. T.R. Taneja, r/o 86, Udai Park, New Delhi, on the above subject.

1.2 In his representation, the petitioner *inter alia* submitted that he is a War Disabled Officer of Indo-Pak War 1971 with 80% disability-loss of right arm. M/s. Taneja Service Station – ‘A’ site petrol pump was allotted to him at G.T. Road, Shahdara, Delhi (near Railway Crossing, Friends Colony) by way of Rehabilitation under DGR scheme and the same was commissioned in 1975. Due to the construction of flyover at G.T. Road Shahdara, the petrol pump became uneconomical. It was resited in 1997 at its present location on the same belt at Jhilmil Industrial Area, G.T. Road, Shahdara. Through Delhi Metro Officials, who had come to survey at his petrol pump, he had gathered that they had requested DDA to get his site cleared for their Metro Line from Shahdara to Dilshad Garden. In this regard he had met the Vice-Chairman, DDA and other concerned officials of DDA a number of times. No one ever informed/apprised him that his site will be affected. Subsequently he got a notice from DDA on 26th May, 2006 for shifting of the petrol pump from its present location to Site No.2, Okhla Industrial Area Phase-I within 45 days. This allotment was based on a computerized draw which DDA took on 18th May, 2006. There was no information/intimation about that draw to him. He came to understand that earlier also DDA tried to auction those sites but since those sites were not viable/profitable, none of the Oil Companies bid for the same. According to the petitioner that site was not viable since it was surrounded by Jhuggis and away from the main road. The petitioner added that as per IOCL, the site is not a viable/profitable site. Hence, they have sent a regret letter dated 2nd June, 2006 to DDA as well as DMRC indicating their non-acceptance of the site and requested for an alternate viable location. He had also sent his non-acceptance of that unviable site. The allotted site was no way in comparison with the existing site where he was able to sell more than 1100 KL of HSD and 200 KL of MS per month. The petitioner also submitted that he has already crossed 60 years of age and has no other source of income/livelihood other than that petrol pump and totally dependent on it for his bread and butter. The petitioner, therefore, requested that a Service Station Site (45x30m) on the National Highway 24 be carved out to enable him to maintain his clientele/credit worthiness in that trading zone and that in order of preference the following two locations may be carved out and one of those may be allotted to him:—

- (a) On way to Delhi after Noida Mor/turn (adjacent to Akshardham Flyover), Opposite Akshardham Temple on the main NH 24.

(b) Soon after the CNG station on NH 24 near Ghazipur Chowk.

1.3 The Committee took up the matter for examination in accordance with Direction 95 of the Directions by the Speaker, Lok Sabha. The aforesaid representation was forwarded to the Ministry of Petroleum and Natural Gas and Ministry of Urban Development on 28th July, 2006 respectively for furnishing their comments on the points/issues raised in the representation. The representation was also forwarded to the Ministry of Defence on 8th August, 2007 for furnishing their comments thereon. In response thereto, the Ministry of Urban Development *vide* their communication dated 24th August, 2006 submitted as follows:—

“.....The Delhi Development Authority has reported that petrol pump site was allotted on the condition that as and when the site is required to be resumed for any project, the outlet can be resited or shifted. In the present case, the site allotted to Captain Taneja through the oil company at G.T. Road, Shahdara has come under the expansion programme of DMRC necessitating shifting/resitement. DDA conducted a computerized draw among the available sites and the site at Okhla has been allotted to Captain Taneja. Since allotment has been made through a computerized draw, as such Captain Taneja may be advised to accept the present allotment.”

1.4 Thereafter, the Committee took oral evidence of the representatives of the Ministry of Urban Development (MoUD), Ministry of Petroleum and Natural Gas (MoP&NG) and Ministry of Defence (MoD) on 18th September, 2007. During the course of evidence the Committee desired to know about the details of the case. At this the Secretary, MoUD submitted as under:—

“... Hon’ble Nishad had given a petition regarding re-allocation of the site of a petrol pump. In that petition he had said that his case should be considered with genuine sympathy and the site should re-allotted so that his business may run smoothly.

Originally Capt. T.R. Taneja was allotted a site to set up a petrol pump, but the site then was acquired by the DMRC for its construction purpose. As a result he had to close down his petrol pump. According to the approved policy of DDA regarding allocation, if allotted site of any petrol pump is acquired under any project then the site is re-allotted to them. There is a lottery system in which a lottery from 3-4 sites of petrol pumps is drawn and the site is re-allocated accordingly. In this particular case also a draw was conducted for four sites out of which one site in Okhla was re-allocated to him. All this was done according to the approved policy of DDA and he was requested to accept the site. According to the Guidelines and Authority there is no provision to give exemption in this regard.”

1.5 When the Committee wanted to know whether the Ministry have any knowledge about the allotment of this petrol pump for the family of the soldier injured during war as a means of their livelihood. At this, the witness, the Secretary, MoUD stated as under:—

“Sir, the Vice Chairman of the DDA has told me that there has been a policy of the oil company, under which allotment is made to the soldiers and the allotment of petrol pump was made under the same policy.”



1.6 On being asked as to whether the petrol pump was allotted to the petitioner on priority basis by the Government to earn livelihood for his family as he got injured during the war? At this, the Vice-Chairman, DDA responded as under:—

“Sir, a committee has been constituted as per the policy of the Ministry of Petroleum to review the recommendations. We receive a list in which weightage is given on different grounds. DDA made the sites available only.”

1.7 The Committee further asked as to whether the petrol pump were allotted on priority basis to the families of those who became handicapped or died during the war and according to the places of their choice under the special quota of Government of India? The witness replied as under:—

“Presently there is no provision of choice. There is no information about it at all.”

1.8 When the Committee desired to know as to how long the dispute regarding re-allotment of site for petrol pump has been going on, the witness responded as under:—

“This has been going on for the last three-four months.”

1.9 The Committee asked if the DDA tried to know from the MoP&NG or from the Oil Company as to whether the petrol pump was allotted under the special quota or general category? Responding to this, the witness stated as under:—

“Sir, I want to clear the situation that DDA in June 2003 approved a policy in which there is a provision of re-sitement. He has to shift his petrol pump to another place. His petrol pump has been included in plan project or scheme. As per the rule of the Authority we selected four sites for the four applicants and his site was re-allocated through the lottery system.”

In this context, the Secretary, MoUD added as under:—

“Sir, according to me the problem arises because the allotment was made in this category itself. According to the approved policy of DDA there is no separate provision for such type of re-sitement cases and this is included in general re-sitement policy.”

1.10 The Committee wanted to know from the representatives of the MoP&NG as to whether the petrol pump allotted on priority basis to the petitioner was under general category or under the category of war widows or injured Soldiers in war? At this, the witness from the MoP&NG stated as under:—

“Sir, the allotment was made on the recommendations of DGR by the Company. We have informed the DDA in this regard. Indian Oil in their letter written in August intimated that he has been allotted under the 1971 war on priority basis.”

1.11 On being enquired if the potential/viability of the site is also looked into at the time of appointment of any dealer, whether on priority basis or in general category, the witness from IOCL stated as under:—

“.....Sir, whenever we set up any petrol pump whether against general advertisement or against reserved category, we see the economic viability for the same. Taneja Service Station was commissioned in 1975. He is 80% physically disabled person of 1971 Indo-Pak war. Thereafter, he was re-sited in 1999. Presently he sells about 1100 KL of diesel and 250 KL of petrol per month from this site. Now DDA has told him as this site is required by the Metro Railway, this petrol pump has to be re-sited. We have sent several letters to the DDA requesting them to give him a comparable site in adjoining area so that he could sell atleast the same amount of product. It would facilitate us if you provide such site to him, it is our request.”

1.12 The Committee desired to know whether any survey has been conducted by the Oil Company in 2-4 places to find out the suitable site? At this, the witness from IOCL stated as under:—

“DDA had offered a site in Okhla Industrial Area. A survey was conducted and the site was not found to be having much potential. We request the DDA to inform us as to which other sites could they provide in that area.”

1.13 On a pointed question as to whether the Oil Company has conducted any survey about the capacity and the potential of the four sites undertaken for draw and whether the company was informed about the four sites, the witness from IOCL replied as under:—

“We are not aware of any information in this regard.”

1.14 In response to a query as to whether only four sites were available with them or there were more sites available for the purpose and also whether the four sites referred by them belongs to special category or general category, the witness from DDA stated as under:—

“Only four sites were available at the time of draw. Allotment was made in the presence of the representatives of the oil companies. Sir, I would like to bring to your notice that BPC Company was offered a site in Okhla and they have accepted the offer.”

1.15 The Committee further asked as to whether other alternative sites were available to establish the petitioner? At this, the witness replied as under:—

“Four sites were available at the time of draw.”

The witness further added:—

“There are some sites available at IFC Freight Complex.”

1.16 On a question about considering this if found viable, for allotment to the petitioner, the witness from DDA responded as under:—

“There were four re-sitement cases and four plots were available and all four

plots have been allotted through draw of lots. There is no such provision in the current policy. This is the present situation.”

1.17 When the Committee desired to know as to whether people were also called at the time of draw of lots, the witness from DDA responded as under:—

“Draw of lots which is computerised, is undertaken in the presence of independent observers and people from Oil Companies are also present.”

1.18 The Committee asked whether the four cases referred by the oil companies belonged to special category or general category and if those were of general category but combined with the general category then the Committee observed that justice has not been done with that person. At this, the witness, the Secretary, MoUD explained as under:—

“So far as I know, those four cases were not the re-sitement cases. Only IOC case was the re-sitement case.”

The witness from IOCL also added—

“In general system applications for new pumps and re-sitement are sent to the DDA. So, DDA held a draw for four applications. We were told that the land which was allotted to us through draw, was for the re-sitement purpose. So far as BPC is concerned, one site was also allotted to BPC and they had accepted. So far as I know, that site is for new petrol pump. New petrol pump could become viable even with less sale. In his existing petrol pump he has increased the sale with lot of efforts and hard work. He wants a similar site where he could earn the same profit.”

1.19 The Committee pointed out that the petitioner was allotted a petrol pump to earn his livelihood as he was a disabled officer of Indo-Pak War of 1971. But neither this fact was taken into cognizance nor the same is reflected anywhere in the response of the DDA. Responding to this, the witness the Secretary, from the MoUD stated as under:—

“Sir, it seems to me and as I had said earlier that so far as the original allotment is concerned, the Government had made a category in the Ministry of Petroleum and Natural Gas and in the Oil Companies. A special provision had been made for the war affected persons in particular. But they have a resite policy in which they fall in general category. I will request the Vice-Chairman how to deal with the case like this as a whole instead of individual one by giving exemption to it as the re-sitement rules for such cases are already there in the Authority. They will examine and see how they could deal with such a case.”

1.20 The Committee wanted to know as to how much time the Government would take to apprise Indian Oil Company about the sites which are suitable and viable. At this, the witness, the Vice-Chairman, DDA stated as under:—

“We will give all details of sites whatsoever we have within a week.”

1.21 When asked about the time by which the potential of the site is likely to be explored by the Government, the witness from IOCL replied as under:—

“We will see this within 15 days.”

The witness, the Secretary, MoUD also added—

“Sir, my suggestion is that a separate policy should be made for the cases or categories like this. This one case should not be taken as exception otherwise it will be difficult when discussions will be taken up later.”

1.22 Meanwhile, the Committee received further representation from the petitioner wherein he submitted that DMRC *vide* their letter dated 21st September, 2006 has instructed IOC to discontinue commercial activity of the Petrol Pump and remove all the accessories from the site by 30th September, 2006. The petitioner requested for intervention of the Committee in the matter and to request the Ministry of Urban Development to carve out the sites, in consultation with DDA and its Planning Wing, at (i) on way to Delhi after Noida Mor/turn(adjacent to Akshardham Flyover). Opposite Akshardham Temple on the main NH 24 (45mx30m) or (ii) soon after the CNG station on NH 24 near Ghazipur Chowk. The petitioner also requested that DMRC may be requested to give him some more time for vacating the site.

1.23 The above representation was also forwarded to the MoUD on 25th September, 2006 for furnishing their comments thereon. In their response, the MoUD *vide* their communication dated 6th October, 2006 submitted as under:—

“Two sites have been suggested by Capt. T.R. Taneja in his representation dated 21-09-2006. DDA has reported that both sites are not feasible for petrol pump as they are not permitted in the use zone which is “Recreational & Agricultural/Water body” as per MPD-2001.

