



POLICY GUIDELINES FOR RECONSTITUTION OF RETAIL OUTLET DEALERSHIPS

1. Policy guidelines for reconstitution of RO dealerships / LPG distributorships / SKO-LDO dealerships were approved and advised by MOP & NG vide letter ref P- 19011/5/2005-IOC dated 16.10.2008. Thereafter, amendments in the reconstitution policy have been advised by MOP & NG from time to time. With the implementation of new Retail Outlet Dealership Selection Guidelines on 21.5.2014, the Reconstitution guidelines have been revised as under on Industry basis for Retail Outlet Dealerships.

2. RECONSTITUTION AT LETTER OF INTENT (LOI) STAGE:

A. For all cases of pending LOI holders selected under the earlier dealer selection guidelines prior to 21.5.2014, the following would be applicable:-

No reconstitution of dealership will be allowed at LOI stage, irrespective of categories of such dealership except under the following conditions :

2.1 In the event of death or incapacitation due to serious illness/ accident resulting in total and permanent disability (which will disable the LOI holder to work or follow any occupation or profession), reconstitution at LOI stage may be considered subject to eligibility of legal heir as under :

2.2 Where substantial investment towards commissioning of dealerships has been made by the LOI holder:

- (i) LOI may be transferred to the legal heir of the deceased/ incapacitated LOI holder.
- (ii) In case of partnership, reconstitution may be allowed with the legal heir of the deceased/incapacitated original partner.
- (iii) The legal heir will have to fulfill multiple dealership norms and other eligibility criteria, as applicable for Dealer Selection under Open category (and should submit relevant and suitable caste certificate for SC/ST, wherever applicable), prevailing at the time of selection of LOI holder, except age and educational qualification.
- (iv) The minimum age requirement for the legal heir will be 18 years. If the legal heir is a minor, the local guardian shall operate the dealership till the legal heir becomes a major.
- (v) There will not be any minimum educational qualification criteria. However, the candidate must be able to read, write and count.

- (vi) The legal heir will be interviewed by the interview committee at appropriate level.

2.3 Where substantial investment towards commissioning of dealerships has not been made :

- (i) In case of allotment to individual, the candidature of the legal heir will be evaluated vis-à-vis that of the next empanelled candidate as per the prescribed evaluation criteria prevailing at the time of selection of the original LOI holder.
- (ii) In case of allotment to partnership, the candidature of the new partnership formed by the surviving partner(s) with the legal heir of the deceased/ incapacitated partner will be evaluated vis-à-vis that of the next empanelled candidate as per the prescribed evaluation criteria prevailing at the time of selection of the original LOI holder.
- (iii) In all cases, the legal heir will have to fulfill multiple dealership norms and other eligibility criteria, as applicable for Dealer Selection under Open category and should submit relevant and suitable caste certificate for SC/ST, wherever applicable.
- (iv) Cases under Corpus Fund category will also be covered by this provision.
- (v) In such cases, in order to give a fair opportunity to other empanelled candidates and the legal heir of the deceased/ disabled LOI holder, the legal heir will be interviewed and evaluated by Selection Committee as per Dealer Selection guidelines. On the basis of the marks awarded as above and the earlier marks sheet of the balance applicants, fresh merit list will be prepared.
- (vi) This will be approved by competent authority and thereafter a fresh LOI will be issued after cancellation of the earlier LOI.

2.4 Induction of minority partner in SC/ST dealership in cases where land is required by the Corporation for development of Retail Outlet

Where RO dealerships have been allotted under SC/ST category, induction of minority partner from the same category will be allowed only in cases where land is required by the Corporation for development of Retail Outlet. The incoming partner shall meet all the following conditions :

- (i) To bring in the suitable land for setting up of subject RO
- (ii) Should be the owner of the land with clear title in his / her name and in physical possession of the subject land.
- (iii) In case land is jointly held by him/ her with other family members then he/she shall have to submit the “No Objection Certificate” from all the joint holders of the land. Family for this purpose is defined as consisting of father, mother, spouse, son(s) and daughter(s) and

- (iv) Should be agreeable to lease/ sell the land to the concerned OMC.

Following steps will be taken in such cases:

- (i) Based on request from LOI holder and application for dealership from proposed incoming partner for dealership, the application will be scrutinized to confirm the eligibility of incoming partner for the dealership as per prevailing dealer selection criteria like age, education, multiple dealership norms, caste certificate etc. Being SC/ST location, evaluation under head “capability to arrange finance” will not be required.
- (ii) The land will be evaluated by the designated committee as per dealer selection policy.
- (iii) If land is found suitable, the negotiation should be conducted as per prevailing policy for procurement of land.
- (iv) After successful negotiations, the incoming partner will be interviewed by the committee. The purpose of interview will be to establish the suitability of the candidate with respect to eligibility criteria for the subject dealership. No separate document based evaluation or interview based evaluation will be required in such cases.
- (v) After approvals, a letter confirming acceptance of offer for land at the negotiated terms should be issued to the incoming partner with a copy to existing LOI holder. After procurement of land by way of lease or outright sale, revised LOI will be issued.

