OIL INDUSTRY DEVELOPMENT BOARD

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OIL INDUSTRY (DEVELOPMENT) RULES, 1975

(To be published as Gazette Extraordinary in Sub-Section (1) of Section 3 of the Part II)

GOVERNMENT OF INDIA

MINISTRY OF PETROLEUM & CHEMICALS

(DEPARTMENT OF PETROLEUM)

New Delhi, the 22nd March, 1975

NOTIFICATION

OIL INDUSTRY (DEVELOPMENT) RULES, 1975

(As amended upto March, 1999)

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GSR 160(E) In exercise of the powers conferred by section 31 of the Oil Industry (Development) Act, 1974, the Central Government hereby makes the following rules, namely;

CHAPTER I

PRELIMINARY

1. Short Title :

These rules may be called Oil Industry (Development) Rules, 1975.

2. **Definitions :**

In these rules unless the context otherwise requires –

(a) "Act" means the Oil Industry (Development) Act, 1974 (47 of 1974);

(b) "Committee" means any of the Committees appointed by the Board under sub-section (6) of Section 3;

(c) Officer of the Board includes the Secretary, Joint Secretary, Deputy

Secretary or Under Secretary of the Board and such other person as may be designated by the Board;

(d) "Secretary" means the Secretary to the Board appointed under sub - section (1) Section 5;

(e) "Section" means a Section of the Act.

CHAPTER II

THE BOARD AND ITS COMMITTES

3. **Terms of office of members :**

(1) Every member shall hold office for such period not exceeding two years from the date of his appointment as may be specified in the notification appointing him and shall be eligible for reappointment :

Provided that a member appointed under clause (a), (b), (c) or (d) of sub-section (3) of section 3 shall cease to be a member if he ceases-

(i) to hold office by virtue of which he was appointed; or

(ii) to represent the category from which he was appointed;

(2) A member appointed to fill a casual vacancy shall hold office so long as the member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

4. **Membership of roll :**

The Secretary shall keep a record of the names of members and their Addresses.

5. **Change of address :**

(1) A member shall keep the Secretary informed of any change in his address.

(2) If he fails to inform the change of address, the address in the official records shall for all purposes be deemed to be his address.

6. **Resignation :**

(1) A member may resign his office by a letter addressed to the Secretary and the resignation shall be forwarded by the Secretary to the Central Government and shall be effective from the date of its acceptance by the Central Government or on the expiry of 30 days from the date of receipt of the letter of resignation by the Secretary, whichever is earlier.

(2) A member of a Committee may resign from the Committee by a letter addressed to the Secretary and shall be effective from the date of its acceptance by the Chairman or on the expiry of 30 days from the date of receipt of the letter of resignation by the Secretary, whichever is earlier.

7. **Removal of members:**

The Central Government may, by notification in the official Gazette, remove any Member from his office, if he-

(a) is of unsound mind and stands so declared by a competent court, or

(b) becomes bankrupt or insolvent or suspends payment of his debts or compounds with his creditors, or

(c) convicted of an offence involving moral turpitude , or

(d) absents himself from two consecutive meetings of the Board without obtaining leave of absence from the Board, or

(e) defaults in payment of any dues to Board, and if so declared by the Board, or

(f) in the opinion of the Central Government, has failed or is unable to carry out his duties satisfactorily :

Provided that before issuing any such notification the Central Government shall give such member an opportunity of being heard in the matter.

8. **Temporary absence of Chairman:**

If the Chairman is by infirmity or otherwise rendered incapable of carrying out his duties or is absent on leave or otherwise in circumstances not involving the Vacation of his appointment, the Central Government may appoint another person to act in his place during his absence.

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CHAPTER III

PROCEDURE FOR MEETING OF THE BOARD AND ITS COMMITTEES

9. Meeting of the Board:

There shall be not less than two meetings of the Board in a year on such dates and at such places as the Chairman may think fit, and the interval between any two meetings shall not, in any case, be longer than eight months.

10 Presiding over meeting ;

(1) At every meeting of the Board at which he is present the Chairman shall preside and in the absence of Chairman. the members present at the meeting shall elect one from among themselves to preside at the meeting.
(2) The Chairman if he be a member of a Committee shall preside over the meeting of the Committee and in other cases unless the Chairman of a Committee is nominated by the Board, the Committee may elect a Chairman, but if any meeting the Chairman is not present within fifteen minutes of the time of meeting, the members present may choose one of the members to be the Chairman of the meeting.
(3) The proceedings of the meetings of any of the Committee appointed under sub-section (6) of section 3 shall be placed before the Board at the board's next meeting.

{ As amended vide GSR 128E Dated 3rd March,1998}

11. Power to call meetings :

(1) The Chairman may, at any time, call a meeting of the Board or of any of the Committees, and shall do so if a requisition for a meeting is presented to him in writing by at least half the total number of members of the Board or the Committee, as the case may be.

(2) The Chairman may require any officer of the Board or invite any person or persons to attend any meeting of the Board or of any of the committees, but such officer or person or persons shall not have the power to vote.