There is no policy for carving out sites as per the suggestion of the applicant/Oil Companies. It is not possible to carve out site specifically as asked by the petitioner as sites are carved out by DDA after taking into consideration several factors like land use, suitability of the petrol pump, requirement of the petrol pump in the said area. It is pertinent to mention that even in the case of allotment to Smt. Kalpa Devi, widow of late Shri Matbar Singh Negi, martyred in the attack on the Parliament, has been through computerized draw, even though there was a request for specific site in South Delhi.”

1.24 In response to a question about the basis/criteria on which the site for petrol pump was allotted to the petitioner in 1975 and whether the said outlet was under general category or under affected disabled category. The MoUD in their written reply stated as under:—

“Delhi Development Authority has reported that prior to the policy of auction implemented on 20-06-2003, the allotment of petrol pump sites was being done on the basis of seniority of Letter of Intent holders, prepared by the State Level Coordinator of Oil Companies. A draw was held among the senior LOI holders to allot the site from the available sites. DDA’s records

pertaining to allotment of Taneja Service Station pertaining to year 1975 are not readily available. However, the Oil Company has intimated DDA that Capt. Taneja was disabled in Indo-Pak War 1971 and was allotted a petrol pump on compassionate grounds. Taneja Service Station has been allotted the petrol pump under DGR Category.”

1.25 About the approved policy of DDA for allotment of site for running an outlet, the MoUD commented as under:—

“As per the existing policy of DDA, the allotment has to be done through auction to the Oil Companies. Oil Companies participate in the auction, and thereafter they can run the site or give the site(s) to the LOI holder. Oil Company can take site through auction for further allotment on compassionate grounds. There is no provision of allotment by DDA to the Ex-servicemen, War-disabled persons. Re-sitement is being done as per the approved policy of DDA, if the land on which petrol pump is located, is required for any planned project. Further, selection of site for re-sitement is done from among the available sites through computerized draw. There should be minimum of 3 sites at the time of draw.”

1.26 In their written comments, the Ministry stated that as per report received from DDA, the provision/policy for re-sitement does not distinguish between the war-disabled persons and other LOI holders. Hence the re-sitement has been done as per the approved policy. However, DDA has been advised to formulate a policy so that cases of war-disabled persons who are given extraordinary dispensation at the time of allotment, are relocated in a manner that benefit given to them earlier is not completely off set by relocation to a site where the business may not be financially viable.

1.27 In reply to a question as to whether the potential/economic viability of the proposed re-sitement to the petitioner was surveyed before draw of lots, the MoUD stated as under:—

“DDA has reported that sites are carved out by DDA as per the norms of master plan. The petrol pump sites are carved out keeping in view not only the present demand, but also the future requirement of the nearby population of the area. Re-sitement site given to the petitioner is an approved carved out site as per layout plan of that area.”

1.28 The Committee were informed in writing that letter is issued to the concerned Oil Companies for their presence in the draw of lots. DDA do not deal directly with the LOI holder and therefore no such communication was sent to the LOI holder. In the instant also, a representative from IOC was present at the time of draw of lots. It was also informed that DDA forwarded a list of the following sites to the IOC:—

1. Site No. 1, Pkt. C, IFC, Gazipur
2. Site No. 2, Pkt. C, IFC, Gazipur
3. Between Village Khichripur and Resettlement Colony
4. Community Centre at Sector-22, Rohini.

1.29 In their comments, the MoP&NG *vide* their communication dated 9th October, 2006 stated as under:—

“Cases of re-sitement of Retail Outlet (RO) dealerships (petrol pumps) are to be decided by the oil marketing companies (OMCs) themselves, and the Ministry of Petroleum and Natural Gas (MoP&NG) has no role in the matter. MoP&NG has conveyed broad guidelines to the OMCs on re-sitement of dealerships. OMCs are to formulate detailed guidelines and to process the proposals accordingly.

2. The present case is covered by the broad guidelines by this Ministry to the oil marketing companies on 17-11-2005 and the detailed guidelines framed by IOC there-under as per which re-sitement of a commissioned dealership is permissible in case of closure/acquisition of the existing site by a competent authority for reasons not attributable to the dealer.

3. Before initiating the process of shifting the RO from the existing location, Delhi Development Authority (DDA) should ensure allotment of a suitable alternate site for relocation of the RO where the outlet can attain a similar throughput as at the existing location. Further, they should give sufficient time to the company/dealer to relocate the dealership as construction activities at the new site as well as obtaining of various approvals from competent authorities do take time.

4. This Ministry is also of the opinion that DDA should make some special provision for allotment of land for setting up dealerships/distributorships of petroleum products allotted to the ‘social objective’ categories, like Scheduled Castes/Scheduled Tribes, Defence personnel, Paramilitary/Police/Government personnel, physically handicapped, Outstanding Sports Persons and Freedom Fighters, for whom the oil marketing companies provide reservation in allotment of dealerships/distributorships. Widows/unmarried women above 40 years of age without earning parents, who are eligible for financial assistance under the Corpus Fund Scheme of the oil industry, should also be covered under such special provision of DDA. The special provision should ensure early allotment of land as well as land at a cheaper rate, and the allotment process should not be through the usual route of auction/draw of lots.”

1.30 In reply to a question whether at the time of shifting the location of a petrol pump and passing orders thereon, financial viability aspect of the new location is also considered by the MoP&NG stated as under:—

“The proposals for re-sitement of petrol pumps are processed and decided by the OMCs themselves. MoP&NG has no role here.

However, it is natural that in the interest of both the dealer and the OMC, the financial viability of the new location becomes an important factor which the OMCs keep in mind while selecting the new location.

Neither MoP&NG is required to pass any order for shifting of the site of the RO in question nor it has passed any such order.”

1. 31 About some corrective steps taken by the MoP&NG and the MoUD, to allot another site as requested by the petitioner, the MoP&NG commented as under:—

“An alternate viable site for re-sitment of the RO in question has to be provided by the Ministry of Urban Development/DDA. While doing so, they may consider the locations suggested by the dealer. In case allotment of the sites suggested by the dealer/IOC is not possible, allotment of another suitable and viable site may be made which may have a similar potential as the existing site. In fact the DMRC should rehabilitate the oustee at an appropriate location through the DDA as it is the project implementing authority.

It may be stated that the MoP&NG has no role in the matter of allotment of the land.”

1. 32 In their communication dated 13th February,2007 the MoP&NG submitted the Status Note in the matter as under:—

#### **Background**

This is representation received from Capt. T.R. Taneja for re-sitment of his RO from Jhilmil Industrial Area, G.T. Road, Shahdara, Delhi as the site is likely to be acquired owing to extension of Delhi Metro Line from Shahdara to Dilshad Garden as the RO site is coming in the way. For re-sitment of this RO, DDA has allotted a site at Okhla Industrial Area Phase-I which, however, was found to be economically unviable by IOC due to less vehicular traffic at the site.

#### **Stand taken by the company**

IOC is supporting the re-sitment proposal. However, the same could be done only after DDA allots a suitable economically viable location.

The progress made by IOC in the matter is as under:—

- Sales & supplies were suspended by IOCL *w.e.f.* 26/11/2006.
- DMRC has confirmed to DDA *vide* letter no. DMRC/Land/15/DDA/SHDG/723/2349 dated 22/01/2007 that RO land of Jhilmil Industrial Road has been taken over from IOC on 27/11/2006.
- A letter was sent to DDA *vide* Ref. DDO/R/Taneja dated 10/01/2007 for allotment of site identified for CNG Station on NH-24 yet to be allotted. In the above letter, IOCL had reiterated that we could dispense CNG also through the site if allotted to IOCL apart from selling MS & HSD. This site was found suitable for the above.
- The above site is exclusively earmarked for CNG stations to be developed by M/s. IGL. The allotment of above plot of land would call for special dispensation; since in addition to CNG, MS & HSD also would be dispended.

- Reminder was sent to Deputy Director (CL) bearing Ref. DDO/R/Taneja dated 16/01/2007 by IOCL stating the IOCL is agreeable for taking the site with frontage of 70 meters and depth 40 meters which was marked for CNG Station on NH-24.
- Reminder to Principal Commissioner, DDA has again also been sent *vide* Ref. DD/R/Taneja dated 17.01.2007 with the same request.
- It is learnt that DDA Planning Section have divided the plot identified for CNG Station in two with frontage of 35 meters each with a depth of 40 meters out of which one plot shall be given to IGL for CNG and the other to an oil company for dispensing MS/HSD.
- It is also learnt that DDA shall not directly allot the said site for Taneja Service Station but hold a draw of lot for allotment. The draw of lot is likely to include two/three sites in East Delhi, which will also include the site at NH-24 (carved out from CNG Station site) as mentioned above and sites at Khichdipur & Gazipur.
- Earlier IOCL had intimated DDA that sites at Khichdipur & Gazipur are not as viable as the original site at Jhilmil, which has been taken over by DMRC.
- Since no official communication has been received from DDA on draw of lots, and the information is gathered through other sources, no official communication/representation could be lodged with DDA.
- IOCL has sought meeting with Principal Commissioner, DDA and their confirmation is awaited.
- Claim towards compensation towards IOCL's assets at old site has been lodged with DMRC for Rs. 44.96 Lacs, based on valuations of assets carried out by 2 independent government approved valuers.

#### **Action taken by the Ministry**

The Lok Sabha Secretariat had earlier taken oral evidence on the subject during which representatives of DDA, Ministry of Urban Development, and Ministry of Defence were also present. During the oral evidence, this Ministry, DDA and Ministry of Urban Development were requested to submit a reply to the list of points. This Ministry, *vide* letter dated 09.10.2006 had submitted the requisite reply to the Secretariat in which we have mentioned that the MoP&NG has no role to play in such cases of re-sitment, other than the framing of broad policy guidelines. This Ministry had also mentioned that DDA should ensure allotment of suitable alternate site for relocation of the RO, and also that DDA should make some special provision for allotment of land for setting up of dealerships/distributorships of petroleum products allotted to "social objectives" categories."

1.33 The Committee, thereafter, took further oral evidence of the representatives of the MoP&NG, MoUD and MoD on 15<sup>th</sup> February, 2007 in the matter. At the outlet, the Secretary, MoP&NG commented as under:—

“.....Today the hearing mainly focuses upon the retail outlets. There



are two or three important aspects. One is relating to the interview procedure and the grading system and certain charges or grievances in the selections made by the companies. Second one relates to the re-sitement of some of the petrol pumps arising out of certain considerations like DMRC or personal reasons and so on. We wish to submit before the Hon'ble Committee, as I have been submitting earlier, that any views, any instructions, any directions emanating from this Committee are treated with utmost attention, with highest respect and regard by the Ministry. All companies are under very strict instruction and direction from the Ministry that action must be very quick and attention must be very prompt with regard to the points brought to the notice of the companies or the Ministry as the case may be. Regarding re-sitement, particularly in the capital city like Delhi, we have been running into serious problems particularly in recent years. Even when we want to locate the new RO facilities the problems are arising because of the very nature that it is the capital city of the country. In addition, when Delhi Metro Rail Corporation take over expansion naturally it leads to certain relocation requirements – particularly of retail outlets – from the point of view of public amenities such as petrol pump, LPG distributorship and so on. What has happened in the past few years is that DDA has changed its procedure of allotment of site. They go on the auction basis. They want to auction every site. The result is that, as you will notice, public is being denied the additional RO facility which the capital city so badly lacks. You will be surprised to know that knowing the cost of the land in a city like Delhi, no company is willing to go on auction and buy it at the highest rate. It is because we are not developing real estate here. Companies are not willing. Even very big private companies which have received permission, authorization to run the retail outlets, they are not willing to step into Delhi to set up the facility. We have taken this point to the notice of the highest authorities in DDA, the Lt. Governor of Delhi and also the Vice-Chairman of DDA in the past saying that for public amenities the procedure should be changed. The procedure for allotting sites for public facilities like retail outlets must be different from the procedure followed for real estate development. Unfortunately, we have not been really successful in persuading the DDA. Therefore, the problem persists with regard to this.

Coming to specific example of re-sitement relating to Mr. Taneja's re-presentation, I would like to request the concerned company. The company has taken it up; we have taken it up but we have not been successful till now.....”