2.5 General conditions:

- (i) Substantial investment would be defined as under for uniform understanding:

“The minimum qualifying consideration of Substantial investment would be that the LOI holder has arranged a suitable land for setting up of a Retail Outlet and carried out land development work including compound wall / fencing”.
- (ii) The request for reconstitution on account of total and permanent disability will be considered based on submission of certificate to this effect from Chief Medical Officer of Govt. hospital of the District. Alternatively, the recommendations of Medical Board recognized by the Govt. can also be considered.
- (iii) On receipt of information regarding death of LOI holder, a letter giving opportunity to legal heirs will be issued within 10 days of receipt of such information. Along with this letter, copy of application form for dealership and list / format of other documents and other relevant information, to be submitted by the applicant, will be sent. 30 days time will be given to the legal heirs for submitting the application. In case of formal request for extending the time, the time can be further extended by another 30 days.

- (iv) The transfer of LOI should be done within six months from the date of occurrence of vacancy due to death/ incapacitation.

B. For dealer selection done under the new guidelines issued on 21/05/2014 the following would be considered:

No reconstitution will be allowed at LOI stage irrespective of category except under the following conditions:

2.1 ELIGIBILITY

In the event of death or incapacitation due to serious illness/ accident resulting in total and permanent disability (which will disable the LOI holder to work or follow any occupation or profession), reconstitution at LOI stage may be considered subject to eligibility of legal heir as under:

- (i) LOI may be transferred to the legal heir of the deceased/incapacitated LOI holder subject to Legal heir confirming to accept the selection on the terms and conditions of the original LOI.
- (ii) In case of partnership, reconstitution may be allowed with the legal heir of the deceased/incapacitated original partner.
- (iii) The legal heir will have to fulfill multiple dealership norms and other eligibility criteria as applicable for normal Dealer Selection under Open category (and should submit relevant and suitable caste certificate for SC/ST, wherever applicable), prevailing at the time of selection of LOI holder except age and educational qualification.
- (iv) The minimum age requirement for the legal heir will be 18 years. If the legal heir is a minor, the local guardian shall operate the Dealership till the legal heir becomes a major.
- (v) There will not be any minimum educational qualification criteria. However, the candidate should be able to read, write and count.

2.2 PROCESS OF RECONSTITUTION:

- (i) If candidate is found meeting the criteria, the proposal will be put up for approval of the competent authority for issuance of fresh LOI after cancellation of the earlier LOI. The fresh LOI would be issued with all the conditions as mentioned in the earlier LOI including that the legal heir will have to make available the identified land offered by the deceased/incapacitated LOI holder at the time of selection for Retail Outlet, finances required for commissioning and operation of the dealership and submission of bidding amount / fixed fee as applicable on case to case basis.
- (ii) The request for reconstitution on account of total and permanent disability will be considered based on submission of certificate to this effect from Chief Medical Officer of Govt. Hospital of the district. Alternatively the recommendations of Medical Board recognized by the Govt. can also be considered by the approving authority.

- (iii) On receipt of information regarding death of LOI holder, a letter giving opportunity to legal heirs will be issued by the concerned official, as applicable, within 10 days of receipt of such information. Along with this letter, copy of application form for dealership and list / format of other documents and other relevant information to be submitted by the applicant shall be sent. 30 days time will be given to the legal heirs for submitting the application. In case of formal request for extending the time, the time can be further extended by another 30 days.
- (iv) The transfer of LOI should be done within six months from the date of occurrence of vacancy due to death/ incapacitation.

3. RECONSTITUTION OF COMMISSIONED DEALERSHIPS:

- 3.1 Reconstitution will be permitted for induction of minority partner(s) only after five years of commissioning of dealership.
- 3.2 Subsequent re-constitution shall be considered only after five years from the date of the last re-constitution.
- 3.3 Partner(s) can resign from the dealership after 10 years of holding dealership. In the event of resignation by partner(s), the remaining partner(s) put together shall hold controlling stake i.e. at least 51% shares in the dealership.
- 3.4 In cases of death of the sole proprietor, reconstitution may be made in favor of the legal heir. However, if there is no legal heir(s) or legal heir(s) has expressed unwillingness, the dealership shall be terminated.
- 3.5 In cases of death of one of the partner(s), the partnership shall be reconstituted with the legal heir(s) of the deceased partner(s) and surviving partner(s). However, if there is no legal heir(s) or the legal heir(s) has expressed unwillingness, the dealership shall be reconstituted with the surviving partner(s). Simultaneous induction of outside partner(s) can be permitted at this stage subject to such reconstitution meeting all other criteria including minimum time period from commissioning/last reconstitution of the dealership as under:
 - a) Dealership was commissioned at least 5 years before the proposed reconstitution.
 - b) There has been no other reconstitution in last 5 years.
 - c) Post reconstitution, continuing partner/s (including legal heirs of deceased proprietor/partner/s) should hold controlling stake i.e. at least 51% share in the dealership.
 - d) Incoming partner should meet all other applicable conditions including multiple dealership norms.
- 3.6 In case of incapacitation due to serious illness/accident of the dealer, whether sole proprietor or partner, resulting in total and permanent disability, which will disable him/her to work or follow any occupation or profession, a minority partner may be inducted.