(3) At least seven clear days before any meeting of the Board and at least three clear days before a meeting of any of the Committees, notice of the time and place of the intended meeting signed by the Secretary shall be

sent to the Central Government and left at or posted to the address of every member of the Board or, as the case may be, of the Committee :

Provided that in case of urgency, a special meeting of the Board or of Any of the Committees may be summoned at any time by the Chairman, who shall inform in advance, the Central Government and the Members of the subject matter for discussion and the reasons for which he considers the summoning of the meeting urgent. No ordinary Business shall be transacted at such special meetings –

(4) Notwithstanding anything contained in this rule, the Central Government may also at any time, call a meeting of the Board or of a committee.

12. Quorum :

(1) No business shall be transacted at a meeting of the Board unless their are present at least one third of its total strength of members or three members whichever is higher and no business shall be transacted at a meeting of a Committee unless there are present a majority of the members constituting the committee.

(2) If at any time the number of members present in a meeting of the Board or of any of the committee is less than the required quorum, the person presiding shall adjourn the meeting to a date not later than three days from the date of the meeting, informing the members present and sending notice to other members of the date, time and place of the adjourned meeting : and if the number of the members present at such adjourned meeting is less than the required quorum, the members so present shall be the quorum.

13. **Absence from meetings of a Committee:**

Any member of a committee absenting himself from three consecutive meetings shall cease to be a member of that committee.

{As amended vide GSR 128E Dated 3rd March 1998}

14. **Filling of casual vacancies :**

(1) Any casual vacancy in the membership of a Committee shall be filled by the Chairman from amongst the members of the Board.

(2) A person appointed in a casual vacancy shall hold office for so long as the member whose place he fills would have been entitled to hold office, f the vacancy had not occurred.

15. **Agenda :**

(1) The Chairman shall except in the case of special meeting summoned under the proviso to sub-rule (3) of rule 11, cause to be prepared and circulated to the Central Government and among the members of the Board or any of the Committees at least two days before the meeting. A list of business to be transacted at that meeting.

(2) No business not included in the list of business so circulated shall be transacted without the permission of the Chairman.

16. **Business by circulation :**

(1) Any business which is to be transacted by the Board or a Committee may, if the Chairman so directs, be referred to members (other than members who are absent from India) by circulation of papers, and copies of all papers so circulated shall be sent to the Central Government.

(2) Any proposal or resolution circulated under-sub-rule (1) and approved by the majority of members who have recorded their views in writing shall be as effectual and binding as if such proposal or resolution were decided by the majority of the members at a meeting :

Provided that a majority of the members of the Board or of the Committee,

As the case may be, have recorded their own views on the proposal or Resolution.

(3) When any business if referred to members of the Board or of the Committee, as the case may be, by circulation, a period of not less than fourteen clear days shall be allowed for receipt of replies from members. Such period shall be reckoned from the date on which the notice of business is received.

(4) If a proposal or resolution is circulated, the result of the circulation shall be communicated to all the members of the Board or of the Committee concerned, as the case may be, and to the Central Government.

(5) All decisions on a question arrived at by circulation of papers shall be placed at the next meeting of the Board for record.

{As amended vide GSR 128E dated 3rd March, 1998}

17. **Record of business :**

(1) A record shall be maintained by the Secretary of all items of business transacted by the Board or by the Committee and copies of such record shall be forwarded to the Central Government.

(2) The record of business transacted at every meeting of the Board and of any of the Committee shall be signed by the Chairman or the member presiding at such meeting.

(3) When business is transacted by circulation of papers, a record of business so transacted shall be signed by the Chairman.

18. **Voting :**

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(1) Every question brought before any meeting of the Board or any of the Committees shall be decided by a majority of members present and voting at the meeting before which the matter is brought:

(2) In the case of an equality of votes, the Chairman or the member presiding over the meeting shall have a second or casting vote.

19. **Revision :**

(1) The Central Government may for reasons to be recorded in writing, review any decision of the Board, or any of the Committees and pass such order in the matter as it thinks fit.

(2) A copy of every order passed under sub-rule (1) shall be sent to the Board or the Committee concerned, as the case may be, by the Central Government.

(3) On receipt of a copy of the order as aforesaid the Board or the Committee concerned, as the case may be, may make a representation to the Central Government against the said order and the Central Government may after considering the representation either cancel, modify or confirm the order passed by it under sub-rule (1).

CHAPTER IV

TRAVELLING AND OTHER ALLOWANCES TO MEMBERS OF TO THE BOARD AND COMMITTEES

20. **Sitting fees and traveling allowances to members of the Board and its Committees.**

(1) A member appointed under clause (d) of sub-section (3) of section 3, and the Chairman, if he is not a Minister or a Government servant or an employee of a corporation owned or controlled by the Central Government, shall be entitled to a sitting fee of Rs.100/- for the first day of meeting attended by him either of the Board or of any of the Committee and for every subsequent day of the meeting or part there-of a sitting fee of Rs.50/- per day shall be payable :

Provided that where any such member attends on the same day a meeting of the Board or a meeting of the Committee, he shall be entitled only to the sitting fee of the meeting of the Board.

