

ANNEXURE 2



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SR. No. _____

APPLICATION FOR LUBRICANT DISTRIBUTORSHIP

Category applied for: PLD / ILD / RLD

(Please tick mark the category applied for)

Paste One Self Attested Photograph of candidate (in case of Partners/Directors/Managing Committee Members, please attach photograph of all). If more than three Partners etc, please paste self-attested photograph of remaining on a separate sheet

1 Location Applied for _____

Rev. District. _____ State _____

2 Advertised on _____ in _____
(Date) (Name of Newspaper)

3 Details of Demand draft/ Pay order –
No _____ Bank _____ Date _____ Amount _____

4 Status of the Applicant: Individual / Partnership Firm/Non-Individual entity (Tick as applicable) (Individuals & partners of the partnership firm to enclose Affidavit as per **Annexure “2 (i)”** and applicants from Non-Individual entity to enclose Affidavit as per **Annexure “2 (ii)”**)

Individual(A)	Private Limited Co (B)	Public Limited Co.(C)
Partnership Firm(D)	Proprietorship Firm(E)	Any other(F)

5 Name of the Individual (Point No A above IN BLOCK LETTERS) :

Name of Father's/ Husband _____

6 Name of Firm under which applied for(Point No B – Point F above): _____

(In case of applied under Partnership Firm please attach notarized copy of Existing / Proposed Partnership Deed)

Details of Applicant / Partners / Directors / Committee members (may be given in separate sheet if space not sufficient)

A. Name (in Block Letters) : Shri / Ms _____

Name of Father's/ Husband _____

B. Name (in Block Letters): Shri / Ms _____

Name of Father's/ Husband _____

C. Name (in Block Letters): Shri / Ms _____

Name of Father's/ Husband _____

Name of Father's/ Husband _____

- 7 In case of Partnership/ Companies/ Co-Operative Societies, please indicate clearly as to which Partner (s) / Director (s) / Managing Committee Member (s) will be **actively involved** in management of MAK Distributorship. (Please note that it will be mandatory for them to personally appear before the Interview Committee). If no details of Active Members are mentioned – it will be mandatory for all the Partner (s) / Director (s) / Managing Committee Member (s) to appear before the Interview Committee.
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- 8 Complete Address including PINCODE (Please mention for each Partner/Director/Managing Committee Member) : (may be given in a separate sheet if space not sufficient)

- 9 Permanent Address : (Please mention for each Partner/Director/Managing Committee Member (may be given in a separate sheet if space not sufficient)

10 Tel.No / Mobile Nos / Email ID (Please mention for each Partner/Director/Managing Committee Member) (may be given in a separate sheet if space not sufficient)

11 Nationality (Please mention for each Partner/Director/Managing Committee Member) : (may be given in a separate sheet if space not sufficient)

12 Date of Birth : _____ Completed Age as on date of application : _____ (Proof to be attached) (Please mention for each Partner/Director/Managing Committee Member) (may be given in a separate sheet if space not sufficient)

13 Educational Qualification (s) (proof to be attached) : (Please mention for each Partner/Director/Managing Committee Member) (may be given in a separate sheet if space not sufficient)

14 Gender - (Male / Female) : (Please mention for each Partner/Director/Managing Committee Member) (may be given in a separate sheet if space not sufficient)

15 Are you a MAK Lubricants C&F agent or an LOI holder of the same? YES/ NO

If yes, pl specify: _____

16 Are you an existing MAK Lubricants Channel Partner / MAK Lubricants Distributor or an LOI holder of the same? YES/ NO

If yes, pl specify: _____

17 Present occupation : _____

18 In case you are an income Tax Assesse, please furnish PAN NO:_____

19 Do you have business / selling experience? If yes, give full details (please mention specifically if you have experience in related business experience in selling and marketing and distribution of Lubricants/ Tyre/ Battery/ Spare Parts/ Paints/ FMCG or FMCD etc. - Give product names, categories, Name of the Principal Company, copy of agreement, turnover in previous 3 years etc.): (may be given in a separate sheet if space not sufficient)

20 Do you have experience of supervision of personnel? If yes, give full details. (may be given in a separate sheet if space not sufficient)