- 3.7 The restriction of time period of 5 years as mentioned in 3.1 & 3.2 above will not be applicable for re-constitution on account of death/incapacitation of the proprietor/partner.
- 3.8 The Sole proprietor, irrespective of age may be allowed to resign from the dealership (after serving the dealership for minimum 10 years) provided the transfer of share is proposed in favour of :
- a) his/her family member (as defined in Selection Guidelines);
 - b) married children of Sole Proprietor;
 - c) grandchildren of sole proprietor (in case of death of children of the proprietor);
- in the above order of preference.

This transfer will be subject to the incoming person fulfilling all extant requirements for becoming a dealer and the outgoing sole proprietor would become ineligible to apply for another dealership/distributorship in future.

4. INDUCTION OF OUTSIDE CATEGORY PARTNER IN SC/ST DEALERSHIP

- 4.1 For dealerships belonging to SC/ST category, depending upon the requirement of the finance/expertise in order to meet the Competition/growth, the dealer may require to induct a minority partner from outside his/her category. In such cases, the SC/ST dealer may induct a minority partner(s) from outside his/her category. However at any point of time i.e. before or after re-constitution, the shareholding of persons belonging to the category under which the subject dealership was allotted should be at least 75% of the total shares. If non SC/ST spouse of SC/ST dealer is inducted as partner in the dealership, his/her share in the dealership shall be counted as SC/ST share.
- 4.2 Following steps will be taken in such cases:
- (i) Request from dealer and application for dealership from proposed incoming partner will be scrutinized to confirm the eligibility of dealership for such reconstitution and the eligibility of incoming partner as per the prevailing dealer selection criteria like age, education, multiple dealership norms, etc.
 - (ii) Incoming partner/s to fulfill the 'Common eligibility criteria for all categories', on all parameters prescribed in the dealer selection guidelines in vogue, except land & infrastructure. For finance, incoming partner/s (together in case of more than one incoming partner) should have 60% of the prescribed total amount as applicable under eligibility criteria for Finance for Rural/Regular dealerships as the case may be for other than 'SC/ST' category.
 - (iii) Appropriate committee will assess the incoming partner/s on the parameters given in 4.2 (ii) above to confirm suitability of the proposal.

- (iv) In cases where incoming partner(s) is found meeting above eligibility criteria for induction of outside category person in SC/ST Dealership, the recommendations of the Committee will be put up for approval of competent authority for induction of outside category person (maximum 25% share) into SC/ST dealership.

5. GENERAL CONDITIONS OF RE-CONSTITUTION:

- 5.1 All incoming partner/s should fulfill all the basic requirements for becoming a dealer on 'Common eligibility criteria for all categories', on all parameters prescribed in the dealer selection guidelines in vogue, except land & finance.
- 5.2 However, relaxation on age and education can be considered in following cases:
 - (i) **Relaxation on age** (minimum or maximum) can be considered in favor of legal heirs/ 'family' member (as per prevalent dealer selection guidelines) in case of request for reconstitution by them. Appropriate authority shall approve such relaxation. In the event of legal heir being minor (below 18 years of age), the local guardian shall operate the Dealership till the legal heir becomes a major.
 - (ii) **Relaxation on educational qualification** can be considered in favor of legal heirs/ 'family' member (as per prevalent Dealer selection guidelines) in case of request for reconstitution arising out of death / incapacitation of the Dealer. Appropriate authority can approve such relaxation. However, the candidate should be able to read, write and count.
- 5.3 In other cases, depending upon merit, relaxation on educational qualification can be considered and approved by the Competent authority.
- 5.4 With regard to the multiple Dealership norms, the same will not be applicable to the dealerships commissioned before the multiple Dealership norm came into existence in October 1977. This relaxation shall be available only to spouse/children/grand children of the dealer.
- 5.5 The request for reconstitution on account of total and permanent disability will be considered based on submission of certificate to this effect from Chief Medical Officer of Govt. Hospital of the district. Alternatively the recommendations of Medical Board recognized by the Govt. can also be considered by the Competent authority.
- 5.6 For considering eligibility of Dealership for reconstitution, the reference point would be:
 - i) Date of commissioning for first reconstitution
 - ii) For subsequent reconstitution, the date of execution of last agreement will be considered. However, in case executed copy of agreement is not available, the date of approval of last reconstitution will be reckoned with.