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(2) A member other than a Government servant or an employee of a Corporation owned or controlled by the Central Government shall be entitled to draw, in respect of any journey performed by him for the purpose of attending a meeting of the Board or of a Committee or for the purpose of discharging any duty assigned to him by the Board or the Committee concerned, traveling allowance and daily allowance at the highest rates admissible to Government servants of the first grade under the rules and orders made by the Central Government, and for the time being in force.

(3) In the case of any journey performed by a member who is an official of the Central Government or an employee of a Corporation owned or controlled by the Central Government, in connection with attending the meetings of the Board or of any Committee or to attend to any other business of the Board, the traveling and daily allowances admissible to him under the rules of the Government or the Corporation under which he is for the time being employed.

CHAPTER V

THE BOARD AND ITS ESTABLISHMENT

21. **Salaries and allowances :**

All expenditure on account of the salaries, allowances, pension, leave salary and other contribution if any, of the Chairman, Secretary, officers, Consultants and employees of the Board appointed under the Act shall be met from the Board's funds.

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22. **Abolition of posts :**

The Board may abolish any post which it is competent to create.

23. **Posting and transfers :**

Posting and transfers of all officers and employees of the Board shall be Made by the Chairman or such officer of the Board as may be authorized by the Board in this behalf.

CHAPTER VI

POWER OF THE BOARD, THE CHAIRMAN AND THE SECRETARY

24. Power to incur expenditure and to write off losses :

(1) Subject to the provisions of the Act and these rules, the Board may incur such expenditure as it may think fit on items provided for and within the amounts sanctioned :

Provided that prior approval of the Central Government shall be obtained before-

(i) the Board invests any funds in the equity capital of any company or organisation, or

(ii) the Board makes a grant of more than Rs.25 lakhs in a single case.

(2) The Board may write off losses upto Rs.20 lakhs in each case. Write off of losses beyond this amount shall be done with the prior approval of the Central Government.

(2A) While writing off losses under sub-rule (2), the Board shall have regard to the following namely:-

(i) the loss does not disclose a defect in the rules;

(ii) the loss does not disclose any defect in complying with the stipulations specified by the Board;

(iii) there has not been any serious negligence on the part of an oil industrial concern to which the Board had granted loan and its realization requires some legal or administrative action;

(iv) the loss is not attributable to any serious lapse on the part of any employee of the Board and in case where the loss is attributable to any serious lapse on the part of such employee, it is not realizable from such employee /functionary;

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(v) if the loss of any property acquired by an oil industrial concern with the assistance of the Board is due to fire, flood, earthquake or any other natural cause, it has been ensured that the facts were promptly reported and proved, to the entire satisfaction of the Board that the circumstances aforesaid were beyond the control of the said oil industrial concern'

(vi) if the loss is due to any expenditure on all or any of the measures specified in section 6, a detailed investigation has been carried out by the Board to ascertain the causes thereof and to ensure that the loss is not due to lack of proper technical survey in assessing the technical soundness and viability of the measure or any other lapse on the part of the oil industrial concern executing such measure.

G.S.R. 311 (E) 14th May, 1979 (File No. 7/4/78-PFD)

S.L KHOSLA

JT. Secy. Financial Adviser

(3) The Secretary of the Board may write off losses upto Rs.2000/- in each case.

(4) The Board may delegate the powers under sub-rule (1) to the Chairman or its officers, subject to such limits as may be laid down by it in this behalf.

(5) Re-appropriations between sub-heads under heads of expenditure may be made by the Board.

(6) The Board may however, delegate its powers under sub-rule (5) to the Chairman or the Secretary to such extent as it may deem fit.

25. **Contracts :**

(1) The Board may enter into any contract for the discharge of the duties entrusted to it under the Act.

Provided that every agreement or contract for technical collaboration or Consultation services with firms or foreign Governments involving expenditure in foreign exchange shall require the previous sanction of the Central Government.

(2) The Board may delegate to the Chairman or to the Secretary or to a member, the power of enter into contract on its behalf to such extent as it deems fit.

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(3) Contracts shall not be binding on the Board, unless they are executed by the Chairman, a members or any officer of the Board so authorized by the Board.

(4) Neither the Chairman nor any officer of the Board nor any member there-of shall be personally liable under any assurances or contracts made by the Board and any liability arising under such assurances or contract shall be discharged from the moneys at the disposal of the Board.

26. **Restriction on Delegation of Powers :**

The Board shall have power to delegate to a committee such powers as it deems fit but such power shall not have the following namely:-

(a) the power to sanction non-recurring expenditure in excess of Rs.1 lakh in a year on any single item;

(b) the power to adopt the budget estimates of the Board on its behalf;

(c) the power to write off losses or waive recoveries.

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27. **Borrowing powers :**

The Board may borrow, on the Security of the oil industry (Development) Fund or any of its other assets, for meeting its expenses or for any other purposes referred to in the Act.

Provided that Central Government's sanction shall be obtained for borrowing Beyond Rs.5 crores at a time.

