

STANDING ORDER NO. 372 OF 2009

**POWERS AND PROCEDURES WITH REGARD TO GRANT OF
LICENSE/NO OBJECTION CERTIFICATE TO STORE/DISPENSE
PETROLEUM, CNG OR LPG.**

1. **Derivation of Powers : -**

As per sec. 146 (1) of the Delhi Police Act, 1978, the Commissioner of Police is empowered to exercise all powers which may be exercised by District Magistrate under the Acts mentioned in schedule I (and the rules there under) which includes the Explosive Act, 1884 and the Explosive Rules, 1983.

Similarly as per rule 2(X) of the Petroleum Rules 2002, 'District Authority' means, in towns having Commissioner of Police, the Commissioner or a Deputy Commissioner of Police.

Therefore, all the powers vested in the 'District Authority' as mentioned in the Explosive Act, 1884 or the Petroleum Act, 1934 and the rules there under including the Gas Cylinders Rules, 2004 and the Static & Mobile Pressure Vessels (Unfired) Rules, 1981 can be exercised by the Commissioner of Police, Delhi (which have been delegated to Addl. Commissioner of Police, Licensing vide order no. 83-182/Spl Cell/PHQ dated 01.02.2008).

2. **Powers :**

a) **For grant of license for storage of Petroleum: -** Under Rule 141 of the Petroleum Rules, 2002, the District Authority i.e. Addl. Commissioner of Police, Licensing has been empowered to grant a license to store petroleum in the following categories: -

- (i) to import and store Petroleum Class-A in quantity not exceeding 300 litres.
- (ii) to import and store Petroleum Class-B, in bulk quantity not exceeding 25,000 litres.

The licensing authority for more than these quantities is the Jt. Chief Controller of Explosives, Faridabad, Haryana.

- b) **For issue of No Objection Certificate for the grant of license for storage of Petroleum:** - Under Rule-144 of the Petroleum Rules, 2002, the District Authority i.e. Addl. Commissioner of Police, Licensing has been empowered to issue No Objection Certificate to the Jt. Chief Controller of Explosives, Faridabad, Haryana for storage capacity more than 300 litres of Class-A and 25,000 litres of Class-B otherwise than in bulk.
- c) **For issue of No Objection for the grant of license to dispense compressed Natural Gas (herein after referred to as CNG) in a Dispensing Station as automotive fuel:** - Under Rule-48 of the Gas Cylinder Rules, 2004, the District Authority i.e. Addl. Commissioner of Licensing has been empowered to issue No Objection Certificate to the licensing authority i.e. Jt. Chief Controller of Explosives, Faridabad, Haryana in respect of sites/premises to be used for a CNG dispensing station which need a license to be granted by Chief Controller of Explosives, Govt. of India.
- d) **For issue of No Objection Certificate for the grant of license for LPG Dispensing Station:** - Under Rule-46A of The Static and Mobile Pressure Vessels (Unfired) Rules, 1981 (as amended from time to time), the District Authority i.e. Addl. Commissioner of Licensing is empowered to issue No Objection Certificate to the applicant to be forwarded to the Chief Controller of Explosives (i.e. the licensing authority).

3. **Procedure for submitting applications:** -

- a) **For grant of license for storage of Petroleum:** The applicant shall make an application on Form-IX as provided in the Petroleum Rules, 2002 (Annexure A) to the Licensing Branch (i.e. Addl. Commissioner of Police, Licensing) along with following documents: -
 - (I) Request letter/application of the applicant.
 - (II) Land ownership proof/property documents of premises/sale deed/lease deed/allotment deed duly signed by the applicant (6 copies).
 - (III) Rent agreement/NOC from land lord, in case of tenant.