1.34 The Committee pointed that last time it was deliberated that IOC and DDA should jointly decide a site. The Committee, therefore, wanted to know about further development made in that regard. At this, the witness, the Vice-Chairman, DDA stated as under:—

“Sir, in a Committee's meeting that was held on 18th September, 2006 you had given directions regarding making policy to give special concessions

to disabled persons. A proposal to this effect was put forward in a DDA meeting and a new policy was formulated as a result thereof. There is a difference between old and new policy. In this policy it has been provided that allotment will be given in the same zone. In earlier resitement policy site was to be allotted anywhere in Delhi. The second point mentioned is that persons will be given the choice to select three out of every site in the same zone. The main point being that resitement should be in the same zone. No limitation of three sites for holding the draw. This was approved by our authority and thereafter we proposed 4 sites to the IOC. IOC responded that, sites are found to be unviable compared to the present sites, and the areas are yet to be developed. After that Capt. Taneja came to meet me and I also held a meeting with him on 15th November, 2006. He recommended me a site, which is on the National Highway No.24 and earmarked for CNG station. His request was to include one site, then we will have total 4 sites. If this site is included then we have 4 sites— two in Ghazipur, one in Khichripur and one on NH 24. The present policy of auction which was stated by our Hon'ble Secretary, that is a different policy. In regard to resitement we decided through lottery draw so that viability as well as transparency is maintained. Out of them two sites were dropped from the auction draw and regarding the two which were recommended by our officials, we had sent out officials of Department of Planning for site inspection. They have also studied the traffic flow. The two sites are viable and very near to National Highway. We are proposing to solve this problem with lottery system and I hope that the problem of Capt. Taneja will be solved. We all have sympathy with him and some solution will be sorted out."

1.35 The Committee asked from the representatives of the MoP&NG about their opinion on both the sites which are being offered and if survey of both the sites has been done. At this, the witness from the MoP&NG explained as under:—

"The survey of both the sites has been completed. Keeping in view what Rai Saheb has submitted that one is Khichripur site and another is CNG site, we have specially requested to DDA officials to consider the CNG site sympathetically, but DDA pointed out that the same site was kept for IGL for the purpose of marketing of CNG. Our request was that as far as the question of sale of CNG is concerned, it can be sold from petrol pumps along with petrol and diesel. The size of the site is 80x40 mts. If that site is made available to our candidate Taneja Service Station then it will be beneficial for him, but in my opinion the matter is as it is. We have recommended this preference to DDA."

1.36 When the Committee enquired about the problem in offering the site which is considered potential/viable by them, the witness from DDA stated as under:—

"We consider two sites as potential sites. Those sites have been visited by our officials of Department of Planning. At present Taneja possesses 1057 Sq.Mts. of plot what he is saying is of double and it is not possible to comply with him. We have provision of 1080 Mts. 30x36 Sq. Mts. Plot in the Master

Plan which we provide to the allottee. The area of 30x36 Mts. has been fixed keeping in view of the planning norms and transport norms to bring uniformity. Assuming that CNG's requirement is different, We have to get their consent to put the site in the lottery. I had sent officials to examine whether the Khichripur site is viable or not. The Khichripur site is adjoining to the National Highway."

1.37 The Committee wanted to know as to whether there is any timeframe for settling the issue and relocate a viable site to the petitioner? At this, the witness, the Secretary, MoP&NG stated as under:—

"Sir, this Ministry has tried its level best with DDA, which is the land owner in Delhi. We have indicated some suitable sites. Now they have to select and allot it to him."

1.38 When the Committee asked whether that site would be economical/viable, the witness stated as under:—

"Unless it is viable, Capt. Taneja will feel sorry if we put him in some site. We have to ensure that the business is viable. In fact, the Joint Secretary concerned on the ex-servicemen side is here. I would request him also to supplement. One point was made by one hon. Member with regard to these coco outlets. In fact, you are aware, nearly 500 outlets were allotted to Kargil people. There are some locations where we are running into difficulty in accommodating our martyrs and relatives of those who have laid down their lives or who have suffered. What we have done is, we have directed the companies to issue Coco outlets for these people. It is being done. In fact, it is in the case of Kargil in extreme cases of bravery and sacrifice for the country and we have done that. In this case, Sir, I think it is incumbent on Delhi Development Authority to settle the issue early because our request is pending with them. Once they allot, let me assure you, within 90 days we will ensure that Capt. Taneja is back in business. We will put double speed, all the machinery at our disposal and we will ensure that it becomes fully operational within 90 days. We would like to hold-up this assurance to the hon. Committee because our heart also goes out to the man who has now been denied his means of livelihood because of the site being closed."

1.39 When the Committee desired to know about the way out for disposing the matter at the earliest, the witness from DDA stated as under:—

"The whole background regarding the matter was presented before the DDA in the last sitting. Thereafter, new policy was formulated accordingly. We all have sympathy. The situation now is that there will be a lottery system for two sites. There were four sites but we have dropped two sites."

1.40 The MoUD *vide* their communication dated 14th May 2007, have furnished the latest status report in the matter as under:—

"In the matter of allotment of alternative petrol pump site, the Committee on Petitions took oral evidence of the representative of Ministry of

Urban Development and DDA on 18.9.06 and in view of suggestions/ observations of the Petitions Committee, DDA was advised *vide* this Ministry's letter dated 6.10.06 to formulate a policy so that cases of war disabled persons who are given extraordinary dispensation at the time of allotment, are relocated in a manner so that benefit given to them earlier is not completely offset by relocation to a site where the business may not be financially viable.

2. Delhi Development Authority in its meeting held on 04.12.2006, approved the revised policy which provides as under:—

In case of resitement of petrol pump sites operated by a war disabled person or a war widow who were initially given petrol pump site on compassionate ground, the draw of lots for resitement will be held from amongst available petrol pump sites in the same zone where he/she is operating a petrol pump. Three sites will be included in the draw. Concerned person will be given an opportunity to give option for the three sites from within the available sites in the same zone for inclusion in the computerized draw. In case the number of sites available in the same zone are less than three then the draw will be held amongst the available sites. Further, in case only one site is available in the same zone, then the same will be allotted to the concerned person with the approval of the VC/DDA.

3. According to the revised policy of 04.12.2006 following concessions have been given in respect of war disabled person and war widows:—

- (i) Allotment will be made in the same zone instead of including sites of all zones for the draw under previous policy.
- (ii) In case the number of available sites in the same zone are more than three then the concerned person will be given choice to select 3 sites out of the available sites. No such facility available under previous policy.
- (iii) There is no limitation of minimum 3 sites for holding the draw as was the case earlier.

4. The Committee on Petitions took oral evidence of representatives of Ministry of Urban Development and DDA on 15.02.2007 and desired that all the formalities about allotment of alternate site for the petrol pump with equivalent land and potential decided by IOCL within two months to Capt. Taneja be completed.

5. Accordingly, based on the revised policy formulated by DDA on 04.12.2006, DDA forwarded a proposal for conducting draw of lots from the two available sites one at Khichripur and another at NH-24 for allotment of alternative site to M/S Taneja Service Station.

6. The proposal was examined in this Ministry and keeping in view the fact that Capt. Taneja is a war disabled officer and has to be relocated for the second time, it has been decided in the Ministry that he may be allotted the petrol pump site available on the National Highway 24 as an exception to the existing procedure/ policy of allotment through draw of lots. DDA has been advised accordingly by this Ministry *vide* letter dated 08.05.2007.”

1.41 The MoP&NG *vide* their communication dated 10th August, 2007 have furnished the latest report in the matter as under:—

“.....this Ministry has already forwarded the request dated 12-2-2007 received from Capt. T.R. Taneja to Delhi Development Authority (DDA) *vide* letter dated 12-3-2007 for appropriate action as allotment of alternate land for resitement of retail outlet dealership is under the purview of DDA.

However, IOC has further intimated that DDA *vide* letter No. F13 (15)90/CRC/DDA/258 dated 19-07-2007 had informed regarding allotment of petrol pump site at Pocket A, IFC Gazipur, National Highway 24 Bye Pass, Delhi for development of retail outlet for the subject dealer. In this regard, DDA had also advised to deposit a sum of Rs.19,78,327/- as advance for license fees for the said site. As advised by DDA, payment of Rs.19,78,327/- has been deposited by IOCL, Delhi with Central Bank of India *vide* 406518 dated 01-08-2007 with a request to DDA to handover the possession of the above said site at the earliest.”.

#### **Observations/Recommendations**

1.42 The Committee note from the submission of the petitioner that the petitioner is a War Disabled Officer of Indo-Pak War of 1971 with 80% disability-loss of right arm. A petrol pump was allotted to him at G.T. Road, Shahdara, Delhi under the rehabilitation scheme of the Directorate General of Rehabilitation (DGR) and the outlet was commissioned in 1975. Due to the construction of flyover at G.T. Road, Shahdara, the petrol pump was resited in 1997 to its present location on the same belt at Jhilmil Industrial Area, G.T. Road, Shahdara. On 26<sup>th</sup> May, 2006, the petitioner got a notice from Delhi Development Authority (DDA) for shifting of the petrol pump within 45 days from its present location to Site No.2, Okhla Industrial Area Phase-I. This allotment was based on a computerized draw which DDA held on 18th May, 2006. However, the petitioner did not accept that site as it was surrounded by Jhuggis and away from the main road and was considered economically unviable. The Indian Oil Corporation Limited (IOCL) also did not find the site as a viable/profitable site and requested for an alternate viable location. According to the petitioner, the allotted site, in no way, could be compared with the existing site where he is able to sell more than 1100 KL of HSD and 200 KL of MS per month. The petitioner, therefore, requested that the following two locations, in order of preference, on NH-24 may be carved out and one of those may be allotted to him to enable him to maintain his clientele/credit worthiness in the trading zone:—

- (a) On way to Delhi after Noida Mor/turn (adjacent to Akshardham Flyover), Opposite Akshardham Temple on the main NH-24.
- (b) Soon after the CNG station on NH-24 near Ghazipur Chowk.

1.43 The Committee were informed that the petitioner was allotted a petrol pump by the IOCL on priority on the recommendations of the DGR under the disabled persons of 1971 Indo-Pak War category. The outlet which was commissioned in 1975, was re-sited in 1997 to its present location *i.e.* Jhilmil

Industrial Area, G.T. Road, Shahdara. The petitioner sells about 1100 KL of diesel and 250 KL of petrol per month from this outlet. The Committee were also informed that a petrol pump site is allotted on the condition that if the land on which petrol pump is located is required for any planned project, the pump can be resited or shifted. In the present case, the site allotted to the petitioner came under the expansion programme of the Delhi Metro Railway Corporation (DMRC) necessitating shifting/resitement of the outlet. The IOCL requested the DDA to give the petitioner a comparable site in adjoining area so that he could sell at least the same quantity of product. The DDA conducted a computerised draw among the available sites and offered the site in Okhla Industrial Area, which was, however, found to be economically unviable due to less vehicular traffic at the site. The IOCL, therefore, made a request to the DDA to provide an alternate suitable site in that area.

1.44 The Committee were informed that according to the approved policy of DDA, there is no separate provision for this type of resitement cases and such cases are included in general resitement policy. Prior to the policy of auction implemented on 20.06.2003, the allotment of petrol pump sites was being done on the basis of seniority of Letter of Intent (LOI) holders, prepared by the State Level Coordinator of Oil Companies. A draw was being held among the senior LOI holders to allot the site from the available sites. As per the existing policy of DDA, the allotment of sites has to be done through auction to the Oil Companies. Oil Companies participate in the auction and thereafter they can run the site or give the site(s) to the LOI holder. Letters are issued to the concerned Oil Companies for witnessing the draw of lots. The DDA do not deal directly with the LOI holders and therefore, no communication as such is sent by them. In the instant case also, a representative from IOCL was present at the time of draw of lots. There is no provision of allotment by DDA to the Ex-servicemen, War-disabled persons. The provision/policy for resitement does not distinguish between the war-disabled persons and other LOI holders. The selection of site for resitement is done from among the available sites through computerized draw. There should be a minimum of three sites at the time of draw. It was also informed that DDA forwarded a list of sites to the IOCL available at Khichripur and Gazipur but the same were not found as viable by the IOCL as the original site at Jhilmil which is being taken over by the DMRC.

1.45 On the two sites suggested by the petitioner, it was reported by DDA that both sites are not feasible for petrol pump as they are not permitted in the use zone which is "Recreational & Agricultural/Water body" as per MPD-2001. There is no policy for carving out sites as per the suggestion of the applicant/Oil Companies. The sites are carved out by DDA as per norm of master plan after taking into consideration several factors like land use, suitability of the petrol pump, the present and future requirement of the nearby population of the said area.