28. **Powers and duties of Chairman :**

(1) The Chairman shall be responsible for the proper functioning of the Board and the discharge of its duties under the Act and these rules.

(2) The Chairman shall have the power to grant leave to all officers and employees.

(3) The Chairman shall exercise administrative control over all departments and officers of the Board including the Secretary.

(4) The Chairman shall have power to sanction expenditure of contingencies, supplies and services and purchase of articles required for the working of the office of the Board and for the execution of measures in furtherance of the objects of the Act, provided that provision therefore has been made in the budget.

(5) The Board may, delegate any of the powers of the Chairman under this rule to any officer of the Board or to the member appointed under clause (a) of sub-section (3) of section 3.

(6) The Chairman presiding at a meeting of the Board or any committees shall have the power to require the Board or the committee concerned to defer taking action in pursuance of any decision taken by the Board or committee concerned, at the case may be, pending a reference to the Central Governments on such decision.

(7) The member presiding at a meeting of the Board or any committee shall have the power to require the Board or the committee concerned to defer taking action in pursuance of any decision taken by the Board or the committee concerned, as the case may be, pending a reference to the Chairman on such decisions and such references shall be decided by the Chairman in accordance with sub-rule (1).

(8) Where a matter has to be disposed of by the Board or a Committee thereof and decision in respect of that matter can not wait till a meeting of the Board or the committee, as the case may be, is held or till completion of circulation of the relevant papers among the member of the Board or the committee, the Chairman may take the require decision himself.

(9) Where the Chairman takes such a decision, he shall submit the same for ratification by the Board or the committee, as the case may be, at its next sitting:

Provided that if the Board or the committee modifies or annuals the decision Taken by the Chairman, such modification or annulment shall be without Prejudice to the validity of any action taken previously as a results of that Decision.

29. **Powers and duties of Secretary :**

(1) The Secretary shall be responsible for the implementation of the decisions arrived at by the Board or by the Committee and the discharge of the duties imposed on him under the Act or by these rules.

(2) The Secretary shall-

(a) cause all important papers and matters to be presented to the Board as early as practicable;

(b) issue directions as to the method of carrying out the decisions of the Board ;

(c) grant, or subject to the resolution by the Board, authorise some other person to grant receipts on behalf of the Board for all moneys received under the Act.

(d) maintain or cause to be maintained an account of the receipt and expenditure of the Board; and

(e) present an annual draft report on the working of the Board to the Board for approval and submit the report in the form approved by the Board to the Central Government not later than the. dates specified from time to time in this behalf by the central Government for being laid on the Table of both Houses of Parliament.

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CHAPTER VII

FINANCE, BUDGET AND ACCOUNTS OF THE BOARD

30. **Budget Estimates :-**

(1) The Board shall in each year, the year being of 12 months from April to March, prepare a budget for Oil Industry Development Fund for the ensuing year and discuss it in a meeting of the Board as an item of the agenda and shall thereafter submit it for approval of the Central Government on or before such date as may be appointed by that Government.

(2) No expenditure shall be incurred until the budget is approved by the Central Government.

(3) The budget shall be prepared in accordance with such instructions as may be issued from time to time and be in such from as the Central Government may direct and shall include a statement of.

(i) the estimated opening balance.
(ii) the estimated receipts referred to in sub-section(1) of section 18 and from other sources; and
(iii) the estimated expenditure classified under heads and sub-heads as specified in schedule 1 to these rules.
(iv) estimated closing balance.

(4) Supplementary estimates of expenditure, if any, shall be submitted for the approval of the Central Government in such from and on such dates as may be directed by it in this behalf.

31. **Accounts of Board :**

(1) The Board shall, in respect of each financial year prepare annual statements of accounts as specified in schedules II, III and IV to these rules or as near to them as possible.

(2) The Board shall keep proper books of accounts including a journal and ledger with reference to-

(a) all sums or many received and expended by the Board and the transaction in respect of which the receipt and expenditure take place;

(b) all sales and purchases of goods by the Board;

(c) the assets and liabilities of the Board;

(d) detailed subsidiary records showing particulars of -

(i) disbursement and recoveries of loans and advances by it in pursuance of the provisions of the act;
(ii) all guarantees given by it;
(iii) investments made by it in pursuance of or underwriting obligations or otherwise.

32. **Deposits of funds in Banks and investment of such funds :**

(1) The Board may decide about the manner and place of deposit of funds, provided that the deposit shall be made in any of the following banks* or their wholly owned subsidiaries as may be decided by the Board, namely.

(a) The State Bank of India,
(b) The Nationalised Banks.

2. The Board may decide about matters connected with the manner of expenditure and about the operations of its bank accounts, deposits, including investments.

* Amended vide G.S.R. 762 (E) dated 7th Sept. 1990.

33. **Submission of information required by the Government :**

The Board shall submit information as the Central Government may require From time to time in respect of any business of the Board.