- (IV) Site plan/Key plan attested by an authorised architect of the proposed site duly verified by the applicant (6 copies).
- (V) A formatted affidavit containing general information in respect of applicant on stamp paper of Rs. 10/- along with its necessary enclosures duly attested by the Notary Public and signed by the applicant (6 copies).
- (VI) In case the applicant is an employee/representative of any firm/company, an authority letter in favour of the applicant or signing authority/person issued by the firm/company.
- (VII) Memorandum of article of the firm/company.

- b) **For issue of No Objection for the grant of license for storage of Petroleum:** The applicant shall make an application on Form-IX as provided in the Petroleum Rules, 2002 (Annexure A) to the Addl. Commissioner of Police, Licensing along with the documents as stated at (a) above and a site plan /Key plan of the proposed site duly approved by the Joint Chief controller of Explosives, Faridabad, Haryana.
- c) **For issue of No Objection for the grant of license to dispense CNG:** The applicant shall make an application on Form-C as provided in the Gas Cylinder Rules, 2004 (Annexure B) to the Addl. Commissioner of Police, Licensing along with documents as stated at (a) above and a site plan/ key plan of the proposed site duly approved by the licensing authority i.e. Chief Controller of Explosives, Nagpur.
- d) **For issue of No Objection for the grant of license to dispense LPG:** The applicant shall make an application on Form-I-A as provided in The Static and Mobile Pressure Vessels (Unfired) Rules, 1981 (Annexure C) to the Addl. Commissioner of Police, Licensing along with documents as stated at (a) above and a site plan / key plan of the proposed site duly approved by the licensing authority i.e. Chief Controller of Explosives, Nagpur.

4 **Procedure to be followed before granting the license/No Objection Certificate: -**

The following procedure shall be followed by the office of Addl. Commissioner of Police, Licensing, Delhi before issuing License / No Objection Certificate for storage of

petroleum/CNG/LPG in the National Capital Territory, Delhi :-

a) **NOC from local police after due consideration on the following points: -**

- (I) To check the antecedents of the applicant from Police Station record & Crime Record Office on the verification proforma (Annexure D).
- (II) To check that the proposed premises/site is not located in close proximity of a thickly populated area, which could be hazardous to public safety.
- (III) To check if there is any apprehension of law and order problem on account of the proposed site.
- (IV) Whether the proposed site would cause risk, danger, damage or annoyance to residents of the locality.
- (V) To check the right of applicant over proposed site and whether the land belongs to Govt. or local bodies or private parties and whether any litigation is going on about the ownership.

b) **NOC from Traffic Police: -**

- (I) Whether there will be any traffic problem from traffic regulation point of view and also whether entrance and exit to and from the site are convenient, easy, adequate and satisfactory.
- (II) Whether free circulation of traffic will be hampered, if the installation of petrol and HSD pump/storage is allowed at the proposed site.
- (III) Whether there is adequate space for the movement of vehicles inside the proposed premises.

c) **NOC from Chief Fire Officer: -**

The inspecting Officer of Fire Department while inspecting the premises shall ensure that it should be safe from fire safety and escape route point of view. The accessibility of fire tenders to the site in case of emergency and preparedness of fire service and the applicant for combating emergencies arising out of fire may be

considered. Offsite facilities in the interest of public safety like schools, hospitals, places of public assembly in the proximity and the mitigating measures provided/proposed by the applicant may be considered, while issuing NOC. The premises or shops, as the case may be, for petroleum storage should not be located near any store or shop dealing with any combustible and inflammable material which could endanger public safety at the site of the such petroleum storage. The NOC from the Fire Department should be issued after satisfying themselves about compliance of various rules and regulations issued from time to time or any other matter pertinent to public safety.

d) NOC from Land acquisition authority: -

If the land in question stands acquired by any Govt. authority for any use other than petroleum storage, no license/NOC should be granted in respect of such sites. If the land has been notified under section 4 or 6 of the Land Acquisition Act, a licence/NOC would be issued only after getting clearance from the notifying authority.

e) NOC from MCD / NDMC / DDA / DCB (Delhi Cantonment Board) from land use point of view:

The land owning agencies i.e. MCD/NDMC/DDA/DCB would check the land use of the proposed site and issue a clearance thereof. The conformity of the proposal to local area development planning may also be considered.