21 GSTN Registration No if any. (Yes/ NO)

If Yes then No _____

22 GSTN Registration No (Applied for / Will be applied) _____

23 Please submit a Project Report giving your detailed plans to run the distributorship, if allotted. Few key areas for project report are as under

27 If the above- Point No 24 – Point No 26 is not readily available, then by when you can deploy, if selected/ shortlisted : within _____ (days)

28 Give details of source of funds: (to be provided by all applicants): The type* of fund should cover free & unencumbered Bank accounts / Govt. Securities/ fixed deposits, bankers / financial institution certificate for credit worthiness [***Refer Checklist- Clause no. ii**], Shares of listed public limited companies (with valuation report) etc., details of other assets (with valuation report) like immovable property (land, building etc.) / movable assets like vehicle etc., any other sources of income from interest, agricultural income, rent, business etc. (please attach proof in all cases). The details to be provided in the following format in Separate sheet. Fund (s) for which documents are attached and linkage [***Refer Checklist – Clause no. ii**] cannot be established with the applicant, will not be considered. (may be given in a separate sheet if space not sufficient)

*Type of fund	Details a/c no. etc.	Name of the holder	Relationship	Amount (Rs)

29 Have you ever been convicted for any criminal offence involving moral turpitude and / or economic offence (other than freedom struggle)? - YES / NO.

30 Any other information:

31 Bank Details:

a) Banker's Name _____

b) Branch _____

32 UNDERTAKING:-

I / We confirm that I/we have seen checklist of enclosures and understand that my/our application will be considered by Corporation only if required enclosures have been submitted.

I / We confirm that I/we have seen and understood details on - Guidelines, Minimum Eligibility Criteria and Roles of Distributor and Minimum infrastructure / funds required – which are appended to this application form/

I / We declare that Draft Distributorship Agreement enclosed (at **Annexure 3**) with this Application has been read by me and the same is also signed in token of acceptance.

I/We undertake to produce Originals of all the photocopy attachments enclosed with this application at the time of interview, if called for and is aware that in the event I fail to produce the Originals, my application for distributorship will be rejected. I/We am/are fully aware that Bharat Petroleum Corporation Limited under its policy will not appoint me as its distributor if I/We am/are employed or have a BPCL Lubes C&F operatorship. I/We shall have to resign from the service/ BPCL C&F operatorship and produce proof of acceptance of my/our resignation before issuance of Letter of Appointment for the distributorship.

I/We _____ hereby certify that the information given above is true to the best of my/our knowledge and belief. Any wrong information / suppression of facts will disqualify me/us from being considered for the distributorship.

Place: _____ Date _____

A. Signature: _____

(Name in block letters): _____

B. Signature: _____

(Name in block letters): _____

C. Signature: _____

(Name in block letters): _____

D. Signature: _____

(Name in block letters): _____

E. Signature: _____

(Name in block letters): _____

(In case of a Firm / Company / Co-Operative Society – please put a Stamp of the Firm).

CHECKLIST OF ENCLOSURES AND SEQUENCE OF DOCUMENTS

i. Originals –

1. Application form completely filled with Original Passport Size Photographs with signature of all applicants in all pages
2. Location & Category applied for
3. Demand Draft
4. Affidavit as per Annexure 2 (i) (for Proprietors), 2 (ii) (for Companies / Co-Operative Society) as applicable. **All Partners / Directors /Managing Committee members have to submit individual affidavits as per format.**
5. Signed copy of Draft Agreement (Annexure 3)
6. Credit Worthiness in the format provided (refer Point No 28 of Application Form)
7. Notarized Draft Partnership Deed/ Existing Partnership Deed on stamp paper either original or notarized, as applicable
8. Business experience certificate / Self Certified Details
9. Project report (refer Point No 23 of Application Form)