6. PROCESS OF RECONSTITUTION:

The following process will be followed for disposal of reconstitution of commissioned dealership:

6.1 Application:

A comprehensive, easy to be filled in application form giving details of annexure / formats of annexure is attached. The application for reconstitution, in the given format, will be submitted to the concerned DRSM/Territory Manager/Regional Manager against acknowledgement. Each application will be acknowledged giving reference to a unique identification no. (Docket No.).

6.2 Communication to Dealer :

Within 10 days from receipt of proposal, the following action will be taken by Divisional/Territory/ Regional Office:-

Communication to dealer will be sent informing:

- (i) Reasons for rejection of proposal (on eligibility norms)
- (ii) Short comings in documents with a request to re-submit the corrected / additional documents and that further action will be taken only after receipt of complete proposal / additional document. After receipt of revised proposal / documents, new identification no. (Docket No.) will be given.
- (iii) For proposals found suitable in all respects, the date and time on which all existing partners along with proposed incoming partner should visit Divisional/Territory/ Regional Office for meeting with DRSM/Territory Manager/ Regional Manager and verification of documents would be communicated. This date will be given with minimum notice of 15 days and not beyond 30 days.

6.3 Meeting with Partners:

If a request from the Dealership is received for changing the date of meeting, such request shall be accommodated and next date with mutual consent shall be fixed at the earliest but not later than 30 days. IOCL/BPCL/HPCL will not be responsible for delay in the process on this account, which will be communicated to the Dealer.

On due date of meeting with all existing and proposed incoming partner/s, the identity of individuals with photo identity cards will be cross checked and the original documents with respect to eligibility criteria will also be verified.

This will be followed by meeting of all existing and incoming partners with DRSM/Territory Manager/ Regional Manager.

6.5 Disposal of proposal:

After the meeting, the proposals will be disposed of by conveying “in principle approval” and necessary formalities to be completed by the firm for execution of documents giving 60 days time. Proposals found deficient and not suitable for approval will be disposed of with suitable communication giving reasons for rejection of proposal.

7. FEES

7.1 Application processing fee:

A non refundable application processing fee of Rs. 25,000/- for reconstitution will be payable along with the application in all cases **except**:

- (i) In cases where reconstitution is arising out of resignation/death /incapacitation of a proprietor, partner/s and incoming partner/s (provided they are legal heirs/family members) proposes to hold the same share in partnership as was with the deceased.
- (ii) Dealership belonging to SC/ST and other Corpus Fund category. However, in cases involving induction of outside category partner in SC/ST Dealership, no exemption will be given.

7.2 Reconstitution fee:

Non refundable Reconstitution fee equivalent to prevailing security deposit (as applicable to new dealership at the time of reconstitution approval) will be collected before execution of agreement. However the reconstitution fee will not be collected in following cases:

- (i) Proposals involving induction of partner from within “Family” (without any exit /outgoing partner) as defined in the prevailing Dealer Selection guidelines.
- (ii) Proposals with or without induction of partner from within “Family” or without induction of partner from outside family (along with exit/outgoing partner) provided continuing partner(s) is (are) holding at least 50% share and maintain(s) majority share in the dealership post reconstitution.
- (iii) Cases involving induction of legal heir after death / incapacitation of dealer/s provided incoming partner/s propose to hold the same share in partnership as was with the deceased / incapacitated dealer. Further in cases where legal heir of deceased / incapacitated partner is taking over shareholding of deceased / incapacitated partner in addition to his / her existing shareholding will also be exempted from reconstitution fee.
- (iv) For SC/ST Dealership involving induction of partner from SC/ST category.
- (v) In cases where the Sole proprietor, irrespective of age is allowed to resign from the dealership (after serving the dealership for minimum 10 years), provided the transfer of share is proposed in favour of his/her family as defined in the Selection Guidelines.

(vi) Dealer (proprietor/partner/s) who is Senior Citizen (>65 years old) inducting

- Married son / daughter
- Spouse / children of deceased son / daughter

8. TIMELINES FOR DISPOSAL OF APPLICATIONS:

The proposal shall be disposed off in a time bound manner preferably within 90 days from the date of receipt of such proposal.

9. GRIEVANCE REDRESSAL

In case of any grievance in the matter of reconstitution, the applicant will submit his petition to the Head of the State/Regional/Zonal Office who will have the grievance investigated and dispose off the case within a period of one month's time from the date of receipt.

NOTE: For reconstitution at LOI stage, use the application formats etc. given in Part A & in respect of existing dealerships, use the application formats etc.given in Part B below.