In respect of sites falling within the premises of Central/State Govt. Department / Public undertakings / corporations, Private Limited Co., Embassies etc. or in any other case, where it appears to be irrelevant to approach all the authorities to send their clearances, the Addl. Commissioner of Police, Licensing on getting positive reports from Delhi Fire Service, Local Police and Traffic Police shall satisfy himself after spot inspection by a nominated officer (ACP/Inspector) (format of inspection at Annexure E) who shall ensure that no high power tension wires are passing through the proposed site and the situation of the site is the same as shown in the plan submitted by the applicant. The License/No Objection Certificate shall be issued only after the above procedure is carried out.

5 Other procedures:

(a) Regarding grant of license for storage of Petroleum:

- (i) **Renewal of license:** The license granted by District Authority shall be renewed every three years. Every application for the renewal of license shall be made so as to reach the licensing authority at least thirty days before the date on which it expires and if the application is so made, the licence shall be deemed to be in force until such date as the licensing authority renews the license or until an intimation that the renewal of the licence is refused, has been communicated to the applicant (as per Rule 148, of the Petroleum Rules, 2002).

No license shall be renewed if the application for renewal is received by the licensing authority after thirty days of the date of its expiry.

- (ii) **Suspension and cancellation of license:** License granted as above shall: -

- a) stand cancelled, if the licensee ceases to have any right to the site for storing petroleum.
- b) be liable to be suspended or cancelled if there is any contravention of the Act or of any rule there under of any condition contained in such licence.

Provided that:

- a. before suspending or cancelling a licence under this rule, the holder of the licence shall be given an opportunity of being heard.
- b. the maximum period of suspension shall not exceed three months.
- c. the suspension of a licence shall not debar the holder of the licence from applying for its renewal in accordance with the provisions of Rule 148 of the Petroleum Rules, 2002.

The licensing authority suspending or cancelling a license shall record its reasons for so doing in writing.

- (b) **Regarding issue of No objection for grant of license for storage of petroleum:**

- (i) **Refusal of No objection Certificate:** While refusing to grant a No objection Certificate the Addl. Commissioner of Police, Licensing shall record in writing the reasons for such refusal and shall furnish

to the applicant a copy of such order. Further, before refusing to grant a No Objection Certificate, the applicant shall be given an opportunity of being heard (as per Rule 149 of the Petroleum Rules 2002).

- (ii) **Cancellation of No Objection Certificate:** A No Objection Certificate granted under Rule 144 of the Petroleum Rules, 2002 shall be liable to be cancelled, if the Addl. Commissioner of Police, Licensing is satisfied, that the licensee has ceased to have any right to use the site for storing petroleum. Before cancelling a No Objection Certificate, the licensee shall be given a reasonable opportunity of being heard.

Further, the Addl. Commissioner of Police, Licensing shall record in writing, the reason for such cancellation and shall furnish to the licensee and to the licensing authority concerned, a copy of the order cancelling the No Objection Certificate (as per Rule 150 of the Petroleum Rules, 2002).

- (iii) **Appeal:** An appeal against the order of Addl. Commissioner of Police Licensing as above shall lie to the authority which is immediately superior to the District Authority, who will be the Hon'ble Lt. Governor of Delhi. Every appeal shall be in writing and shall be accompanied by a copy of the order appealed against and shall be presented within sixty days of the order passed.