❖ **Point No 1 to Point No 6 are mandatory. Not furnishing information will lead to disqualification.**

ii. Self-Certified copies (signatures on all pages by concerned applicant)–

1. Educational qualification document (Copy of Marksheet / Degree /Certificate from Board / University/ recognized institution as applicable)
2. Proof of Date of Birth (Affidavit, school leaving certificate, Passport, PAN card, Adhaar etc.)
3. Copy of PAN
4. Identity documents (with Photo ID) – PAN/ Passport Voter card/ Driving License/ ID card issued by Central or State Govt organizations / Adhaar etc.
5. Proof of Address documents – PAN/ Ration card/ Passport Voter card/ Telephone bill(landline/ mobile) /Bank Statement / Driving License/ ID card issued by Central or State Govt/ Aadhaar
6. Certificate of Incorporation of Company / Registration of Firm/Co-Operative Society
7. Articles & Memorandum of Association for Company
8. Last three years acknowledged IT returns
9. Last three years audited balance sheet for firms/ companies
10. Last three years audited profit and loss statement for firms/ companies
11. Registered Partnership deed document in case of partnership firms
12. In case of Proprietorship, a Registration certificate of firm with any Govt Authority (such as Shops & Establishment Certificate or Sales Tax Registration) showing the Proprietor Name and Firm Name.
13. GSTN Registration Certificate for firms/ Companies.
14. ***Financial capability document:** Fund (s) for which documents are attached and linkage of ownership cannot be established with the applicant, will not be considered and the Liquid funds / assets of applicant for all categories will have a bearing on evaluation of the application.

a. Liquid assets: The funds can be in the following forms:-

- i. Funds in Bank Accounts, Deposits with any Bank/Registered Companies/Postal Schemes: Copy of Pass book/account statement/deposit receipts to be provided. In case of deposits, the applicant has to additionally submit a certificate obtained from the concerned Bank/Registered Company/Post Office indicating the value of the deposit on the date of application. In the absence of such certificate, the deposit amount only shall be considered.
- ii. National Savings Certificates: Redemption value - Valuation certificates along with copy of National Saving Certificates to be provided indicating the value of the National Savings Certificate on the date of application. In the absence of such valuation certificate, the deposit value shall be considered.
- iii. Government / Government Agencies Bonds: Redemption value: Valuation Certificates along with copy of bonds to be provided on the date of application. In the absence of Valuation certificate no fund(s) would be considered against bonds.
- iv. Shares of listed Companies in Demat form: Valuation certificates along with copy of Demat statement to be provided on the date of application. In the absence of Valuation certificate no fund(s) would be considered against shares.
- v. Mutual Funds: Valuation certificates along with copy of mutual fund certificates or Demat statements to be provided on the date of application. In the absence of Valuation certificate no fund(s) would be considered against mutual funds. The valuation certificate is to be obtained either from a Chartered Accountant or Depository Participant, as applicable.

b. Proof of Fixed and movable Assets – like owned land / building / shop/ office / house / vehicles / go-down : supported with valuation report by Govt. Approved valuers

c. Assets of “Family unit” will be considered as owned / belonging to applicant subject to producing consent letter as applicable from the concerned member of the “family unit”. In case the finance is owned by the applicant or members of the “family unit” jointly with the third person, the consent letter on stamp paper or an Affidavit or POA of such third person is required to qualify for the marks.

d. *In case of married person/applicant, the “family unit” consists of self, spouse and unmarried son(s) / unmarried daughter(s) and in case of unmarried person/ applicant the “family unit” consists of self, father, mother, unmarried brother(s) and unmarried sister(s).

e. Bank / Financial Institution / Individuals (with in family unit) letter ensuring credit

f. Credit worthiness / Solvency certificate from scheduled Bank / Financial institutions and / or expressing willingness to extend loan if required.

g. Assets of Active Partners / Directors / Officials (as declared in application form) or owned by the Firm / Company / Co-operative Society will be combined for arriving at this eligibility