1.46 According to the Ministry of Petroleum and Natural Gas, the cases of resitement of RO dealerships (petrol pumps) are processed and decided by the Oil Marketing Companies (OMCs) themselves and that Ministry has no role in the

matter of allotment of land/resitement other than framing of broad policy guidelines. The MoP&NG have conveyed broad guidelines to the OMCs on resitement of dealerships. The OMCs are to formulate detailed guidelines and to process the proposals accordingly. The present case is covered by the broad guidelines issued by the Ministry to the OMCs on 17.11.2005 and the detailed guidelines framed by IOCL thereunder as per which resitement of a commissioned dealership is permissible in case of closure/acquisition of the existing site by a competent authority for reasons not attributable to the dealer. Before initiating the process of shifting the Retail Outlet (RO) from the existing location, DDA should ensure allotment of a suitable alternate site for relocation where the outlet can attain a similar throughput as at the original location. Further, they should give sufficient time to the company/dealer to relocate the dealership as construction activities at the new site as well as obtaining of various approvals from competent authorities do take time. The Ministry have also expressed the opinion that DDA should make some special provision for allotment of land for setting up dealerships/distributorships of petroleum products allotted to the 'social objective' categories, like Scheduled Castes/Scheduled Tribes, Defence personnel, Paramilitary/Police/Government personnel, physically handicapped, Outstanding Sports Persons and Freedom Fighters, for whom the oil marketing companies provide reservation in allotment of dealerships/distributorships. Widows/unmarried women above 40 years of age without earning parents, who are eligible for financial assistance under the Corpus Fund Scheme of the oil industry, should also be covered under such special provision of DDA. The special provision should ensure early allotment of land as well as land at a cheaper rate, and the allotment process should not be through the usual route of auction/draw of lots. However, in the interest of both the dealer and the Oil Company, the financial viability of the new location should be kept in mind. According to the MoP&NG, an alternate viable site for resitement of the RO in question has to be provided by the Ministry of Urban Development/DDA. While doing so, they may consider the locations suggested by the dealer. In case allotment of the sites suggested by the dealer/IOCL is not possible, allotment of another suitable and viable site may be made which may have a similar potential as the original site. During the course of evidence, the Committee were informed that DDA has also been advised to formulate a policy so that cases of war-disabled persons who are given extraordinary dispensation at the time of allotment, are relocated in a manner that benefit given to them earlier is not completely off set by relocation to a site where the business may not be financially viable. The MoP&NG have also opined that the DMRC, being the project implementing authority, should rehabilitate the oustee at an appropriate location through the DDA.

1.47 The Committee note that in pursuance of the advice given by the MoP&NG, the DDA in its meeting held on 04.12.2006, approved the revised policy, according to which, in case of resitement of petrol pump sites operated by a war-disabled person or a war widow who were initially given petrol pump site on compassionate ground, the draw of lots for resitement will be held from amongst available petrol pump sites in the same zone where he/she is operating a petrol pump. Three sites will be included in the draw. Concerned person will be given an opportunity to give

option for the three sites from within the available sites in the same zone for inclusion in the computerized draw. In case the number of sites available in the same zone are less than three then the draw will be held amongst the available sites. Further, in case only one site is available in the same zone, then the same will be allotted to the concerned person with the approval of the Vice Chairman, DDA. Further, the following concessions have been given in respect of war disabled persons and war widows:—

- (i) Allotment will be made in the same zone instead of including sites of all zones for the draw under previous policy.
- (ii) In case the number of available sites in the same zone are more than three then the concerned person will be given choice to select three sites out of the available sites. No such facility was available under previous policy.
- (iii) There is no limitation of minimum three sites for holding the draw as was the case earlier.

1.48 The Committee were further informed that the IOCL have since suspended sales & supplies to the RO of the petitioner w.e.f. 26.11.2006 and DMRC have taken over from IOCL the RO land of Jhilmil Industrial Road on 27.11.2006. The IOCL, in turn, requested on 10.01.2007 for allotment of the site identified and earmarked exclusively by the DDA for CNG Station on NH-24 to be developed by M/s. IGL. According to IOCL, this site was found economically viable and if allotted to IOCL, CNG could also be dispensed apart from selling MS & HSD. The allotment of said plot of land would call for special dispensation since in addition to CNG, MS & HSD would also be dispensed. It was also informed that DDA Planning section have divided the plot identified for CNG Station in two parts with frontage of 35 meters each with a depth of 40 meters out of which one plot shall be given to IGL for CNG and the other to an oil company for dispensing MS/HSD. However, DDA shall not directly allot the said site to the petitioner but hold a draw of lot for allotment. The draw of lot is likely to include two/three sites in East Delhi, which will also include the site at NH-24 (carved out from CNG Station site) and sites at Khichripur and Gazipur. Based on the revised policy formulated by DDA on 04.12.2006, a proposal was forwarded by DDA for conducting draw of lots from the two available sites one at Khichripur and another at NH-24 for allotment of alternative site to the petitioner. The proposal was examined in the Ministry of Urban Development and keeping in view the fact that the petitioner is a war disabled officer and has to be relocated for the second time, the MoUD has decided that the petitioner may be allotted the petrol pump site available on the NH-24 as an exception to the existing procedure/policy of allotment through draw of lots. The DDA has also been advised accordingly by the MoUD *vide* letter dated 08.05.2007.

1.49 The Committee are anguished to note that the petitioner has to undergo great ordeal and inconvenience due to the inadequacy in the relevant provisions of the policy/guidelines and for lack of coordinated efforts amongst all the concerned Ministries/Departments/Oil company on the issue of resitement of RO to the petitioner. It is surprising to note that there is no separate policy for the



types of resitement cases as that of the petitioner who is a war disabled person and all such cases are treated and included under general resitement policy ignoring the extraordinary dispensation given to them at the time of initial allotment of the outlet. The Committee are not satisfied with the submission of the MoP&NG that they have no role to play in the matter of allotment of land for the RO or its resitement other than framing of broad policy guidelines thereon. Being the nodal agency the Committee are of the view that they simply can not absolve themselves of their responsibility on such vital issues. The very fact that the DDA has to ultimately formulate the revised policy on the issue of resitement, at the instance of the Committee and on the advice of the MoP&NG in order to cover cases like the instant case of the petitioner amply proves the point. The Committee feel that all such cases should be approached and resolved with human considerations. The fact that the petitioner has to approach the Committee for redressal of his grievances on the issue shows the manner in which the same was handled by all the concerned authorities. The Committee, therefore, deprecate the callous and casual approach and attitude of the authorities towards the genuine grievance of the petitioner on the issue. The Committee are, however, satisfied to note that with the intervention of the Committee, the grievance of the petitioner has been redressed and the petitioner will be reallocated a site as requested by him for running the retail outlet with more or less the potential as the original site at Jhilmil Industrial area which has been taken over by the DMRC for extension programme of its Metro Railway. The Committee expect the MoP&NG to take the necessary action in this regard in coordination with all the concerned authorities expeditiously so as to restore the business of the petitioner which has been off set by the relocation of the site. The Committee would like that they may be apprised of the conclusive action taken in this regard.

## CHAPTER II

### REPRESENTATION FROM SHRI ANIL KUMAR SINGH, PROPRIETOR SUBAH HP GAS AGENCY, JEHANABAD, BIHAR REGARDING TRANSFER OF CONSUMERS

2.1 The petitioner Shri Anil Kumar Singh, resident of Jahanabad, Bihar has stated in his representation that he was allotted LPG dealership (M/s. Subah HP Gas Agency, Jehanabad, Bihar) from HPCL and have only 150 consumers. According to the petitioner, M/s. Jehanabad Gas Service of IOCL, which has been operating in Jehanabad have 2900 consumers. Another gas agency, M/s. Prasad Indane, Makhdumpur has about 1500 consumers from Jehanabad, although the distance from Makhdumpur to Jehanabad is about 30 km. The petitioner alleged that M/s. Jehanabad Gas Service and M/s. Prasad Indane are not transferring customers and also they are not refunding their deposits. Since M/s. Jehanabad Gas Service have large number of customers and also because M/s. Prasad Indane is quite far away, there is shortage of cooking gas. Keeping all these aspects in view, the petitioner requested that IOCL be instructed to transfer customers to M/s. Subah HP Gas Agency.

2.2 The Committee took up the matter for examination in accordance with Direction 95 of the Directions by the Speaker, Lok Sabha. The representation from the petitioner was forwarded to the Ministry of Petroleum and Natural Gas (MoP&NG) on 22.12.2005 for furnishing their comments on the points raised therein. In their response, the MoP&NG *vide* their communication dated 04.01.2006 furnished their comments as under:—

“HPCL *vide* letter ref. PLRO/PNK/Bihar dated 03.02.2005 requested IOC for transfer of customers to their newly commissioned distributor M/s. Subah HP Gas Agency at Jahanabad, Bihar.

However, the extant policies and guidelines (*Vide* MoP&NG letter No.P20012/65/2000-Mkt. Dated 29.11.2004) state that inter-company transfer of customers being undertaken based on the viability norms amongst the distributors having common area of operation shall cease. No transfer of customers shall be undertaken for customers enrolled in common area of operation.

Hence, in line with the guidelines, IOCL has not taken any action on the representation/request of HPCL.”

2.3 Thereafter, the Committee undertook oral evidence of the representatives of the MoP&NG on 05.01.2006 where representatives of HPCL were also present.

On being asked about the status of the case, Director (Marketing), HPCL stated as under:—

“The problem is that earlier there was a practice of customer’s shifting among distributors but after the guidelines from Ministry, it was discontinued *w.e.f.* 29.11.2004.”

The witness further added :—

“I want to add one thing. As advised by you, the industry has already conducted a meeting. It has been decided that IOC will not release any new connection, all new customers will go to our dealers.”

2.4 The MoP&NG *vide* their communication dated 12th April, 2007 have furnished the latest status report in the matter as under:—

“M/s. Subah HP Gas Agency, Jehanabad, Bihar was commissioned 31.01.2005 under “open” category.

Government had reviewed the policy on the transfer of customers and stopped inter-company transfers of customers on 29.11.2004, as it was found that the practice of transferring customers from established LPG distributorships to newly commissioned distributorships had led to a general sense of complacency amongst new distributors. The new policy aims at encouraging all LPG distributors to explore new and less covered areas to expand their market share as almost all the urban markets are at their saturation level.

In the meantime, M/s. Subah HP Gas Agency of their own accord has enrolled more customers in its trading area and is presently having a refill sale of about 1800 per month against a total consumer strength of 2744.”

#### **Observations/Recommendations**

**2.5 The Committee note that the petitioner is the proprietor of M/s. Subah HP Gas Agency, Jehanabad, Bihar which was commissioned on 31.01.2005 under ‘open’ category. According to the petitioner, his agency had only 150 consumers, whereas Jehanabad Gas Service of IOCL which was operating in Jehanabad was having 2900 consumers. Another gas agency, M/s. Prasad Indane, Makhdumpur has about 1500 consumers from Jehanabad which is about 30 km. away from Makhdumpur. The petitioner alleged that M/s. Jehanabad Gas Service and M/s. Prasad Indane were not transferring customers and also they were not refunding their deposits. The petitioner, therefore, requested that IOCL be instructed to transfer customers to M/s. Subah H P Gas Agency.**

**2.6 The Committee also note that as per guidelines issued by the Government on 29.11.2004 the practice of transferring customers enrolled in common area of operation has closed. The new policy aims at encouraging all LPG distributors to explore new and less covered areas to expand their market share as almost all the urban markets are at their saturation level. In the meantime, M/s. Subah H P Gas**

Agency on their own is stated to have enrolled more customers in its trading area and is presently having a refill sale of about 1800 per month against a total consumer strength of 2744.

2.7 The Committee feel that it would be in the interest of the oil companies if the convenience of the customers is kept in view and they are provided better facilities since it is ultimately the oil companies which earn their profits through the business of the distributors/dealers. Keeping this aspect in view the Committee feel that all such minor issues need to be settled at the local level and through formulation of an appropriate policy/guidelines in the matter. So far as the case of the petitioner is concerned, the Committee note that his agency has already enrolled enough customers on its own in its trading area and has now a satisfactory level of refill sale. In view of this, the Committee do not wish to pursue the case further.

### CHAPTER III

#### REPRESENTATION FROM SHRI KAMLESH KUMAR SINGH, R/O VILLAGE PHELPURA, DISTRICT SIWAN, BIHAR AND FORWARDED BY SHRI VIJOY KRISHNA, M.P. ALLEGING ABOUT IRREGULARITIES IN SELECTION OF DEALERS BY OIL COMPANIES

3.1 The petitioner Shri Kamlesh Kumar Singh resident of Village Phelpura, District Siwan, Bihar has submitted that on 19-05-2005 IOCL advertised for a retail outlet under Kisan Sewa Bikri Kendra Scheme between Chinchaura Kamla Chowk and Mathiya on Ekma-Maharajganj Road. He was empanelled 2nd in the merit list. The petitioner alleged that there were irregularities in the selection process as the domicile certificate of the candidate empanelled first was fake and thus the selected person did not fulfill the criteria prescribed for the purpose. The petitioner, therefore, requested for enquiry into the matter and that LOI may be issued in his favour.

