

The Petroleum Products (Development Surcharge) Ordinance, 1961

(Ordinance NO. XXV OF 1961)

An Ordinance to provide for the levy and collection of a development surcharge on petroleum products and for matters connected therewith. ^{1♣}

WHEREAS it is expedient to provide for the levy and collection of a development surcharge on petroleum products and for matters connected therewith;

NOW, THEREFORE, in pursuance of the Proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance:-

Short title, extent and commencement

1. (1) This Ordinance may be called the Petroleum Products (Development Surcharge) Ordinance, 1961.

(2) It extends to the whole of Bangladesh.

(3) It shall come into force at once, and shall be deemed to have taken effect on the first day of August, 1959.

Definitions

2. In this Ordinance, unless there is anything repugnant in the subject or context,-

(1) “Company” means a company specified in the Second Schedule;

(2) “Development surcharge” means the surcharge payable under section 3;

(3) “Differential margin” means the amount by which the fixed sale price exceeds the prescribed price;

(4) “ Fixed sale price” means the ex-Installation sale price as in force on the thirty-first day of July, 1959, or the price, if any, approved by the Government;

(5) "Petroleum Product" means any petroleum product specified in the First Schedule; and

(6) "Prescribed price" means the ex-Installation price as determined in accordance with the rules made under section 6.

**Levy of
Development
Surcharge**

3. ²[(1)] Subject to the provisions of this Ordinance, every company shall pay to the Government a development surcharge equal to the differential margin in respect of the quantities of petroleum products sold by the company through an installation except for export:

Provided that where the prescribed price of any petroleum product exceeds its fixed sale price, the Government may, by order in writing, permit the company to deduct the amount of such excess from the differential margin in respect of the other petroleum products.

(2) [Omitted by section 3 and the Second Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No.VIII of 1973).]

(3) Any amount due as development surcharge under sub-section (1) ³[* *] and not paid within the time allowed by the Government or any officer authorised by it in that behalf shall be recoverable as arrears of land revenue.

**Maximum
sale price**

4. (1) Notwithstanding anything contained in any other law, no company shall sell ex-Installation any petroleum product at a price higher than the fixed sale price.

(2) A contravention of sub-section (1) shall be deemed to be a contravention of an order made under section 3 of the ⁴[Essential Commodities Act, 1957 (III of 1957)], and all the provisions of that Act shall have effect accordingly.

(3) Nothing in this Ordinance shall be deemed to have or ever to have had the effect of retrospectively creating any offence or of retrospectively enhancing the punishment for any offence provided in any law for the time being in force.