INSTRUCTIONS

- 1.** The Reconstitution Policy must be read and understood fully. The application complete in all respects must be submitted to the respective Divisional/Territory/Regional Office preferably in person. If sent by post/courier the same must be addressed to the respective DRSM/Territory Manager/Regional Manager.
- 2.** An acknowledgement of receipt of application will be issued by the Divisional/Territory/Regional Office along with a reference number. In cases where the applications are not handed over in person and if acknowledgement is not received within 15 days, the same to be brought to the notice of the DRSM/Territory Manager/Regional Manager immediately. For all future correspondence the reference number to be mentioned.
- 3.** In case of Reconstitution proposals on account of incapacitation due to serious illness/accident resulting in permanent and total disability which will disable the LOI holder to work or follow any profession, Chief Medical Officer of Govt. Hospital of the District or Medical Board recognized by the Govt. need to certify the incapacitation for considering the proposal.
- 4.** If the legal heir of the deceased/incapacitated LOI holder does not possess the minimum educational qualification in line with the dealer selection policy in vogue and is proposing to become the proprietor/partner, then the Committee of Officers appointed by the Corporation will verify whether such legal heir is able to read, write and count.
- 5.** At an appointed date the incoming candidate/s along with continuing/existing partner/s have to appear before the Committee along with the original documents copies of which were submitted/required along with the application.
- 6.** All the pages of the application along with the annexures to be signed/self attested by the incoming candidate alongwith the existing/continuing partner/s and incapacitated LOI holder, as applicable.
- 7.** In case the legal heir is a minor, then local guardian proposing to operate the RO is required to sign alongwith the minor legal heir wherever applicable.
- 8.** On communicating the 'in principle' approval for the re-constitution, the documentary confirmation of the relevant formalities and legal compliance must be submitted to the DRSM/Territory Manager/Regional Manager within 60 days.

APPLICATION FOR RE-CONSTITUTION AT LOI STAGE

Sr. No.	Particulars	Details
1.	Name of the LOI Holder/s (Names of all co-LOI holders in case of partnership)	
2.	Date of LOI	
3.	Location and District as per LOI	
4.	Category	
5.	Address of LOI holder/s	
6.	District	
7.	State	
8.	Pin Code	
9.	Telephone No.	
10.	Whether same land as offered in the original application for dealership will be made available / Whether substantial investment made as per Policy (for selection under dealership selection guidelines prior to 21.5.2014).	Yes or No
11.	Whether LOI is on proprietorship or partnership	
12.	Name of deceased or incapacitated partner	
13.	Name of incoming Proprietor / partner	
13.	Brief reasons for the proposed reconstitution	a) Specify death or incapacitation b) Land owner providing suitable land in case of RO for SC/ST allottee.
<p>Details of incoming candidate in lieu of the deceased/incapacitated LOI holder to be submitted as per format given below. (If more than one partner is proposed, give the following details for each of the proposed partner by attaching separate sheet). If the legal heir is a minor, then the details of the local guardian who will be operating the dealership till the legal heir becomes a major, is to be furnished along with that of the minor legal heir.</p>		

**Signature of existing LOI holder/s
(wherever applicable)**

Signature of the incoming candidate

**Signature of Local Guardian
(wherever applicable)**

DETAILS OF INCOMING CANDIDATE		
1.	Name of the legal heir of the deceased / incapacitated LOI holder :-	
2.	Residential Address :-	
3.	Contact No :-Land line/mobile/ email	
4.	Date of Birth:-	
5.	Educational Qualification :-	
6.	Confirm whether legal heir of the deceased/incapacitated LOI holder	Yes or No
<p>In cases where “substantial investment” has not been made the incoming candidate should fill the new dealership form and submit along with the relevant enclosures (for selection under dealership selection guidelines prior to 21.5.2014). The incoming candidate will be required to make available the same land as offered by the LOI holder in his/her application and will be required to fulfill all the conditions of LOI issued.</p>		
ADDITIONAL DETAILS OF PROPOSED PARTNER		
7.	Present occupation:-	
8.	Annual Income :-	
9.	PAN Card No.	
10.	Family details	
11.	Any other relevant information	