34. **Furnishing of information to financial institutions :**

The Board may, on a written request from any financial institution established For the purpose of making short, medium and long-term credits available to industrial concerns, furnish that financial institution any information relating to the business or affairs of the Board only in circumstances in which if is, in accordance with law or practice and usage customary among such financial Institutions, necessary or appropriate for the Board to divulge such information.

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35. **Head Office of the Board :**

The Head Office of the Board shall be at New Delhi or at such other place as the Central Government, from time to time, direct.

No. IS-12011/11/74-ONG-II

Sd/-
(C.R.Vaidyanathan)
Joint Secretary to the Govt. of India.

To
The Government of India Press
New Delhi,

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SCHEDULE - I

OIL INDUSTRY DEVELOPMENT BOARD

Rule 30 (3) (iii)

Heads of Expenditure

Heads		Sub-head
I.	Administration	(i) Expenses of the Board (ii) Office of the Board (iii) Other charges, contingencies and the like
II.	Research and Development	(i) Special projects and studies (ii) Training (iii) Fellowship and Scholarships
III	Assistance to Oil Industry	(i) Exploration (ii) production (iii) Refining (iv) Petrochemicals

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SCHEDULA-II

OIL INDUSTRY DEVELOPMENT BOARD

Rule 31(1)

Receipts and Payments account for the year

RECEIPTS **PAYMENTS**

I.	0PENING BALANCE	HEAD	Sub-Head
II.	RECEIPTS		
	(i) Amounts received from central Government under section 16 of the Act.	I. Administration	(i) Expenses of the Board (ii) Office of the Board (iii) Other charges, Contingencies and like
	(ii) Amounts received from central Government under section 17 of the Act	II. Research and Development	(i) Special projects and studies (ii) Training (iii) Fellowships and scholarships
	(iii) Loans from central Government under section 17 of the Act		
	)rrowing (indicating sources if receipt)	III. Assistance to oil Industry	
	(v) Grants from other persons/ institutions		
	(vi) Fees		
	(vii) Commission		
	(viii) Interest Receipts	(a) Loans	(i) Exploration (ii) Production (iii) Refining (iv) Petrochemicals
	(ix) Other receipts (under suitable sub-headings)	(b) Grants	(i) Exploration (ii) Production (iii) Refining (iv) Petrochemicals
		IV. Closing balance	

NOTE : Suitable subsidiary records to be kept indicating the expenditure under various Sub-heads under convenient detailed classification

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SCHEDULE-III

OIL INDUSTRY DEVELOPMENT BOARD

Rule 31 (I)

INCOME AND EXPENDITURE ACCOUNT FOR THE YEAR

Previous Year	Expenditure Particulars	Current Year	Previous Year	Income Particulars	Current Year
	1. Administration and establishment costs 2. Research and Development costs 3. Financing costs ->: 4. Subsidies and grant s 5. Taxes: 6. Amortization and depreciation 7. Sundry and special expenses 8. surplus, if any, transferred to Fund Account.			1. Sales Income 2. Interest receivable on financing 3. Fees and Commission 4. Dividends on shareholdings 5. Sundry and special receipts 6. Deficit if any transferred to Fund Account.	

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SCHEDULE-IV

OIL INDUSTRY DEVELOPMENT BOARD

Rule 31 (I)

BALANCE SHEET AS ON 31ST MARCH ----------

Previous Year	Liabilities Particulars	Current Year	Previous Year	Assets Particulars	Current Year
1.	Oil industry Development Fund Balance as per last balance sheet			1. Fixed Assets	
				2. Investments	
	add Surplus-			(i) in shares and (ii) in debentures	
	Excess of income over Expenditure for the year Transferred from Income and Expenditure account.			3. Loans and advances	
	Less Deficit-			4. Other Current Assets	
	Excess of Expenditure over Income for the year transferred from Income and expenditure Account..			5. Cash and bank balance	
2.	Reserve Fund			6. Miscellaneous expenditure (to the extent not written off or adjusted)	
3.	Loans and Bonds				
4.	Short , term debts				
5.	Sundry liabilities and provision				

***** Delete whichever is not applicable

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Department of Petroleum)

NOTIFICATION

New Delhi, the 12th July, 1984.

GSR 509 (E) – In exercise of the powers conferred by section 31 of the Oil Industry (Development) Act, 1974 (47 of 1974) and in supersession of the Oil Industry Development Board Employees' (General Conditions of Service) Rules, 1978, except as respects since done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:-

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1. **Short title and commencement** :-

   i) These rules may be called the Oil Industry Development Board Employees' (General Conditions of Service) Rules, 1984.

   ii) They shall come into force on the date of their publication in the Official Gazette.