Guidelines to be noted –

- a. Application form can be accepted by due date / time at the office address mentioned in the Advertisement.
- b. Application Fee of Rs 1000/- for PLD / ILDs and Rs 500/- for Rural Category like RLDs should accompany the filled application form.
- c. While one person/firm/company/society can apply for different locations, the same should be done in separate application forms in respect of each location along with applicable application fee in each case. In case of multiple locations, each application should be complete in all respects (documents to be attached with each application) and documents attached with one application cannot be considered for other application(s) of same candidate.
- d. While one person/firm/company/society can apply for different locations, but in case if they get selected for more than one location or more than one Channel (PL/IL/RL etc.) they will have to opt for only one channel & one location. They will have to give in writing their choice of channel & location and forfeit their claim on other channels & locations where they were also selected. The next eligible candidate as per the merit list will become eligible for that vacated channel & location
- e. Filled application form along with relevant enclosures, complete in all respects, should be submitted so as to reach the office address mentioned in the advertisement for the location, before the due date and time.
- f. The applicant (s) should affix his / her / their latest photograph in the space provided for in the application form.
- g. Details, Photographs, Enclosures and Signatures of all Partners (of a Partnership firm), or of all Directors (of a Company), or of all Managing Committee members (of a Cooperative Society) should be enclosed with the application and only then it will be considered complete. However, while filling application form, they can declare names of Active Partners / Directors / Managing Committee members who will be looking after MAK Lubricants Distributorship on a day to day basis.
- h. The following parameters will have a bearing on evaluation of the applicant:
 - i. Higher Liquid funds / assets of applicant
 - ii. Higher Education Qualification
 - iii. Providing suitable infrastructures
 - a. Suitable Office: Owned / Leased
 - b. Suitable Go-down: Owned / Leased
 - iv. Business Experience in Related Business
- i. No addition / deletion / alteration will be permitted in the application form after cut-off date for submission of applications.
- j. No additional documents or details, whatsoever will be accepted or considered after the cut-off date/time for submission of applications. If at all any additional details are sought to be submitted by the applicant (s), the same should be received well within the cut-off date / time (last date / time of submission of applications).

- k. Applications received after cut-off date for any reason, including postal delay, and those without accompanying valid documents, details, etc., application fee or
- l. incomplete in any respect will not be considered and no correspondence will be entertained by the oil company in such cases, whatsoever.
- m. If any statement made in the application form or in the documents enclosed therewith by the candidate at any stage is found to be incorrect or false and/or the applicant conceals any information which if declared would have made him/her ineligible for distributorship, the application is liable to be rejected and in case the applicant has been appointed as a distributor, the distributorship is liable to be terminated. In such cases the candidate / distributor shall have no claim whatsoever against BPCL.
- n. A person given Letter of Intent will have to set up necessary infrastructure and submit Security Deposit (as per the guidelines) for Distributorship latest within 3 months of date of LOI, but preferably within 30 days of issue of LOI. Letter of Appointment cannot be issued without first meeting these conditions.

After infrastructure/security deposit is in place, a formal Letter of Appointment (LOA) will be issued by BPCL and Distributor will have to execute an agreement as per Draft Agreement at **Annexure 3**. First Supply would be released to the appointed Distributor only after signing of agreement.

- o. An applicant selected for the distributorship shall be paying attention towards day to day working of the distributorship by personally managing the affairs of the distributorship. He/she will not be eligible for taking up any other employment. If the selected person is already employed he/she will have to resign from the employment prior to appointment as distributor.
- p. The appointed distributor shall invest adequate funds and maintain adequate staff with a technical knowledge and salesmanship for promoting sales of the MAK Lubricants within his area of operation in the Bazaar

Minimum Eligibility criteria

- i. **Nationality:** All Partners/Directors of Companies /Managing Committee Members of a Cooperative Society and all Proprietor/Individual applicants should all be Indian national.
- ii. **Age:** For all Partners/Directors of Companies/Managing Committee Members of a Cooperative Society declared as Active in Point No.6 and for all Proprietors/Individuals – Age Criteria - As on the date of application, (in completed years) not less than 21 years and not more than 65 years.
- iii. **Educational Qualifications:** For all Partners/Directors of Companies/Managing Committee Members of a Cooperative Society declared as Active in Point No.7 and for all Proprietors/Individuals – Educational Qualification Criteria - Minimum Matriculation or recognized equivalent for PLD and ILDs. For RLD Location this is not mandatory. The higher qualification of applicant for all categories will have a bearing on evaluation of the application.

iv. **Disqualification -** The following are not eligible:

- i. Persons convicted or against whom charges have been framed by a Court of law for any criminal offence involving moral turpitude/economic offence (other than freedom struggle).
- ii. Mentally unsound and / or totally paralyzed persons.
- iii. Applicants who are employed or have a BPCL Lubes C&F operatorship will have to resign from the service/ BPCL C&F operatorship and produce proof of acceptance of resignation before issuance of Letter of Appointment for the distributorship.
- iv. Individuals / partnership firms / non individual entities like co-operative societies, companies, organized bodies etc. will not be eligible to apply for MAK Distributorship if they already have a MAK Distributorship operating in any part of the country.
- v. In addition the following conditions for disqualification would also apply:-

For Individuals

Only one MAK Distributorship will be allowed to a “family unit**” in respect of Individuals. If any person in the “family unit” of the applicant (individual) already has a MAK distributorship or holds a LOI for a distributorship then other person(s) in that “family unit” will not be eligible for a new MAK Distributorship.