**Signature of existing LOI holder/s
(wherever applicable)**

Signature of the incoming candidate

**Signature of Local Guardian
(wherever applicable)**

DETAILS OF ANNEXURES

DOCUMENTS REQUIRED	State whether attached or Not applicable	No. of pages
A. FOR INCOMING CANDIDATE		
1. Proof of Identity :- Copy of any of the following . (Voter ID/ PAN Card/ Photo ID card issued by Govt./PSU/Passport/Driving Licence)		
2. Age Proof :- Copy of any of the following. (Birth Certificate, School leaving certificate, Passport, driving licence, PAN Card, Self affidavit, Identity card issued by Election Commission)		
3. Educational Qualification :- Copy of degree/diploma/12 th /10 th .		
4. Succession certificate (confirming legal heirs of deceased LOI holder)		
5. Relinquishment deed (NOC) from legal heirs not proposing to join dealership		
6. NOC from the minor legal heir for the local guardian to operate dealership till he attains the age of 18 years. ***		
7. Standard Affidavit on Indian Nationality, Age, multiple dealership norms, non-conviction etc. as applicable, as per dealer selection guidelines (Annex-I)		
8. Passport size photographs of the incoming candidate to be pasted on the application		
9. If in service, affidavit for resigning from the service after the approval of Reconstitution but before the execution of the agreement.		
B. OTHER DOCUMENTS		
1. Copy of the death Certificate in case of death of LOI holder.		
2. Copy of the Incapacitation Certificate issued by the Chief Medical officer of the District Govt. Medical Hospital / Medical Board recognized by the Govt.		
3. Letter of Acceptance from the local guardian to operate the dealership till the legal heir becomes a major. (18 years)***		
4. Copy of LOI		
5. Draft copy of the dissolution deed of the existing partnership (if applicable)		
6. Draft Copy of the deed of the proposed partnership (if applicable)		
7. Age Proof of local guardian :- Copy of any of the following (Birth Certificate, school leaving certificate, Passport, driving licence, PAN Card, self affidavit ,		

Identity card issued by Election Commission). ***		
8. Educational Qualification of the local guardian:***		
9. In cases where “substantial investment” has not been made the incoming candidate should fill the new dealership form and submit along with the relevant enclosures (for selection under dealership selection guidelines prior to 21.5.2014).		
<u>Total no. of pages enclosed</u>		

*** - Required only if the proposed legal heir of the deceased/incapacitated LOI holder is a minor.

**Signature of existing LOI holder/s
(wherever applicable)**

Signature of the incoming candidate

**Signature of Local Guardian
(wherever applicable)**

UNDERTAKING

"I/We the existing LOI holder/s along with the proposed partner/s hereby confirm that all the details furnished in the application are true to the best of my/our knowledge. We also confirm that the re-constitution policy has been read and understood by me/us. I/We confirm that the proposal for re-constitution is submitted consciously after fully understanding the implications of the same."

**Signature of existing LOI holder/s
(wherever applicable)**

Signature of the incoming candidate

**Signature of Local Guardian
(wherever applicable)**

PART B

APPLICATION FOR RE-CONSTITUTION OF THE COMMISSIONED DEALERSHIPS INSTRUCTIONS

1. The reconstitution policy must be read and understood fully. The application including the processing fee and complete in all respects must be submitted to the respective Divisional/Territory /Regional Office preferably in person. If sent by post/courier the same must be addressed to the respective DRSM/Territory Manager/ Regional Manager
2. An acknowledgement of receipt of application will be issued by the Divisional/Territory/Regional Office along with a reference number. In cases where the applications are not handed over in person and if acknowledgement is not received within 15 days, the same to be brought to the notice of the DRSM/Territory Manager/Regional Manager immediately. For all future correspondence the reference number to be mentioned.
3. Application processing fee :- A non refundable application processing fee of Rs. 25,000 for reconstitution in favour of INDIAN OIL CORPORATION LIMITED/BHARAT PETROLEUM CORPORATION LIMITED/HINDUSTAN PETROLEUM CORPORATION LIMITED and payable at Divisional/Territory/Regional Office location, will be payable along with the application as per the Reconstitution policy, as applicable.
4. Reconstitution fee:- Non refundable Reconstitution fee equivalent to prevailing security deposit (as applicable to new dealership at the time of reconstitution approval) will be collected before execution of agreement as per the Reconstitution Policy, as applicable.
5. In case of Reconstitution proposals on account of incapacitation due to serious illness/accident resulting in total and permanent disability which will disable the dealer (proprietor / partner) to work or follow any profession, Chief Medical Officer of the Govt. Hospital or Medical Board recognized by the Govt need to certify the incapacitation for considering the proposal.
6. If the legal heir of the deceased/incapacitated proprietor/partner does not possess minimum education qualification in line with dealer selection policy in vogue and is proposing to become the proprietor/partner, then the Committee of Officers appointed by the Corporation will verify whether such legal heir/s is/are able to read, write and count.
7. At an appointed date the existing/continuing partner/s along with the proposed partners have to appear before the Committee along with the original documents, copies of which were submitted/required along with the application.
8. All the pages of the application along with the annexures to be signed/self attested by all the existing partner/s and incoming partner/s.
9. After receiving the “in principle” approval for the reconstitution, the documentary confirmation and legal compliance must be submitted to the DRSM/Territory Manager/ Regional Manager within 60 days.