2. **Definitions** :- In these rules, unless the context otherwise requires:-

   a) "Act" means the Oil Industry Development Board) Act, 1974 (47 of 1974);

   b) "Appointing Authority" in relation to exercise of a power means Board and includes:-

      i) the Chairman, in relation to exercise of such power in respect of Group A posts:

ii) the Secretary, in relation to exercise of such power in respect of Group B posts;

iii) the Financial Adviser and Chief Accounts Officer, in relation to exercise of such power in respect of Group C posts;

iv) the Senior Accounts / Administrative Officer, in relation to exercise of such power in respect of Group C posts;

[GSR 24(E) dated 13th January, 1988]

c) "Secretary" means the Secretary of the Board;

d) "Employee" means a person who holds a post under the Board but does not include casual employee;

e) "Schedule" means the Schedule to these rules;

f) " Financial Adviser and Chief Accounts Officer" means a person who holds, for the time being, that post in the Board;

[GSR 24(E) dated 13th January, 1988]

g) " Senior Accounts / Administrative Officer" means a person who holds, for the time being, that post in the Board.

[GSR 24(E) dated 13th January, 1988]

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3. **Application:-**

1) These rules shall apply to all the employees of the Board except:-

a) those who are on foreign service terms with the Board in whose case the terms and conditions of appointment and service agreed to between the Board and the lending organisation would apply; and

b) those paid from contingencies.

2) Nothing in these rules shall operate to deprive an employee of any right or privilege to which he is entitled

a) by or under any law for the time being in force; or

b) by the terms or conditions of service or any agreement subsisting between such person and the Government; or

c) by the terms or any agreement subsisting between him and the Board at the commencement of these rules.

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4. **Creation of posts and appointment thereto** :-

The Board may create such posts and make appointments thereto, as may be necessary for the performance of its functions;

Provided that for creation of posts in Group A and Group B and appointments thereto, prior approval of the Central Government shall be obtained;

Provided further that for creation of Group A and Group B posts and appointment thereto on purely temporary and ad hoc basis prior approval of the Central Government shall not be necessary.

5. **Strength and composition of the office establishment of the Board**:-

The categories of the posts in the Board and their strength sanctioned on regular basis shall be such as is specified in the Schedule.

6. **Appointment**:-

All appointments to posts in the service of the Board shall be made by the appointing authority.

7. **Qualifications for and method of recruitment**:-

The qualifications for and the method of recruitment to a post or class of posts shall be such as the Board may specify from time to time.

8. **Age on initial appointment**:-

1) No person shall be appointed to a post in the Board unless he has attained the age of 18 years.

2) Every employee newly appointed to a post under the Board at the time of appointment shall declare the date of his birth by the Christian Era and shall produce confirmatory documentary evidence to the satisfaction of the appointing authority.

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9. **Verification of Character and antecedents**:-

Mere selection of a candidate confers no right to appointment unless the appointing authority is satisfied, after such enquiries as may be considered necessary, that the candidate, having regard to his character and antecedents, is suitable in all respects for appointment.

10. **Medical Certificate on First Entry**:-

No person shall be appointed to a post in the Board without a medical certificate of health, for initial entry into the service, obtained in accordance with the Government instructions in this regard;

Provided that the Board may by order exempt, either permanently or temporarily, any candidate or class of candidates from the production of such certificate of fitness.

11. **Seniority**:-

Seniority of an employee in the grade to which he belongs shall be regulated and determined in accordance with the instructions of the Central Government in this regard.

12. **Promotion**:-

For the purpose of promotion, posts in the Board shall be classified into the following two categories, namely;

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a) Selection Post- Posts:-

promotion to which shall be made be selection based on merit with due regard to seniority.

b) Non-selection Post- Posts -

promotion to which shall be made by seniority subject to rejection of the unfit.

13. **Loan of services of the employees of the Board on Foreign Service terms**:-

1) Permanent employees, and those temporary employees of the Board who have put in 3 years service in the Board, may be allowed to go on deputation to other organisations. The deputation in each case shall be

approved by the Chairman and the period of deputation may be 2 years in the first instance;

Provided that no employee will be allowed to proceed on deputation to private organisations.

2) In a case where the services of an employee have been placed at the disposal of an outside authority, he shall be entitled to all the protection or benefits as would have accrued to him had he been present in the Board.

3) The terms and conditions governing the foreign service shall be decided in consultation with the borrowing department.

4) The borrowing organisation will be responsible for the payment of :-

(i) in the case of death during the period of deputation, the excess of amount of gratuity admissible as per sub-rule (2) of rule 5 of the Oil Industry Development Board Employees (Death-cum-Retirement) Gratuity Rules, 1983;

(ii) in the case of death or injury during the period of deputation, any compensation that may be admissible under the rules of the Board or the provisions of any other Act or rules.

5) The borrowing organisation will be liable to pay leave salary (including allowances) in respect of disability leave granted to the officer on account of any disability incurred while on deputation even if such disability manifests itself after the termination of the deputation period.

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14. **Resignation**:-

1) The authority competent to accept the resignation of an employee is the appointing authority.

2) Every temporary employee shall be required to give one month's notice in writing to the Board while submitting his resignation.

Provided that an employee who has been declared permanent shall be required to give three months notice.

3) Notwithstanding the provisions of sub-rule (ii) the appointing authority may, at its discretion, accept the resignation of the employee with immediate effect or with effect from any time before the expiry of the notice period.

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15. **Termination of Service**:-

Except as may be specifically provided in the contract of service, the services of a temporary employee shall be liable to termination at any time without assigning any reason by a notice in writing given by the appointing authority to the employee and the period of such notice shall be one month.