3.2 The Committee took up the matter for examination in accordance with Direction 95 of the Directions by the Speaker, Lok Sabha. The representation was referred to the Ministry of Petroleum and Natural Gas (MoP&NG) on 13.09.2005 for their comments on the points raised in the representation but no comments were received from them. Subsequently, a questionnaire on the subject was sent to the MoP&NG on 21.09.2005 and in response, the MoP&NG furnished their comments *vide* communication dated 28.12.2005 as under:—

“This case pertains to selection of dealer for Retail Outlet (RO) under the “Kisan Seva Kendra” scheme of Indian Oil Corporation Limited (IOC), at Chinchoura, district Siwan, Bihar, under “Open” category. The interview for the subject location was conducted on 05.08.2005 and the following candidates were selected in order to merit:

- (i) Shri Shashi Shekhar Singh
- (ii) Shri Kamlesh Kumar Singh
- (iii) Shrimati Shewta Kumari Jyoti

However, Shri Kamlesh Kumar Singh, the 2nd empanelled candidate, made a complaint to IOC’s Bihar State Office on 12.08.2005 alleging that the first-empanelled candidate had produced forged residence certificate during the interview and hence the selection was not proper. On receipt of the complaint, a detailed investigation was initiated and the issuance of the LOI was kept on hold. Though the investigation has since been completed, action is pending for want of confirmation from the District Magistrate, Siwan on the residential status of Shri Shashi Shekhar Singh, the first-empanelled candidate. As the District Administration was busy for the last one month in connection with the General Election to the Legislative Assembly of the

State, IOC was not able to obtain the confirmation from the District Magistrate. After the confirmation is received, the company will initiate further action in the matter.”

3.3 In reply to a question, whether it was essential for the applicant to belong to the same village or block against which IOCL proposed to open the outlet in their advertisement, the Ministry submitted as under:—

“As per the eligibility criteria of the policy prevailing on the date of advertisement and interview for selection of dealer for the retail outlet under the Kisan Seva Kendra Scheme, the applicant should be the resident of the village/block concerned. However, if no suitable candidate is found in the village concerned, the residents of the other villages in the block concerned would also be considered for selection.”

3.4 Subsequently, the MoP&NG *vide* their communication dated 04.01.2006 submitted their brief note containing more or less the same comments as stated above but added that the District Magistrate of Siwan has to give a final view on the residential certificate issued by him. Based on that Indian Oil Corporation Limited will take a decision on this matter.

3.5 The Committee took oral evidence of the representatives of the MoP&NG on 05.01.2006. During the course of evidence, the witness, Director (Marketing), IOCL stated:—

“Sir, there have been discrepancies with regard to residential certificate of Mr. Shashi Shekhar Singh. Now, the second empanelled candidate only has given the petition.”

The witness added:—

“ .....Now, we are waiting for the residency certificate from the District Magistrate, Siwan because there has been some dispute between the authorities of the Maharajganj Taluk and Siwan district. I will just ask my colleague to supplement. The sooner we get the decision, we will take action.....”

Another witness from IOCL further added:—

“The matter has been investigated. The residential certificate is attached with the application. It is also in the register and as per the serial number the same is correct. It has been verified. Thereafter, it has been sent to investigating Officer of Maharajganj. He has told that investigations are going on. After investigation he has sent a letter which is dated 4.10.2005. It has been written in the letter that as per the investigation of Block Development Officer he does not belong to Phelpura. It is also mentioned in that letter that according to the parallel investigation by another Block Agriculture Officer cum Panchayat Officer, he is a resident of that place. So, there is a conflict. So, he has referred the matter to DM, Siwan. Now, we are following up with DM, Siwan to know about the finality of his investigation. ”

The witness also added :—

“..... there are two conflicting messages, He is not able to decide. He has referred the case to DM, Siwan. We have also talked to DM, Siwan.”

3.6 On being enquired as to how much time it would require to settle the matter, the witness responded as under:-

“Sir, hopefully it would be done in January.”

3.7 The MoP&NG *vide* their communication dated 12th April, 2007 have furnished the latest status report in the matter as under:—

“Matter was referred for enquiry by General Manager, IOCL, Bihar State Office. Based on the enquiry report, General Manager, IOCL, Bihar State Office was asked to follow-up with District Magistrate, Siwan for his decision on residency of first empanelled candidate. The matter is still pending with him. Regular follow-ups are maintained for getting the same from District Magistrate, Siwan. Hence, the issue of residency certificate of the first empanelled candidate Shri Shashi Sekhar Singh has not yet been resolved.”

#### **Observations/Recommendations**

**3.8 The Committee note from the representation of the petitioner that there were irregularities in the selection of dealer for Retail Outlet under the Kisan Seva Kendra Scheme at Phelpura, District Siwan, Bihar under open category. The interview for the location was conducted on 05.08.2005 and the petitioner was empanelled second. The petitioner alleged that the first empanelled candidate had produced forged residential certificate during the interview and hence the selection was not proper. On receipt of the complaint, a detailed investigation was initiated and the issuance of the LOI was kept on hold.**

**3.9 The Committee were informed that the investigation in the matter had been completed but action is pending for want of confirmation from the District Magistrate, Siwan on the residential status of the first empanelled candidate. As per the eligibility criteria as prevailing on the date of advertisement and interview, the applicant should be resident of village/block concerned. In case no suitable candidate is found in the village concerned, the residents of other villages in the block concerned could be considered for selection. During the course of evidence, the Committee were informed that there was some disparity between investigations conducted by the authorities of the Maharajganj Block and Siwan District. As per the investigation of the Block Development Officer (BDO) of Maharajganj, the selected candidate did not belong to Phelpura district. But according to the parallel investigation by another Block Agriculture Officer cum Panchayat Officer, he was a resident of that place. Since there was a conflict on the issue, the matter was referred to the District Magistrate who has yet to give a final view on the residency certificate issued by him. The Committee regret to note that in spite of assurance given by the Ministry, the matter still remains unsettled. This only goes to show**

**the apathy shown and the treatment being given to the case. The Committee are of the view that these are very small matters and could have been sorted out immediately. The Committee also feel that if the first empanelled candidate does not belong to the area specified in the advertisement, then the candidate empanelled second could be preferred for allotment of dealership. The Committee, therefore, recommend that action may be initiated immediately without further delay and the matter be settled at the earliest. The Committee also desire that they may also be informed of the final action taken in this regard.**



## CHAPTER IV

### REPRESENTATION FROM SHRIMATI KALPANA SINGH, PROPRIETOR M/S. VIJAY GAS SERVICE, ALLAHABAD

4.1 In her representation, Shrimati Kalpana Singh, w/o late Capt. V.P. Singh Vir Chakra, Proprietor M/s. Vijai Gas Service, Allahabad stated that she has been running the L.P. Gas Agency for the last 33 years. She alleged that after Shri Atul Kumar took over as the Field Officer of IOCL in 2000, he in league with Area Manager has been creating all sorts of problem to malign her reputation. Her Distributorship was suspended on the basis of bogus inspection and she was served with a show cause notice dated 7/11-04-2005 for having committed irregularities mainly in grant of single SV connection. The petitioner submitted a comprehensive reply to the show cause notice and also made a complaint in this regard on 25-10- 2005 to the Ministry of Petroleum and Natural Gas(MoP&NG) for the harassment meted out to her at the hands of Field Officer for no justifiable reasons. The Area Manager , IOCL, Allahabad, in turn, ignoring the explanation submitted by her passed an order dated 05-01-2006 imposing penalty to the tune of Rs. 20,24,000/-. The petitioner was compelled to deposit a sum of Rs. 5,00,000/- as first installment towards the penalty under protest. After this, the suspension was revoked and her Distributorship was restored on 13-01-2006. Aggrieved by the illegal action of Area Manager, the petitioner filed a Civil Misc. Writ petition before Hon'ble High Court of Allahabad. The Court *vide* its interim order dated 20-02-2006 stayed the recovery of remaining amount mentioned in the order dated 05-01- 2006. However, immediately thereafter the petitioner was issued with another show cause notice dated 21-02-2006 proposing termination of dealership. In the aforesaid show cause notice it was stated that the petitioner had executed Power of Attorney in favour of her relatives during the suspension period of her distributorship which was in violation of the agreement between the parties. On receipt of letter dated 24-01-2006 from the Area Manager, the petitioner communicated through letter dated 01-02-2006 that the Power of Attorney be treated as cancelled and that she has been personally monitoring all the important affairs of the Distributorship. According to the petitioner, the stamp paper was purchased after the Distributorship was restored and the Power of Attorney was executed on 19-01-2006. Despite this, according to the petitioner, a show cause notice dated 21-02-2006 was issued to her in an arbitrary and malafide manner.

4.2 The petitioner, therefore, requested that the show cause notice dated 21-02-2006 issued by GM, IOCL, UPSO, Lucknow be set aside and cancelled as she has not committed any irregularity in performing her duties. The petitioner also requested that all the concerned people from IOCL be examined for allegations levelled against her and for the undue harassment caused to a war-widow.

4.3 The representation of the petitioner was referred to the MoP&NG on 20th March, 2006 for their comments on the points/issues raised by the petitioner in her representation. In their response, the MoP&NG *vide* communication dated 4th April, 2006 furnished their comments as follows:—

“(a) A representation from M/s. Vijay Gas Service, forwarded by Smt. Rita Bahuguna Joshi, President, All India Mahila Congress(I), wherein it was requested to revoke the suspension of the above distributorships and to drop the termination proceedings.

(b) In pursuance of this comments of IOC were sought, which had reported that operation of M/s Vijay Gas Service was suspended on 22-04-2005 and a show cause notice for termination of distributorship was issued owing to malpractices detected at the distributorship. The findings of a committee instituted by IOCL to look into the irregularities have substantiated the allegation that this distributor had fraudulently siphoned off single SV connections (500 cylinders and pressure regulators) in the name of Railway employees, Allahabad, and had also diverted domestic refill cylinders for unauthorized purposes. The distributor’s contention that it has released 500 connections on the authorization of Station Adhikshak, has been denied by IOCL, who have reported that the Station Adhikshak, Allahabad denied to have issued any list of Railway employees for release of connections. IOCL have also reported that distributor had not maintained proper records and continued to give refills against Transfer Termination Vouchers (TTVs) which are issued to transferred customers. The distributor has also not denied the fact that underweight cylinders were detected with its delivery boys by IOCL.

(c) In view of the above, IOC has taken disciplinary action against the distributor as per the extant provisions of MDG -2001. Subsequently, the suspension order has been revoked and supply to the distributor has been resumed with effect from 13-01-2006.

(d) In the instant reference of Smt. Kalpana Singh, Proprietors, M/s Vijay Gas Service, which has been forwarded by Lok Sabha Secretariat communication mentioned above, she has *inter-alia* made allegations of bias and harassment against the IOC officials. She has stated that although she complied with the directions of IOC to deposit the penalty and deposited the 1st installment of Rs.5.0 lacs, she also approached the High Court of Allahabad against the direction of IOC. The Court in its hearing on 20-02-2006 stayed the recovery of the penal amount. She has alleged that annoyed by these developments IOC have served another Show Cause Notice dated 21-02-2006 proposing termination of the distributorship on non-existent grounds. Although she has replied to the above Show Cause, she has requested this Ministry’s intervention in the matter for initiating an appropriate inquiry and setting aside of the above Show Cause.

(e) In pursuance of the above reference of Lok Sabha Secretariat, IOC have informed that the Stay Order dated 20-02-2006 given by Hon’ble High Court

of Allahabad on recovery of fine was on the condition that the distributor was to furnish appropriate security to the satisfaction of IOC. The matter has been examined in IOC and IOC has moved an application to the Court for accepting Bank Guarantee. The issue is scheduled to come up for hearing on 31-03-2006 and further action in the matter will be taken by IOC as per outcome of the above case.

(f) Regarding the show-cause notice issued to Smt. Singh, IOC have informed that, it has come to the notice that the distributor had issued a Power of Attorney for operating the distributorship in favour of two persons in an unauthorized manner. Since this was in violation of the terms of the Distributorship Agreement and a serious deficiency in integrity on the part of distributor, a Show Cause Notice for termination has been issued on 21-02-2006 under the extant provisions. The reply received from distributor is under examination of IOC. Incidentally, the distributor has again filed a writ petition in the court against this Show Cause.

(g) IOC have informed that since both the above issues are distinct, a view on them will be taken by IOC based on the outcome of court cases etc.