PART B**APPLICATION FOR RE-CONSTITUTION OF THE COMMISSIONED DEALERSHIPS**

Sr. No.	PARTICULARS	DETAILS
1.	Name of the dealership	
2.	Address of the RO	
3.	District	
4.	State	
5.	Pin code	
6.	Landline Telephone No/Mobile No./e-mail ID	
7.	Date of Commissioning	
8.	Category of the dealership (Tick the appropriate)	SC / ST / OBC / Others
9.	Existing constitution of ownership (Tick the appropriate)	Sole Proprietor/ Partnership / Others
10.	Details of the present Proprietor/ Partners	Name:- Age: Name:- Age:
11.	Name of outgoing partner, if applicable.	Name:- Age:
12.	Confirm whether outgoing proprietor/partner/s is in dealership for more than 10 years (except for death and incapacitation cases)	Yes/No
13.	Name of new partner/s proposed to be inducted	
14.	Whether any reconstitution carried out earlier	Yes/No
15.	If yes, date of last reconstitution	
16.	Present share holding:-	Name Percentage Name Percentage
17.	Proposed share holding:-	Name Percentage Name Percentage
18.	Brief reasons for the proposed reconstitution	
19.	Details of reconstitution fee (DD for Rs.25000/-).	DD No. Date and Name of the Bank

Signature of the existing Prop/ Partners

Signature of incoming partners

Details of Incoming Partner/ local guardian (If more than one partner is proposed, give the following details for each of the proposed partner by attaching separate sheet)

DETAILS OF PROPOSED PARTNER	
Name :-	
Residential Address :-	
Contact No :-	Land line Mobile Email
Date of Birth:-	
Educational Qualification :-	
Whether legal heir of the existing Proprietor/Partner :-	
For induction of outside category partner in SC/ST dealership, incoming partner to fill the new dealership form and submit along with the relevant enclosures	
ADDITIONAL DETAILS OF THE PROPOSED PARTNER	
Present Occupation :-	
Annual Income :-	
PAN Card No. :-	
Family Details	
Any other Relevant Information	

Signature of the existing Prop/ Partners

Signature of the incoming Partners

FOLLOWING ANNEXURES TO BE ATTACHED

DOCUMENTS REQUIRED	State attached or not applicable	No. of pages
A. FOR INCOMING PARTNER		
1. Proof of Identity :- Copy of any of the following . (Voter ID/ PAN Card/ Photo ID card issued by Govt./PSU/Passport/Driving Licence)		
2. Age Proof :- Copy of any of the following. (Birth Certificate, School leaving certificate, Passport, driving license, PAN Card/Self affidavit, Identity card issued by Election Commission)		
3. Educational Qlfn :- Copy of degree/diploma/12 th /10 th .		
4. Succession certificate (confirming legal heirs of deceased proprietor/partner)		
5. Relinquishment deed (NOC) from legal heirs not proposing to join dealership		
6. Reconstitution of SC/ST category dealership with SC/ST partner – Copy of SC/ST certificate from competent authority as per selection guidelines.		
7. Standard Affidavit (on Indian Citizen, age, multiple dealership norms, non-conviction etc. as applicable) as per dealer selection guidelines(Annex-I)		
8. If in Service, Affidavit for resigning from the same after the approval of re-constitution but before the execution of the agreement. Proof of acceptance of resignation to be submitted before execution of dealership agreement		
9. Passport size photographs of all existing/ continuing and incoming partner to be pasted on the application.		
B. OTHER DOCUMENTS		
1. Copy of last dealership agreement executed or reconstitution approval or copy of LOI/LOA, in case of first reconstitution		
2. In case of SC/ST category copy of original LOI/LOA		
3. Re-Constitution Fee (DD for Rs.25000/-)		
4. Draft copy of the dissolution deed of the existing partnership.		
5. Draft Copy of the deed of the proposed partnership .		
6. Proof of being the dealer for more than 10 years in case of retirement (copy of LOA, agreement, reconstitution approval)		
7. In case of incapacitation, certificate from CMO of the district Govt. Hospital or recommendations of the Medical Board recognized by the Govt.		
8. For induction of outside category partner in SC/ST dealership, incoming partner to fill the new		

dealership form and submit alongwith relevant enclosures.		
9. Copy of the latest audited balance sheet of the dealership		
10. Recent certificate from Bank (issued within 3 months prior to the date of application) giving name of account holders of the dealership in bank account		
TOTAL NO. OF PAGES ENCLOSED		

UNDERTAKING

"I/We the existing Proprietor/Partner/s along with the proposed new proprietor/partner/s hereby confirm that all the details furnished in the application are true to the best of my/our knowledge. I/We also confirm that the re-constitution policy has been read and understood by me/us. I/We confirm that the proposal for re-constitution is submitted consciously after fully understanding the implications of the same."