Provided that the services of any such employee may be terminated forthwith and on such termination, the employee shall be entitled to claim a sum equivalent to the amount of his pay plus allowances for the period of the notice at the same rates at which he was drawing them immediately before the termination of his service, or as the case may be, for the period by which such notice falls short of one month.

16. **Retirement**:-

1) The age for retirement from the service of the Board for an employee shall be 60 years and he shall retire from the afternoon of the last day of the month in which he attains the age of retirement;

Provided that an employee whose date of birth is the first of a month shall retire from the service on the afternoon of the last day of the preceding month on attaining the age of 60 years. [GSR 372(E) dated 30th June ,1998]

2) omitted. [GSR 372(E) dated 30th June ,1998]

3) An employee may, by giving notice of not less than three months in writing to the appointing authority, retire from service after he has attained the age of fifty years.

4) An employee who has put in not less than 20 years of qualifying service may, by giving a notice of not less than three months in writing to the appointing authority, retire voluntarily with weightage of upto five years towards qualifying service subject to the condition that (i) the total qualifying service after allowing the weightage, should not, in any event, exceed 30 years qualifying service; and (ii) the total qualifying service after giving the weightage should not exceed the qualifying service which he would have rendered after attaining the age of 50 years prescribed under sub rule (3).

17. **Re-appointment**:-

1) No person who has been dismissed from the service of the Board or the Government or a body, incorporated or not, which is fully or substantially owned or controlled by the Government, shall be re-employed. A person who has been compulsorily retired or removed from service may be re-employed with the prior approval of the Board or the Central Government, as the case may be.

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2) The appointing authority may re-employ a person who has resigned from service or whose services have been terminated after consultation with the authority under whom he was previously working.

18. **Record of Service**:-

A record of particulars of service of each employee shall be maintained in the Service Book or Service Sheet of the employee in such form and in such manner as may be specified by the Board from time to time.

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19. **Saving**:-

Nothing in these rules shall affect reservations and other concessions required to be provided for the Scheduled Castes and the Schedules Tribes and other special categories of persons in accordance with the orders issued by the Central Government from time to time and adopted b y the Board.

20. Pay and allowances

1) The scale of pay to which the holder of a post in the establishment of the Board shall be entitled to shall be such as is mentioned against the appropriate post in the Schedule.

2) The employees of the Board shall be entitled to such allowances and at such rates as may be determined by the Board from time to time with the prior approval of the Central Government

3) The fixation of Pay and grant of increments to the employees of the Board shall be regulated in such manner as may be laid down by the Board from time to time with the prior approval of the Central Government.

21. **Advances**:-

1) Subject to the provisions of funds in the budget estimates of the Board, the Chairman shall have the powers to grant to the employees of the Board the following types of advances:

a) House Building Advance
b) Car Advance
c) Scooter/Motor Cycle Advance
d) Festival Advance

2) Grant of advances referred to in sub-rule (1) shall be regulated in such manner as may be laid down by the Board with the prior approval of the Central Government.

22. **Entitlement to Leave, Medical benefits and Travelling Allowances**:-

The employees of the Board shall be entitled to such leave (including leave salary) medical benefits and travelling allowance, as may be prescribed by the Central Government under the rules in this regard.

23. Retirement benefits

i) Service under the Board shall not qualify for pension from Oil Industry Development Fund. It will, however, qualify for gratuity in accordance with such rules as may be framed and notified by the Central Government in the Official Gazette.

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ii) A Government servant on deputation to the Board shall continue to be governed by conditions of service in regard to pension and other matters which apply to him as Government servant.

iii) The Board shall establish and maintain a Contributory Provident Fund for the benefit of its employees and require them to subscribe to the said Fund in accordance with such rules as may be made and notified by the Central Government in the Official Gazette.

iv) The Contributory Provident Fund shall be administered by the Secretary or any other officer authorised by the Chairman in this behalf.

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24. **Control and Discipline**:-

The conduct, discipline and control of the employees of the Board shall be in accordance with such rules as may be made and notified by the Central Government in the Official Gazette.

25. **Interpretation**:-

Any question as to interpretation of these rules shall be referred to the Central Government for a decision.