(h) As regards, allegation of bias and reported dishonesty on the part of concerned officials of IOC, IOC has informed that it will look into this aspect and if allegations are substantiated, disciplinary action will be initiated against these officials.”

4.4 The MoP&NG *vide* their communication dated 17th April, 2006 have submitted the status report on the matter as under:—

“(i) and (ii) IOC will examine the allegation of bias and reported dishonesty on the part of officials of IOC and if allegations are substantiated, disciplinary action will be initiated against these officials.

(iii) The earlier SCN for termination of dealership in April, 2005 was issued due to malpractices of issuing 500 unauthorized LPG connections and delivery of underweight LPG cylinders by the distributor. Therefore, IOC suspended the dealership on 22-04- 2005 and slapped a penalty of Rs.20.24 lacs. The Distributor paid an initial amount of Rs. 5.00 lacs and IOC allowed to pay the balance in installments as a special case. Suspension order was then revoked on 13-01-2006. The proprietor approached the High Court of Allahabad against the direction of IOC for imposing penalty and the Court stayed the recovery of penal amount on 20-02-2006 subject to condition that the distributor was to furnish appropriate security to the satisfaction of IOC. IOC have moved the court for accepting Bank guarantee by Distributor as an appropriate security.

The SCN dated 21-02-2006 was not a retaliation by IOC but because of the fact that Smt. Singh the distributor had issued a Power of Attorney for operating the distributorship in favour of two persons in an unauthorized manner. The distributor’s reply to the SCN is under consideration of IOC. In

the meanwhile the distributor has again filed a writ petition in the court against SCN. As the matter is sub-judice, IOC will take further action on the basis of outcome of court case.”

4.5 The Committee undertook oral evidence of the representatives of the Ministry of Petroleum and Natural Gas (MoP&NG) at their sitting held on 18.04.2006. On being asked about the status of the case, the witness from the IOCL stated as under:—

“Regarding petition of M/s. Vijay Gas Service from Shrimati Kalpana Singh, the case is like this. The distributorship was initially penalised in 2002 and we imposed penalty of Rs.23,221. Then during April, 2005, it came to our notice that major irregularities have taken place. The first irregularity is about issuance of 500 LPG connections to the Indian Railways under single SV scheme and supply of unaccounted refills which tantamount to diversion. There were detection of under-weight refills taken for delivery for customers and manipulation of mandatory records. Based on that, the total amount of fine imposed was Rs.20.24 lakh. This was also referred to the Ministry and the Ministry’s clearance was also taken for imposing the fine based on MDG guidelines. Then, the distributor went to the court. She wanted permission to pay it in installments which we also considered. We also received an amount of Rs.5 lakh and the IOC allowed her to pay the balance in installment as a special case.

In the meantime, suspension order was also revoked on 13-01-2006. The distributor approached the court that she would furnish the bank guarantee instead of fine. The IOC had also moved an application in the court in the matter of accepting the bank guarantee. This is part one of the case.

In part two, what happened is that the distributor issued a power of attorney for operating the distributorship in favour of two persons. One is her married son and other her brother-in-law. That was not as per the distributorship agreement. We were not aware of the power of attorney. Of course, she withdrew the power of attorney. But we had issued a show cause notice for termination of the distributorship because it is a gross violation of the distributorship agreement.

Now she has also alleged that one of our officers, Shri Atul Kumar, is biased and vindictive against her distributorship because she refused to give undue favour to him. It is because she refused to give undue favours to him. She has requested that wrong doings of Shri Atul Kumar should be verified by instituting a suitable inquiry.

Secondly, the allegation levelled against your distributorship on undue harassment be examined to find out the truth.

Thirdly, a show cause notice which we issued on 25-02-2006, issued by General Manager, UP State officer Lucknow calling her explanation, be set aside and cancelled as they have not committed any guilt in performing their duties. So, these are the things in the points of representation.

As far as finding the truth is concerned, we have already constituted a high level Committee of Shri P.K. Singh and Shri M.K. Jain both at DGM's level. The Committee has been constituted on 3rd April and they are right now scrutinizing the case. Therefore, we will come back to the Committee about the findings of the Committee.

Secondly, she has also approached the court challenging IOC about the show-cause notice. The matter right now is under sub judice. This is the case”

4.6 On being enquired about the points/issues being investigated by the committee at DGM's level, the witness stated as under :—

“About point number one and two—whether Shri Atul Kumar is biased or not and whether he harassed or not. Secondly, about the allegations levelled against the distributorship. Are they true or not? These are the two issues which we have asked the committee to examine.”

4.7 When the Committee asked about the irregularity being Committed by the distributor in the context of the consumers, the witness stated as under:—

“In fact, Railways have advised that the total number of 500 cylinders and pressure regulators be released to railway employees. On random checking only four customers out of a sample of 51 customers were found holding the equipment. There has been an unauthorized utilization of 496 cylinders and pressure regulators. Therefore, we have imposed a fine of Rs. 4,000 per connection multiplied by 496 and that comes to Rs.19.94 lakh.”

4.8 Explaining about the details of the gas connections released to railway employees, the witness stated as under:—

“Only four are employees and the balance connections were not for railway employees as per our records.”

The witness further added:—

“It is a single block connection normally given to Railways, given to Defence Canteen etc. One block we give it to Railways—we are giving you 500 connections. Then, that should be given to 500 employees and employees will not get termination voucher when they get transferred out of that particular connection. It is a block connection.”

Another witness of IOCL also clarified as under:—

“Generally 100 connections are given. But when there was a restriction and no connections were given, then Government approved special category and Railway employees were given block connections. If connections were given individually then there was a fear that he could take away and might sell it. Therefore, it was decided to prepare a document if anyone is not willing then he can forego the connection in favour of the other person. 500 people were given connections in this manner out of which 4 were genuine. The

remaining were black- marketed. In our MDG, there were many unauthorized connection holders. So based on a calculation, 496XRs.4,000/- per unauthorized connection was the formula. This worked out Rs.20.96 lakh. Out of which Rs.5 lakh were given. After that we started receiving the complaints. Power of Attorney was also given. If you can not run the distributorship as per the agreement then surrender back to us. You can not give it on your own to somebody else.”

4.9 When asked as to whether Power of Attorney was given to the persons to operate immediately or not to operate at all, the witness from IOCL responded as under:—

“We have to check that whether the Power of Attorney was given specifically for the gas. It is basically to run the distributorship.”

Another witness from IOCL also added:—

“That is under examination. In fact, even if she withdraws, if she had given irrevocable Power of Attorney, she has no power to withdraw that.”

The witness further added:—

“ Firstly, she has no power to give a Power of Attorney.”

4.10 When the Committee observed that it would not be wrong if Power of Attorney was given for running the outlet but if the same was given for transfer or in the name of somebody, then it would be wrong, the witness from IOCL responded as under:—

“Sir, we have asked our Legal Department to examine the Power of Attorney. Is it revocable or irrevocable what is the nature? Since she has gone to the court, the matter is sub-judice. Once we find out the truth, we will come back before the Committee.”

4.11 The Committee pointed out that the Power of Attorney would not be considered legal until the same is approved and when it is not approved, how it would be considered Power of Attorney? When it is accorded the approval, no action can be taken in this regard. If someone violates the guidelines or wrongfully give the Power of Attorney, in such case the oil company may not accept the same but how could the oil company take action on the basis of that? Responding to this, the Secretary, the MoP&NG stated as under:—

“Basically, the Power of Attorney is an empowerment. Like, if I give the Power of Attorney to someone before the Committee in the hearings, we can not do that. There are circumstances in which it is not permitted. Now operating dealership oil companies, I think, have specified it in the dealership contract. If the contract provides for its, it can be given. But irrevocable Power of Attorney, normally, is not a legal instrument as per my knowledge. But here she had given a Power of Attorney without taking the permission of the oil companies. That is clearly inadmissible. It is in violation of the dealership terms. To the oil company, he is well within his rights to proceed against her. But let the court settle the issue. That is my submission.”

4.12 The Committee further pointed out that the applicant submitted that “she herself remain present in her gas agency and looks after the work. She sought permission from Area Manager, Allahabad in favour of her son, brother-in-law for the outside work which was not accorded by the Area Manager whereas such permission has been awarded in case of other gas agencies”, The applicant sought the permission but was not granted by the oil company. In this context, the witness commented as under:—

“In Delhi you can not transfer property by Power of Attorney but generally Power of Attorney is given. If the same is accorded without the prior permission of DDA, it is called unauthorized Power of Attorney as per DDA. It is called an illegal act. As per the rules of the company, if you need to give Power of Attorney and Right to someone, you require the permission of the company, If you don’t abide by the rules of the company it is called illegal transaction for which you will face the consequences for the same.”

The witness further clarified as under:—

“As per our dealership distributorship agreement any body could be appointed as Manager and any body could get the oil from refinery but bank draft or bank account, sales tax, income tax should be there in the name of partners for such purpose. Any body can draw a salary, but they cannot share in the profits of that firm unless they are a partner through this Power of Attorney. If they are deemed to be partners, that is not permitted. There is a difference being an employee and a share holder . We will not allow any shareholding of a dealership without our permission. As you are saying that permission has not been accorded because distributorship is not functioning properly. If there are irregularities, or unauthorized connection is provided, and their children got involved, what is our objective there? This is the reason for not according permission. It is not like that everybody can be convinced. The matter is under investigation. But there is a relationship in Power of Attorney versus an employee. We will not allow any *suo moto* transfer.”

4.13 The MoP&NG *vide* their communication dated 12th April, 2007 have submitted the latest status report on the matter as under:—

“Indian Oil Corporation Limited (IOCL) has reported that M/s. Vijay Gas Service, Allahabad was commissioned in 1973 under DGR category with Smt. Kalpana Singh as the sole proprietress.

In April, 2005, the distributorship was suspended and issued explanation letter on account of various irregularities such as un-authorized release of LPG connection, diversion of LPG cylinders, supply of under-weight LPG cylinders and manipulation of mandatory records. The distributor, in her reply requested IOC for re-investigation of the same through an independent team. Accepting the request of the distributor, IOC nominated a two-member committee to re-investigate the matter. After investigation by the two-member committee, it was found that the findings of the earlier investigation were

correct. Accordingly, action had been taken against the distributor under the provisions of Marketing Discipline Guidelines (MDG) and a fine of Rs. 20.24 lacs was imposed on the distributorship. The distributor paid an initial amount of Rs.5 lacs and requested IOC to pay the balance in installments, which was allowed by IOC as a special case. The suspension order against distributor was revoked on 13-01-2006.

Nevertheless, the distributor had filed a Writ Petition No.9167/2006 challenging the decision of IOC to impose the fine and the Hon'ble Court *vide* interim order dated 20-02-2006 has stayed the recovery of the balance installments on the condition that the distributor shall furnish appropriate security. The matter is presently sub-judice.

Meanwhile, it has also come to the notice of IOC that the distributor has issued a Power of Attorney for operating the distributorship in an unauthorized manner which is in violation of the terms of the Distributorship Agreement. Accordingly, IOC has issued a show-cause notice dated 21-02-2006 for termination of the distributorship. Aggrieved by the action of IOC, the distributor filed a Writ Petition No.13278 of 2006 in the Court against IOC on the following grounds:—

- (i) The officer of IOC, Shri Atul Kumar is biased and vindictive against her distributorship as she has refused to give undue favour to him. She has requested that wrong doings of Shri Atul Kumar should be got verified by instituting a suitable enquiry;
- (ii) The allegations levelled against her distributorship and undue harassment be examined to find out the truth; and
- (iii) The show-cause notice issued by IOC calling her explanation be set-aside and cancelled as they have not committed any guilt in performing their duties.

In respect of point Nos. (i) and (ii), IOC had constituted a committee to look into the matter. The Committee has, however, reported *inter-alia* that the allegations made by the distributor have not been substantiated.

In respect of point No.(iii), the distributor had filed a Writ Petition No.13278 of 2006 in the Court against the show-cause notice issued by them. Meanwhile, distributor has cancelled the power of attorney.

Hon'ble Court *vide* its order dated 27-07-2006 has held that the petition stands dismissed as having become infructuous as the impugned notice does not survive for the reason that the Power of Attorney has already been cancelled. As on date, the distributorship is in operation.”