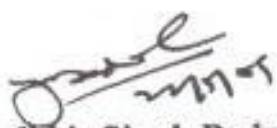
6 Inspection of licensed premises of Petroleum / CNG / LPG

- (I) **The premises for storage of petroleum:** - As per Rule, 198 of the Petroleum Rules, 2002, any Police Officer not below the rank of an Inspector can enter, inspect and search any such premises within the area of jurisdiction in order to ascertain the compliance of the provisions of the Act and Rules concerned. Further, Addl. Commissioner of Police, Licensing (having powers of District Magistrate in Delhi as delegated by the Commissioner of Police, Delhi vide order No. 83-182/Spl Cell/PHQ dated 01.02.2008) can exercise the above powers in respect of above rules.
- (II) **The CNG Dispensing station:** - As per Rule 71 of the Gas Cylinders Rules, 2004, any Police Officer not below the rank of an Inspector can enter, inspect and search any such premises within the area of jurisdiction in order to

basis. Every file that is put up to the Assistant Commissioner of Police for processing should contain noting by the dealing hand on the chronological position of the case being processed, and if there are any case pending before the case being processed, the reasons for the pendency should be clearly indicated.

All written communication shall be sent to the applicant/licensee directly by speed post, and not served through the local police station.

This Standing Order is being issued vide power vested under section 19 of the Delhi Police Act, 1978 and supersedes all previous Standing Orders on the subject.


(Yudhbir Singh Dadwal)
Commissioner of Police:
Delhi.

O.B. NO. 51 /RB/PHQ Dated 22/5/09

No. 8251-8400 /Record Branch/PHQ, dated Delhi, the 22/5/2009

Copy forwarded for information and necessary action to
the:

1. All Special Commissioners of Police including MD /DPHC, Delhi.
2. All Joint Commissioners of Police, Delhi.
3. Additional Commissioners of Police, including Principal/PTC, Delhi
4. All Deputy Commissioners of Police of Districts/ Units, including FRRO, Delhi/ New Delhi.
5. SO to Commissioner of Police, LA to Commissioner of Police, Delhi.
6. The Commissioner (Planning), DDA, Vikas Minar, New Delhi
7. Deputy Director (CL), Commercial Land Branch, DDA, Vikas Sadan, INA, New Delhi
8. The Deputy Commissioner (HQ), Municipal Corporation of Delhi, Town Hall, Delhi
9. The ADM (Land Acquisition), Tis Hazari, Delhi
10. The Chief Fire Officer, Delhi Fire Service, Connaught Circus, New Delhi
11. The Chairman, NDMC, New Delhi
12. The Secretary, Delhi Cantonment Board, New Delhi
13. ACP/IT Centre with the direction to upload the Standing order in Intra DP net.
14. All ACsP Sub Division/ Delhi and all ACsP in PHQ/Delhi.
15. All Inspectors/ PHQ, including Reader to CP, Delhi
16. Librarian/ PHQ.

FORM IX
(Rules 143, 147, 148 and 156)

**APPLICATION FOR A GRANT/ AMENDMENT/RENEWAL/TRANSFER
 OF A LICENSE TO IMPORT AND STORE PETROLEUM**

Documents listed below must be enclosed with this application, it is for the grant of a license in Forms IXV, XV, XVI or in Special Form.

The replies to be given in this

Column

1. Applicant's name
 Applicant's calling
 Applicant's full postal address
2. Situation of the premises where petroleum is to be stored
 State
 District
 Town and Village
 Police Station
 Nearest railway station
3. Quantity (in litres) of petroleum proposed to be imported and stored:
 - (i) Petroleum Class A-
 - (a) In bulk
 - (b) Not in bulk
 - (c) Total
 - (ii) Petroleum Class B-
 - (a) In bulk
 - (b) Not in bulk
 - (c) Total
 - (iii) Petroleum Class C-
 - (a) In bulk
 - (b) Not in bulk
 - (c) Total
 Total of all classes of Petroleum
4. Quantity in litres of Petroleum already stored in the premises
 - (i) Petroleum Class A-
 - (a) In bulk
 - (b) Not in bulk
 - (c) Total
 - (ii) Petroleum Class B-
 - (a) In bulk
 - (b) Not in bulk
 - (c) Total
 - (iii) Petroleum Class C-
 - (a) In bulk
 - (b) Not in bulk
 - (c) Total
5. Number of licence held for the premises and the full name of the holder of the licence.
 I hereby declare that the statements made above have been checked up by me and are true and I undertake to abide by the terms and conditions of the licence which will be granted to me.