Schedule

Sl. No.	Description of the Post	Revised Pay Scales	No. of Posts sanctioned
1.	Secretary	Under Section 5(3) of the Act , the Secretary is to be appointed by the Central Government and his/her salary is also to be fixed by Government	1
2.	Financial Adviser and Chief Accounts Officer	Rs.14300-400-18300	1
3.	Deputy Chief Finance and Accounts Officer	Rs.12000-375-16500	1
4.	Senior Accounts/Administrative Officer	Rs.10000-325-15200	1
5.	Technical Officer	Rs.10000-325-15200	1
6.	Accounts Officer	Rs.7500-250-12000	1
7.	Section Officer	Rs.6500-200-10500	2
8.	Hindi Officer	Rs.6500-200-10500	1
9.	Accountant	Rs.5500-175-9000/ Rs.6500-200-10500	1
10.	Stenographer Grade 'B'	Rs.6500-200-10500	3
11.	Stenographer Grade 'C'	Rs.5000-150-8000	2
12.	Stenographer Grade 'D'	Rs.4000-100-6000	3
13.	Assistant	Rs.5000-150-8000	2
14.	Senior Caretaker	Rs.5500-175-9000	1
15.	Upper Division Clerk	Rs.4000-100-6000	2
16.	Lower Division Clerk	Rs.3050-75-3950-80-4590	3
17.	Staff Car Driver (Selection Grade)	Rs.4000-100-6000	1
18.	Staff Car Driver	Rs.3050-75-3950-80-4950	1
19.	Photocopy Operator	Rs.2650-65-3300-70-4000	1
20.	Peon	Rs.2550-55-2660-60-3200	6

[GSR 505(E) dated 21st August, 1998]

(F. No.G-35012/1/98-Fin.II)
RAVI SAXENA, Jt.Secy. and Financial Adviser

OIDB Rules doc

THE OIL INDUSTRY (DEVELOPMENT) ACT, 1974

(No.47 of 1974)

(26 September, 1974)

An Act to provide for the establishment of a Board for the development of oil industry and for that purpose to levy a duty of excise on crude oil and natural gas and for matters concerned therewith.

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:-

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CHAPTER I
PRELIMINARY

Short title & extent

1. **(1)** This Act may be called the Oil Industry (Development) Act, 1974.

(2) It extends to the whole of India.

Definitions

2. In this Act, unless the context otherwise requires,

(a) "assistance" means assistance rendered under section 6

(b) "Board" means the Oil Industry Development Board established under section 3;

© "Chairman" means the Chairman of the Board;

(d) "court" means the High Court or the Court of Judicial Commissioner within the local limits of whose Jurisdiction the defendant or respondent carries on the whole or a substantial part of his business, and where the Central Government has, by notification in the Official Gazette, and subject to such restrictions, limitations and conditions, as it thinks fit, empowered any court of civil jurisdiction subordinate to the High Court or, as the case may be, the Court of the Judicial Commissioner, to exercise all or any of the powers conferred by this Act, such court;

(e) "crude oil" means petroleum in its natural state before it is refined or otherwise treated but from which water and foreign substances have been extracted;

(f) "fertilizers" means such oil based chemical compounds which when employed in agriculture provide either single or multiple plant nutrients in any one or more of the forms of nitrogen, phosphorus and potash;

(g) "member" means a member of the Board and includes the Chairman;

(h) "mineral oil" includes petroleum and natural gas;

(i) "Natural gas" means gas consisting primarily of hydrocarbons obtained from oil wells or gas wells.

(j) "oil industrial concern" means any company, corporation or co-operative society, which is engaged or which is to engage in any activity referred to in clause (k);

(k) "oil industry" includes all activities by way of prospecting or exploring for or production of mineral oil, refining, processing, transportation, storage, handling and marketing, or mineral oil production and marketing of all products, down-stream of an oil refinery and the production of fertilizers and petro-chemicals and all activities directly or indirectly connected therewith;

(l) "petro-chemicals" means chemicals, whether organic or inorganic, derived from petroleum including crude oil, natural gas, condensates, refined petroleum fractions and refinery gases;

(m) "petroleum product" means any commodity made from petroleum or natural gas and includes refined crude oil, processed crude petroleum, residuum from crude petroleum, residuum from crude petroleum cracking stock, uncracked fuel oil, fuel gasoline, naphtha, distillate gasoline kerosence, bitumen, asphalt and far,waste oil, blended gasoline, lubricating oil, blends or mixture of oil with one or more liquid products or by products derived from oil or gas and blends or mixtures of two or more liquid products or by-products derived from oil condensate and gas or petroleum hydrocarbons not specified hereinbefore;

(n) "prescribed" means prescribed by rules made under this Act.

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CHAPTER II
THE OIL INDUSTRY DEVELOPMENT BOARD

Establishment & Constitution of The Board

3.(1) With effect from such date as the Central Government may, by notification in the Official Gazette, appoint in this behalf, there shall be established for the purposes of this Act a Board to be called the Oil Industry Development Board.

(2)The Board shall be a body corporate by the name aforesaid having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall by the said name sue and be sued.

(3)The Board shall consist of the following members, namely;

(a)not more than three members to be appointed by the Central Government to represent the Ministry or Ministries of the Central Government dealing with petroleum and chemicals;

(b) two members to be appointed by the Central Government to represent the Ministry of the Central Government dealing with finance;

© not more than five members to be appointed by the Central Government to represent the Corporations, being Corporations owned or controlled by the Central Government, engaged in activities referred to in clause (k) of section 2;

(d) two members of whom one shall be appointed by the Central Government from amongst persons who, in the opinion of that Government, have special knowledge or experience of oil industry and the other shall be appointed by that Government to represent labour employed in the oil industry;

(e) The Secretary to the Board, ex officio.

(4) The Central Government shall appoint the Chairman of the Board.