#### **Observations/Recommendations**

**4.14 The Committee note that the petitioner is a war widow and has been running LP Gas Agency for the last 33 years. In her representation, she alleged that her distributorship was suspended on 24.04.2005 on the basis of bogus**



inspection and was served with a show cause notice for committing irregularities mainly in granting single SV connections. Ignoring the explanation submitted by her, a penalty of Rs.20, 24,000/- was imposed on her. After she deposited a sum of Rs.5,00,000/- as first installment towards the penalty, the suspension of her distributorship was revoked and the gas agency reopened on 13.01.2006. Aggrieved by the action of the Area Manager, IOCL, the petitioner filed a Civil Misc. Writ Petition before the High Court of Allahabad. The Court in its interim order dated 20.02.2006 stayed the recovery of the penal amount. The petitioner also alleged that she was served with another show cause notice dated 21.02.2006 proposing termination of her distributorship on the ground that she had executed Power of Attorney in favour of her relatives during the suspension period of her distributorship. The petitioner responded *vide* letter dated 01.02.2006 that her request for the Power of Attorney be treated as cancelled and also stated that she is personally monitoring all the important affairs of the distributorship. According to the petitioner, the show cause notice dated 21.02.2006 was issued to her in an arbitrary and with malafide intention. The petitioner, therefore, requested that the said show cause notice issued by IOCL be set aside and be cancelled as she did not commit any irregularity in performing her duties. The petitioner also requested that action may also be taken against the officers concerned for undue harassment caused to her .

4.15 The Committee were informed that M/s. Vijay Gas Service, Allahabad was commissioned in 1973 under DGR category with the petitioner as the sole proprietress. In April, 2005, the distributorship was suspended and issued explanation letter on account of various irregularities such as unauthorized release of LPG connection, diversion of LPG cylinders, supply of under-weight LPG cylinders and manipulation of mandatory records. Operation of M/s. Vijay Gas Service was suspended on 22.04.2005 and a show cause notice for termination of distributorship was issued owing to malpractices detected at the distributorship. The findings of the committee instituted by IOCL to look into the irregularities have substantiated that the distributor had fraudulently siphoned off single SV connections (500 cylinders and pressure regulators) in the name of Railway employees, Allahabad and had also diverted domestic refill cylinders for unauthorised purposes. During the course of evidence, the Committee were also informed that on random checking only four customers out of a sample of 500 customers were found holding the equipment. There was an unauthorized utilization of 496 cylinders and pressure regulators. It was also clarified that when there was a restriction in issuance of connections, Government approved special category and Railway employees were given block connections. If connections were given individually then there was a fear that the individual could take away and might sell it. Therefore, a document was prepared and if one was not willing then he could forgo the connection in favour of the other person. The employees would not get termination voucher when they get transferred out of that particular connection.

4.16 The IOCL have denied the contention of the distributor that 500 connections were released on the authorization of Station Adhikshak,

Allahabad as the same did not issue any list of Railway employees for release of connections. IOCL have also reported that distributor did not maintain proper records and continued to give refills against Transfer Termination Vouchers (TTVs) which are issued to transferred customers. The distributor has also not denied the fact that underweight cylinders were detected with its delivery boys. In view of the above, IOCL took disciplinary action against the distributor as per the extant provisions of MDG-2001. The dealership was suspended on 22.04.2005 and the IOCL slapped a penalty of Rs.20.24 lacs. The distributor paid an initial amount of Rs.5.00 lacs and IOCL allowed to pay the balance in installments. Subsequently, the suspension order was revoked and supply to the distributor was resumed w.e.f. 13.01.2006. The proprietor approached the High Court of Allahabad against the direction of IOCL for imposing penalty and the High Court stayed the recovery of penal amount on 20.02.2006 subject to the condition that the distributor would furnish appropriate security to the satisfaction of IOCL. The IOCL, in its turn, moved an application to the Court for accepting Bank Guarantee by Distributor as an appropriate security.

4.17 The Committee were also informed that the petitioner had issued a Power of Attorney for operating the distributorship in favour of two persons in an unauthorized manner. Since this was in violation of the terms of the distributorship agreement and a serious deficiency in integrity on the part of distributor, a show cause notice for termination of her distributorship was issued on 21.02.2006 under the extant provisions. Aggrieved by the action of IOCL, the petitioner filed a writ petition No.13278 of 2006 in the court against IOCL on the following grounds:—

- (i) The Field Officer of IOCL, is biased and vindictive against her distributorship as the petitioner has refused to give undue favour to him. She has requested that wrong doings of Shri Atul Kumar should be got verified by constituting a suitable enquiry;
- (ii) The allegations levelled against her distributorship and undue harassment be examined to find out the truth; and
- (iii) The show cause notice issued by IOCL calling her explanation be set aside and cancelled as they have not committed any guilt in performing their duties.

In response of points nos. (i) and (ii), it was informed that IOCL had constituted a committee to look into the matter and as per their report, the allegations made by the petitioner could not be substantiated. As regards point no. (iii), Court *vide* its order dated 27.02.2006 held that the petition stands dismissed as having become infructuous as the impugned notice does not survive for the reason that the Power of Attorney has already been cancelled. According to IOCL, as on date, the said distributorship is in operation.

4.18 The Committee observe that the findings of the committee instituted by the IOCL have substantiated the charge that the distributor had siphoned off single SV connections in the name of Railway employees , Allahabad. In her representation, the petitioner has contended this charge as bogus and malafide

and argued that the IOCL had itself accepted the request of the Railway Authority in granting SV connections for the benefit of other employees and after availing the benefit for a period of 9 years, it would not be appropriate to categorise the same as unauthorised. On this issue, there is nothing on record to show that either the MOP&NG or the IOCL had ever consulted the Ministry of Railways before the charge was substantiated against the petitioner. In the circumstances, the Committee recommend that the petitioner should be given another opportunity to explain her position in the presence of concerned officials from the Ministry of Railways.

4.19 As regards the grant of Power of Attorney by the petitioner in favour of her relatives is concerned, the Committee are surprised to note that the IOCL have taken action against the petitioner simply on the ground that the individual has submitted the Power of Attorney as the company has all the authority to refuse it and convey to the individual that the same is not acceptable to them. The Committee fail to understand as to how the company could take action against the petitioner if the Power of Attorney itself has not been accepted by them. The Committee feel that unless permission is granted by the company, the Power of Attorney remains ineffective and therefore, the question of any punitive action against the petitioner should not arise. In fact, the Court have also taken the cognisance of the fact that Power of Attorney executed by the petitioner has been cancelled and therefore, the case filed by her before the Court stands dismissed.

4.20 In so far as other minor lapses on the part of the petitioner are concerned, the Committee without going into their details would like to observe that the case of the petitioner, being a war-widow, be considered sympathetically and she be given full opportunity to explain her position for any lapses committed by her. She should be allowed to continue to run her distributorship subject to compliance with the guidelines of the oil company in vogue and without involving any malafide intention or biased attitude against her. The Committee would like to be apprised of the final outcome of the matter within a period of three months.

NEW DELHI;  
17 August, 2007  

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26 Sravana, 1929 (Saka)

PRABHUNATH SINGH,  
Chairman,  
Committee on Petitions.

MINUTES OF THE TWENTY-SEVENTH SITTING OF THE COMMITTEE ON  
PETITIONS (FOURTEENTH LOK SABHA)

The Committee on Petitions sat on Thursday, 5th January, 2006 from 1400 hrs. to 1645 hrs. in Committee Room 'B', Ground Floor, Parliament House Annexe, New Delhi.

PRESENT

Shri Prabhunath Singh — *Chairman*

MEMBERS

2. Shri Nandkumar Singh Chauhan
3. Shri N.S.V. Chitthan
4. Shri Baliram Kashyap
5. Shri Suresh Kurup
6. Smt. Nivedita Mane
7. Mohd. Muqem
8. Shri Dharmendra Pradhan

SECRETARIAT

1. Shri P. Sreedharan — *Joint Secretary*
2. Shri A.K. Singh — *Director*
3. Shri U.B.S. Negi — *Under Secretary*

WITNESSES

*Representatives of the Ministry of Petroleum and Natural Gas*

1. Shri M.S. Srinivasan — Secretary,  
Ministry of Petroleum and Natural Gas
2. Shri Ajay Tyagi — Joint Secretary,  
Ministry of Petroleum and Natural Gas

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|-----------------------------|---|-------------------------------------------------------------------|
| 3. Shri Pramod Nangia       | — | Director,<br>Ministry of Petroleum and Natural Gas                |
| 4. Shri V.K. Dewangan       | — | Deputy Secretary,<br>Ministry of Petroleum and Natural Gas        |
| 5. Dr. N.G. Kannan          | — | Director (Marketing),<br>Ministry of Petroleum and Natural Gas    |
| 6. Shri A.M.K. Sinha        | — | GM (AS),<br>Indian Oil Corporation Ltd.                           |
| 7. Shri S. Roychowdhury     | — | Director (Marketing),<br>Bharat Petroleum Corporation Ltd.        |
| 8. Shri S. Radhakrishnan    | — | Director (Marketing),<br>Bharat Petroleum Corporation Ltd.        |
| 9. Shri Sanjay Krishnamurti | — | Executive Director (Retail),<br>Bharat Petroleum Corporation Ltd. |

2. At the outset, the Chairman welcomed the representatives of the Ministry of Petroleum and Natural Gas and drew their attention to Direction 55(1) of the Directions by the Speaker, Lok Sabha regarding confidentiality of the proceedings. The Chairman also drew attention to Direction 95 with reference to their letter addressed to the Secretary-General which contains certain suggestions relating to the Committee.

3. Thereafter, the Committee took oral evidence of the representatives of the Ministry of Petroleum and Natural Gas on 26 representations regarding selection of petrol/diesel dealerships/distributorships, transfer of customers between LPG Agencies, adulteration in petrol and diesel etc. including on some of the items which were discussed earlier. The witness apprised the Committee on the follow-up action initiated by the companies on their Officers based on some of the infirmities and defects noticed by them and the need for transparent and objective guidelines/parameters regarding selection for dealerships and distributorships. It was also informed that the Ministry had also constituted a committee to go into the complaints against selection of dealers, awards of tenders and cases involving adulteration etc. Thereafter, the Committee discussed all the cases one by one in order to arrive at a decision. In the process, the following issues/points were discussed:—

- (i) Location of Retail Outlets or LPG distributorships on commercial considerations including potential of retail outlets at Jalalpur.
- (ii) Irregularities in the selection of dealerships/distributorships by the oil companies and the action taken/being taken against officers concerned.
- (iii) Guidelines awarding marks at the time of holding interviews for selection of dealerships.



MINUTES OF THE THIRTY-SIXTH SITTING OF THE COMMITTEE ON  
PETITIONS (FOURTEENTH LOK SABHA)

The Committee on Petitions sat on Tuesday, 18th April, 2006 from 1400 hrs. to 1700 hrs. in Committee Room No. 53, First Floor, Parliament House, New Delhi.

PRESENT

Shri Prabhunath Singh — *Chairman*

MEMBERS

2. Shri Nandkumar Singh Chauhan
3. Smt. Nivedita Mane
4. Adv. Suresh Kurup
5. Shri Baliram Kashyap
6. Shri Raj Babbar
7. Shri Vijoy Krishna
8. Mohd. Muqeem

SECRETARIAT

1. Shri A.K. Singh — *Director*
2. Shri U.B.S. Negi — *Under Secretary*

SPECIAL INVITEE

Shri Rajiv Ranjan Singh 'Lalan', MP

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WITNESSES

*Representatives of the Ministry of Petroleum and Natural Gas*

1. Shri M.S. Srinivasan — *Secretary*
2. Shri Anil Rajzan — *Additional Secretary*
3. Shri Ajay Tyagi — *Joint Secretary*
4. Shri S. Behuria — *CMD, IOCL*
5. Shri N.G. Kannan — *Director (Marketing), IOCL*
6. Shri S. Radhakrishnan — *Director (Marketing), BPCL*
7. Shri S.P. Chaudhry — *Executive Director (Detail), HPCL*

2. At the outset, the Chairman welcomed the representatives of the Ministry of Civil Aviation and drew their attention to the Direction 55 (1) of the Directions by the Speaker regarding confidentiality of the proceedings. The Chairman also drew

attention to Direction 95 which clearly stipulates that the Committee shall also meet as often as necessary to consider representations, letters, telegrams from various individuals, associations, etc. which are not covered by the rules relating to petitions and give directions for their disposals.

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*(The witness of the Ministry of Civil Aviation then withdrew and thereafter, the representatives of the Ministry of Petroleum and Natural Gas took their seats)*

6. At the outset, the Chairman welcomed the representatives of the Ministry of Petroleum and Natural Gas and the representatives of Oil Companies and drew their attention to the Direction 55(1) of the Directions by the Speaker regarding confidentiality of the proceedings. The Chairman also drew attention to Direction 95 which clearly stipulates that the Committee shall also meet as often as necessary to consider representations, letters, telegrams from various individuals, associations, etc. which are not covered by the rules relating to petitions and give directions for their disposals.