Date of application

Signature and designation of the applicant

Notes:

1. Where the application is made on behalf of a company, name and address of the company and the name of the manager or agent should be given and the application should be signed by him. Every change in the name of the manager or agent shall be forthwith intimated to and his specimen signature filed with the licensing authority.
2. "In bulk" means in tanks or receptacles exceeding 1,000 litres in capacity
"Not in bulk" means in approved containers not exceeding 1,000 litres in capacity.
Documents required to be submitted with this application for a Licence in Form XIV, XV, XVI or in special Forms
 - (i) Four copies of specifications and plans approved under sub-rule (5) of rule 131 or sub-rule, as the case may be (Not required for renewal and transfer of a licence without amendment).
 - (ii) Licence together with approved plan and specifications attached thereto. (Not required for the first grant of licence).
 - (iii) "No Objection Certificate" from the District Authority.
 - (iv) Requisite amount of fees for the grant, amendment, or transfer of a licence paid in the manner specific in Rule 13.
 - (v) A certificate of tank testing if required under rule 126.
 - (vi) A certificate of safety if required under rule 130.

FORM - C

(See Rules 49, 54 and 55)

Application for the grant / amendment / renewal of a licence to fill and / or store compressed gas in cylinders:

Documents listed overleaf must be enclosed with this application, if it is for the grant of a licence in Forms 'E', 'F' & 'G'.

The replies to be given in this column.

1. **Name in which licence required **** _____
 Applicant's calling _____
 Applicant's full postal address _____

2. Situation of the premises where
 Compressed gas is to be stored/filled:
 State _____
 District _____
 Town or village _____
 Survey No. & name of road _____
 Nearest Police Station _____
 Nearest Railway Station _____
3. Nature of each compressed gas
 proposed to be filled/stored namely:-
 (a) toxic (b) non-toxic and non-flammable
 (c) non-toxic and flammable (d) dissolved acetylene gas
 (e) non-toxic and flammable liquefiable gas other than
 LPG or (f) liquefied petroleum gas.
4. Chemical name of each compressed _____
 Gas proposed to be filled/stored.
5. Quantity of each compressed gas _____
 proposed to be filled/stored in terms
 of numbers for gases mentioned under
 items 3(a), 3(b), 3(c) or 3(d); and in
 terms of Kgs. For gases mentioned
 under items 3(e) or 3(f) _____
6. Nature, chemical name and quantity _____
 of each compressed gas already
 filled/stored in the premises.
7. Number of the licence held for the _____
 premises and the full name of the
 holder of the licence.

Note: In the case of application for grant/amendment of licence in form 'G', particulars of the compressor, CNG cylinder cascades, CNG dispensers, etc. shall also be furnished.

I hereby declare that the statements made above have been checked up by me and are true and I undertake to abide by the norms and conditions of the licence, which will be granted to me.

Date of application:

Signature and designation of the applicant.

** Where the application is made on behalf of a Company, the name and address of the Company and the name of the Manager or Agent should be given and the application should be signed by him. Every change in the name of the Manager or Agent shall be forthwith intimated to and his specimen signature filled with licensing authority.

FORM I-A

(See Rules 49, 54 and 55)

Application for grant, amendment or renewal of a licence to store and dispense liquefied petroleum gas in liquefied petroleum gas dispensing Station as automotive fuel to motor vehicles.