Signature of Existing Prop/Partners

Signature of the incoming partners

**Notarized Affidavit
(TO BE TYPED ON APPROPRIATE NON-JUDICIAL STAMP PAPER OF REQUIRED
VALUE)**

Reconstitution of Retail Outlet Dealership: Retail Outlet Dealership Name & Address

I, _____ son/daughter/wife _____ of _____ Age _____ years residing at _____ do hereby solemnly affirm and say as under :

1	That I am an Indian Citizen and resident of India (as per Income Tax Rules).											
2	That my date of birth is	d	d	/	m	m	/	y	y	y	y	(Age as on date of application in words _____)
3	* That I passed Graduation examination from recognized University / Institution in the _____ year								y	y	y	y
	and / or											
	* That I have passed the 10+2 examination conduct by the Board/Institution in the year _____								y	y	y	y
	and /or											
	* That I have passed the 10 th Std. Examination conducted by Board in the _____ year								y	y	y	y
4	* That I am unmarried. That neither I, nor my Father, Mother, unmarried brother(s), unmarried sister(s) have dealership/distributorship or hold Letter of Intent for Retail Outlet or SKO-LDO dealership or LPG distributorship of any Oil Company <i>except the subject Retail Outlet Dealership for which Reconstitution is proposed #.</i>											
	OR											
	* That I am married and name of my spouse is _____. That neither I nor my spouse, unmarried son(s)/unmarried daughter(s) have dealership/ distributorship or hold letter of Intent for Retail Outlet or SKO-LDO dealership or LPG distributorship of any Oil Company <i>except the subject Retail Outlet Dealership for which Reconstitution is proposed #.</i>											
	OR											
	* That I am widow /widower. That neither I nor my unmarried son(s)/unmarried daughter(s) have dealership/ distributorship or hold letter of Intent for Retail Outlet or SKO-LDO dealership or LPG distributorship of any Oil Company <i>except the subject Retail Outlet Dealership for which Reconstitution is proposed #.</i>											
	OR											
	* That I am divorcee. That neither I , nor any of my unmarried son(s)/unmarried daughter(s) (whose custody is given to me) have dealership/ distributorship or hold letter of Intent for Retail Outlet or SKO-LDO dealership or LPG distributorship of any Oil Company <i>except the subject Retail Outlet Dealership for which Reconstitution is proposed #.</i>											
5	That I hereby confirm that none of my family members (as per multiple dealership norms as defined in Dealer Selection Guidelines of Oil Marketing Companies) are employees of Oil Marketing Companies.											
6	That I am of sound mental health & I am not totally paralyzed.											
7	That I am married and my name before marriage was _____ and after my marriage to Shri _____ has been changed to Smt. _____.											

8	That I have never been convicted by any Court of Law for any criminal offences involving moral turpitude and/or economic offences (other than freedom struggle).
9	That I hereby confirm that I was never a signatory to dealership/distributorship agreement of any Oil Company, which was terminated for proven malpractices and / or for violations of provisions of the Marketing Discipline Guidelines.
10	I hereby confirm that I have not resigned from Sole proprietorship of any dealership/distributorship of any oil company in order to transfer the dealership/distributorship in favour of my family member/s as defined in the Dealer/Distributor Selection Guidelines.
11	That I hereby confirm that I will not be taking up any other employment upon my appointment as a dealer. If I am already employed I will resign from the employment and produce the letter of acceptance of resignation by the employer before the acceptance of Letter of Appointment issued by the Oil Company.
12	I hereby declare that I am neither employed in private sector nor drawing any salary/perks/emoluments from State / Central Government. I also affirm that during the tenure of the Dealership I will not draw any salary /perks/emoluments from State / Central Government / Private Sector.
13	That presently I am not having any contract with any Oil Marketing Company as Service Provider/Labour contractor/Job Contractor for any COCO RO OR That presently I am having a contract with an Oil Marketing Company as Service Provider/Labour contractor/Job Contractor for one COCO RO (Name of COCO Location _____, Dist. _____, State _____, Oil Company name _____). I also know that if I am appointed as a Dealer, I will have to terminate this contract before issuance of Letter of Appointment.
14	That if any information/declaration given by me in my application or in any document submitted by me in support of application for the award of the RO dealership or in this affidavit shall be found to be untrue or incorrect or false, then Corporation would be within its rights to withdraw the letter of intent / terminate the dealership (if already appointed) and that I would have no claim, whatsoever, against the Corporation for such withdrawal / termination.

* **Strike off whatever is not applicable.** # **Strike off the portion in italics if not applicable.**

I hereby verify that what has been stated above is true and correct to the best of my knowledge and nothing material has been concealed there from.

**Signature of Deponent
(Name in block letters)**

Solemnly affirmed and declared before me. This _____ day of _____

**Signature and Seal of
Magistrate/Judge/Notary public**