7. Before taking oral evidence of the representatives of the Ministry of Petroleum and Natural Gas, the Committee drew attention to some of the observations of the past Speakers of the Lok Sabha throwing light on various aspects of the role and functions of the Committee on Petitions and its significance and importance in redressal of public grievances.

8. Thereafter, the Committee discussed all the cases one by one as stated in the succeeding paragraphs.

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#### **Case of Smt. Kalpana Singh**

The following important points/issues were discussed by the Committee:—

- (i) Irregularities done by M/s. Vijay Gas Services;
- (ii) Issues of Power of Attorney in favour of the two relatives of the petitioner for operating the distributorship;
- (iii) Procedure regarding transfer of Power of Attorney in the matter;
- (iv) Harassment meted out to the petitioner at the hands of Field Officer of IOCL.

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9. A copy of the verbatim proceedings of the sitting of the Committee was kept on record.

*The witnesses then withdrew.*

*The Committee then adjourned.*



MINUTES OF THE FORTY FOURTH SITTING OF THE COMMITTEE ON  
PETITIONS (FOURTEENTH LOK SABHA)

The Committee on Petitions sat on Monday, 18th September, 2006 from 1400 hrs. to 1640 hrs. in Committee Room No. 'C', Ground Floor, Parliament House Annexe, New Delhi.

PRESENT

Shri Prabhunath Singh — *Chairman*

MEMBERS

2. Shri Anant Gangaram Geete
3. Shri Mohan Jena
4. Shri Wangyuh W. Konyak
5. Shri Kishan Singh Sangwan
6. Shri Mansukhbhai Dhanjibhai Vasava
7. Shri Paras Nath Yadav

SPECIAL INVITEE

Capt. Jai Narayan Prasad Nishad, MP (Rajya Sabha)

SECRETARIAT

1. Shri P. Sreedharan — *Joint Secretary*
2. Shri A.K. Singh — *Director*

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WITNESSES

*Ministry of Petroleum and Natural Gas*

1. Shri Anil Razdan — Additional Secretary
2. Shri Ajay Tyagi — Joint Secretary
3. Shri V.K. Davangan — Deputy Secretary
4. Shri D.K. Banerji — Under Secretary
5. Shri Gopal Lal — Section Officer
6. Shri G.C. Daga — Dir. (M), IOC
7. Shri A.M.K. Sinha — ED (RS), HOIOC
8. Shri S. Muttoo — GM (D&H SO) IOC
9. Shri J.P. Singh — DGM (C) IOC
10. Shri D.K. Pattanaik — CRM, SLC, Oil Industry Delhi

2. At the outset, the Chairman welcomed the Members of the Committee which was reconstituted on 25th August, 2006.

3. Thereafter, the Chairman welcomed the representatives of the Ministry of Petroleum and Natural Gas and drew their attention to Direction 55(1) of the Directions by the Speaker regarding confidentiality of the proceedings. The Chairman also drew attention to Direction 95 which clearly stipulates that the Committee shall also meet as often as necessary to consider representations, letters, telegrams from various individuals, associations etc. which are not covered by the rules relating to petitions and give directions for their disposals.

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(i) Representation from Capt. T.R. Taneja, Udai Park, New Delhi regarding shifting of the site of Petrol pump of M/s. Taneja Service Station from Jhilmil Industrial Area, G.T. Road, Shahdara, Delhi.

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**Representation from Capt. T.R. Taneja, Udai Park, New Delhi regarding shifting of the site of Petrol pump of M/s. Taneja Service Station from Jhilmil Industrial Area, G.T. Road, Shahdara, Delhi**

The following issues/points were discussed by the Committee:—

- (i) Reasons for shifting the site of petrol pump of M/s. Taneja Service Station from its present location;
- (ii) To locate a suitable commercially viable new site for the petrol pump of Capt. T.R. Taneja in consultation with Ministry of Petroleum and Natural Gas; and
- (iii) To review the policy particularly for the defence personnels who are allotted petrol pumps/gas agencies.

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7. The Committee asked the witness to send the replies on points or demands which were not supplied or readily available with them during the evidence, within, the stipulated period.

*The witnesses then withdrew.*

8. A copy of the verbatim proceedings of the sitting of the Committee was kept on record.

*The Committee then adjourned.*

MINUTES OF THE FORTY EIGHTH SITTING OF THE COMMITTEE ON  
PETITIONS (FOURTEENTH LOK SABHA)

The Committee on Petitions sat on Tuesday, the 7th November, 2006 from 1430 hrs. to 1520 hrs. in Committee Room No. 53, First Floor, Parliament House, New Delhi.

PRESENT

Shri Prabhunath Singh — *Chairman*

MEMBERS

2. Shri C. Kuppasami
3. Adv. Suresh Kurup
4. Shri Kishan Singh Sangwan

SECRETARIAT

1. Shri U.B.S. Negi — *Under Secretary*
2. Shri H.R. Kamboj — *Assistant Director*

WITNESSES

*Ministry of Commerce and Industry*

1. Shri G.K. Pillai — *Secretary*
2. Shri B.S. Meena — *DGFT*
3. Shri N.K. Gupta — *Addl. DGFT*
4. Shri O.P. Hisaria — *Jt. DGFT*

2. At the outset, the Chairman welcomed the representatives of the Ministry of Commerce and Industry and drew their attention to Direction 55(1) of the Directions by the Speaker regarding confidentiality of the proceedings. The Chairman also drew attention to Direction 95 which stipulates that the Committee shall also meet as often as necessary to consider representations, letters, telegrams from various individuals associations etc. which are not covered by the rules relating to petitions and give directions for their disposal.

3. Thereafter, the Committee took oral evidence of the representatives of the Ministry of Commerce and Industry on the representation of Shri Ravi Kumar Kabra and forwarded by Smt. Kiran Maheshwari, MP regarding import policy framed by DGFT relating to rough marble blocks. The following important points were discussed:—

- (i) Free import of rough marble permitted during a brief period by issuing Special Import Licence and its subsequent discontinuation on account of domestic concerns.

- (ii) The domestic production of marble and import licence for marble restricting import to 1.3 lakh tonnes per annum.
- (iii) Issue of licences for import of rough marble without carrying out physical verification as to whether the importers had their own manufacturing/ processing unit and the requisite infrastructure.
- (iv) Steps taken by the Ministry to stop import of marble from Middle East through neighbouring countries under the provisions of various free trade agreements.
- (v) Case pending before the Supreme Court of India challenging the import policy and the direction of the Court not to issue any import licence till the judgement is delivered.
- (vi) Review of import policy regarding marble.

4. The Hon'ble Chairman directed the Ministry to inform the Committee after the import policy is reviewed and the final decision is taken in the matter.

*The witnesses then withdrew.*

*The Committee then adjourned.*

MINUTES OF THE FIFTY SECOND SITTING OF THE COMMITTEE ON  
PETITIONS (FOURTEENTH LOK SABHA)

The Committee on Petitions sat on Thursday, 15th February, 2007 from 1500 hrs. to 1650 hrs. in Committee Room No. 62, First Floor, Parliament House, New Delhi.

PRESENT

Shri Prabhunath Singh — *Chairman*

MEMBERS

2. Shri N.S.V. Chitthan
3. Shri Wangyuh W. Konyak
4. Adv. Suresh Kurup
5. Shri Kishan Singh Sangwan
6. Shri Paras Nath Yadav

SECRETARIAT

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|---------------------|---|------------------------|
| 1. Shri J.P. Sharma | — | <i>Joint Secretary</i> |
| 2. Shri A.K. Singh  | — | <i>Director</i>        |
| 3. Shri U.B.S. Negi | — | <i>Under Secretary</i> |

WITNESSES

*Ministry of Petroleum and Natural Gas*

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|-----------------------------|---|-----------------------------------|
| 1. Shri M.S. Srinivasan     | — | Secretary                         |
| 2. Shri D.N. Narasimha Raju | — | Joint Secretary                   |
| 3. Shri Sanjay Gupta        | — | Deputy Secretary                  |
| 4. Shri G.C. Daga           | — | Director (Marketing), BPCL        |
| 5. Shri S. Radhakrishnan    | — | Director (Marketing), IOCL        |
| 6. Shri A.M.K. Sinha        | — | Executive Director (RS), IOCL     |
| 7. Shri S. Krishnamurthy    | — | Executive Director (Retail), BPCL |

*Ministry of Urban Development*

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|--------------------|---|--------------------|
| 1. Shri M. Rajami  | — | Joint Secretary    |
| 2. Ms. Aparna      | — | Director (DD)      |
| 3. Shri Dinesh Rai | — | Vice Chairman, DDA |

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|----------------------|---|----------------------------------------------|
| 4. Shri V.K. Sadhu   | — | Principal Commissioner, DDA                  |
| 5. Dr. S.P. Bansal   | — | Additional Commissioner (Planning),<br>DDA   |
| 6. Shri S.P. Pathak  | — | Director (TYA) Planning Wing, DDA            |
| 7. Shri Pankaj Kumar | — | Deputy Director (CL), DDA                    |
| 8. Shri A.K. Roy     | — | Deputy Chief Engineer, Delhi Metro<br>Corpn. |

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## SPECIAL INVITEE

1. Capt. Jai Narayan Prasad Nishad, M.P. (Rajya Sabha)
2. Shri Mohd. Mukeem, MP

2. At the outset, the Chairman welcomed the representatives of the Ministry of Petroleum and Natural Gas, Ministry of Urban Development and Ministry of Defence and drew their attention to Direction 55(1) of the Directions by the Speaker, Lok Sabha regarding confidentiality of the proceedings. The Chairman also drew attention to Direction 95 which clearly stipulates that the Committee shall also meet as often as necessary to consider representations, letters, telegrams from various individuals, associations etc. which are not covered by the rules relating to petitions and give directions for their disposals.

3. The Committee took oral evidence of the representatives of the Ministry of Petroleum and Natural Gas, Ministry of Urban Development and Ministry of Defence on the following representations:-

- (i) Representation from Capt. T.R. Taneja of Udai Park, New Delhi and forwarded by Capt. Jai Narayan Prasad Nishad, MP (Rajya Sabha) regarding shifting of site of petrol pump of M/s. Taneja Service Station from Jhilmil Industrial Area, G.T. Road, Shahdara, Delhi;

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**I. Representation from Capt. T.R. Taneja of Udai Park, New Delhi and forwarded by Capt. Jai Narayan Prasad Nishad, MP (Rajya Sabha) regarding shifting of site of petrol pump of M/s. Taneja Service Station from Jhilmil Industrial Area, G.T. Road, Shahdara, Delhi.**

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The Committee discussed the progress made by the Ministry with regard to selection of alternate site for the petrol pump.

Thereafter, the Committee directed the Ministry of Urban Development and Ministry of Petroleum and Natural Gas to complete all the formalities about allotment of alternate site for the petrol pump with equivalent land and potential decided by IOCL within two months to Capt. Taneja and the Committee be informed accordingly.

*(The representatives of the Ministry of Urban Development then withdrew and the representatives of the Ministry of Petroleum & Natural Gas remained in their seats to tender evidence on other representations.)*

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4. The Committee asked the witness to send the replies on points or demands which were not supplied or readily available with them during the evidence, within the stipulated period.

5. A copy of the verbatim proceedings of the sitting of the Committee was kept on record.

*The witnesses then withdrew.*

*The Committee then adjourned.*

MINUTES OF THE SIXTY FOURTH SITTING OF THE COMMITTEE ON  
PETITIONS (FOURTEENTH LOK SABHA)

The Committee on Petitions sat on Friday, 17th August, 2007 from 1500 hours to 1530 hours in Chairman's Room No. 45(II) Ground Floor, Parliament House, New Delhi.

PRESENT

Shri Prabhunath Singh — *Chairman*

MEMBERS

2. Shri N.S.V. Chitthan
3. Shri Anant Gangaram Geete
4. Shri Mohan Jena
5. Shri C. Kuppusami
6. Adv. Suresh Kurup
7. Shri Kishan Singh Sangwan
8. Shri Jyotiraditya M. Scindia
9. Shri Paras Nath Yadav

SECRETARIAT

1. Shri P.K. Grover — *Joint Secretary*
2. Shri U.B.S. Negi — *Deputy Secretary*
3. Shri H.R. Kamboj — *Deputy Secretary-II*
4. Shri V.P. Gupta — *Under Secretary*
5. Smt. Jagriti Tewatia — *Committee Officer*

2. The Committee considered the draft Twenty Ninth, Thirtieth and Thirty First Reports and adopted the same without any modification.

3. The Committee also authorised the Chairman to finalise and present the Reports to the House.

*The Committee then adjourned.*