DOCUMENTS LISTED OVERLEAF MUST BE ENCLOSED WITH THIS APPLICATION IF IT IS FOR THE GRANT OF A LICENCE IN FORM V

1. Applicant's name ** _____
 Applicant's calling _____
 Applicant's full postal address _____

2. Situation of the premises where
 Liquefied petroleum gas is to be stored.
 State _____
 District _____
 Town or village _____
 Nearest Railway Station _____
3. Type of the liquefied petroleum
 gas proposed to be stored. _____
4. Chemical name and composition of
 liquefied petroleum gas proposed
 to be stored. _____
5. Quantity of liquefied petroleum gas
 proposed to be stored. _____
6. Particulars of the licence held for
 the premises under these rules and
 Petroleum Rules, 1976, if any. _____
7. (i) Quantity of liquefied petroleum
 gas already stored. _____
 (ii) Quantity of Petroleum already stored, if any. _____

I hereby declared that the statements made above have been checked up by me and are true and I undertake to abide by the terms and conditions of the licence which will be granted to me.

Date of Application :

Signature & designation of the applicant

** Where the application is made on behalf of a Company, the name and address of the Company and the name of the Manager or Agent should be given and the application should be signed by him. Every change in the name of the Manager or Agent shall be forthwith intimated to and his specimen signature filled with licensing authority.

(COPY FOR POLICE VERIFICATION)

Annexure D

PART-A Particulars of applicant

[illegible][illegible][illegible]

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Yes ☐ No ☐[illegible][illegible]

Page 10 of 10

at temporary

Page 10 of 10

[illegible]

(a) Office address:

[illegible]

d) Designation	

pe of storage applied for _____

of dispensing units, if any _____

14

PART - B**To be filled in by the S.H.O.**

1. Addresses and Date of Birth verified
give details _____

2. Occupation of the applicant as verified
give details _____

3. Whether any complaint filed against the applicant ?
if yes give details _____

4. Involvement in criminal cases?
if yes, give details _____

5. Whether arrested in any criminal cases ?
if yes, give details _____

6. Whether convicted in any criminal?
if yes, give details _____

- Whether acquitted in any criminal case, if yes what are the grounds (As per the details of register ?
No. 9 of P.S.) give details _____

8. Whether preventive proceedings initiated to bound down the applicant for keeping good behaviour under
Cr.P.C. & D.P.Act ?
if yes give details _____

9. Does the applicant figure on the BC list of the police station (as per details of register No. 10 of the
police station) ?
if yes give details _____

10. Does the name of the applicant figure in Register No. 17 of P.S. ?
if yes give details _____

11. Has the applicant been involved in cases with any other agency like CBI, Narcotics Control Bureau,
D.R.I. , Enforcement Directorate etc., which is in the knowledge of the S.H.O., vide D.D. entries of the
P.S. for service of summons, execution of warrants etc. ?
if yes give details _____

12. The usage proposed by the applicant, whether applied earlier or not

13. If yes, give details

14. Any other remarks:

Signature of SHO
(Write Full Name , Date and affix stamp)

**Inspection Chart for grant of License/No Objection Certificate for
Petroleum/CNG/LPG**

S. No.	Details	Remarks	
1.	Nature of site (type of fuel)		
2.	Quantity of fuel storage		
3.	Usage of fuel		
4.	No's of fuel storage tanks with detail		
5.	Layout of proposed site		
6.	Whether the site is as per the schematic submitted by the applicant		
7.	Photographs of proposed site from all directions		
8.	Whether any electric wire is above the site.		
9.	NOC of Fire Department	Yes	No
10.	NOC of DCP/Traffic	Yes	No
11.	NOC of local police	Yes	No
12.	Whether fire tender can reach the site.		
13.	Remarks, if any.		

(Signature of inspecting officer)

Weekly statement for the week from _____ to _____.

S. No.	Item	Pendency at the beginning of week	FR's added beginning of week	Disposal i.e. cases sent to local police, fire, traffic etc.	Pendency at the end of week	Balance
1.	Pet. License					
2.	NOC Petroleum					
3.	NOC for CNG					
4.	NOC for LPG					