**In case of married person/applicant, the “family unit” consists of self, spouse and unmarried son(s) / unmarried daughter(s)

In case of unmarried person/ applicant the “family unit” consists of self, father, mother, unmarried brother(s) and unmarried sister(s).

In case of widow applicant who has not re-married, the Family Unit means Self, Unmarried sons and Unmarried daughters

For Partnership firms

Each partner of the applicant partnership firm has to individually satisfy the criteria as applicable for individuals stated above.

For Non-individual entity like Companies, Societies, Trusts etc.

In case of Companies registered under companies Act 1956, it will not be eligible for a MAK distributorship or LOI for MAK distributorship if existing MAK distributorship is held by any of the Directors or his/ her family members (family as

defined in the case of Multiple dealership norms for individuals), or by the Holding company or Subsidiary company or by any other company or Firm where shareholders (put together) of the applicant company have controlling stake i.e. 51% or more.

In respect of organized bodies, charitable trusts registered with the Charity Commissioner of the respective State Governments and societies registered under Societies Registration Act- 1860, etc. they will not be eligible for MAK distributorship or LOI for MAK distributorship if the same already held by any of the Members of the Governing Body / Managing Body / Any such other Body or their family members (family as defined in the case of multiple dealership norms for individuals).

If any individual, partnership firm or non-individual entity holding MAK distributorship acquire controlling stake in a company having MAK distributorship, the acquirer would be liable to be terminated.

However, Government owned Companies defined as major shareholding with the Government, Public Sector & Joint Sector Units or Government administered Organizations will be exempted from the multiple distributorship norms as mentioned above.

1) Checking of Disqualification criteria's –to be verified from Application form / supporting documents.

Applicable for all Partners / Directors / Officials of Co-operative Society

- Details of Nationality -application to be rejected if not Indian.
- Details of Candidate holding C&F Agency of MAK Lubricants -- application to be rejected if candidate holding a C&F Agency of MAK Lubricants and undertaking to resign from the C&F Agency on appointment as Distributor, is not available.
- Details of Candidate holding MAK Lubricants Channel Partner / MAK Lubricants Distributor -- application to be rejected if candidate holding a MAK Lubricants distributorship anywhere in the country.
- In case mandatory details mentioned on Point no. 1) of this checklist are not available.
- Persons convicted or against whom charges have been framed by a Court of law for any criminal offence involving moral turpitude/economic offence (other than freedom struggle).

Applicable for Proprietor / Individual applicant or to active partner (s) / Director (s) / Official (s) of Partnership firms / Companies / Co-operative Societies

- Date of Birth - application to be rejected if any one of above is less than 21 years or more than 65 years of age at cutoff date of application.
- Educational Qualification Details –
 - For PLD/ILDs, application to be rejected in case any one of the above is less than 10th Class pass.
 - For RLDs, Application will not be rejected but it will have bearing on marking.
- Details of Candidate holding MAK Lubricants distributorship (PL/IL/RL) -- application to be rejected if candidate holding a MAK Lubricants distributorship (PL/IL/RL) anywhere in the country.

Roles of Distributor & Minimum Infrastructure / Funds etc.:

- a) The applicant should be capable of raising minimum funds (as mentioned in the advertisement) for effectively operating the distributorship to the satisfaction of the company.
- b) Set up independent infrastructure for sale and distribution of MAK lubricants
 - i. One office of minimum area 150 sq.ft. duly developed and furnished
 - ii. The Distributor shall need to maintain requisite go-down with minimum area of 300 sq.ft. or go-down size for storing the products sold to it representing space equivalent to minimum of 21 days stock cover the minimum required to be maintained at any given time, which ever is higher
 - iii. Vehicle: One own/hired vehicle of minimum 1 Ton capacity for transportation or as per Business requirement.
 - iv. Manpower: Employ necessary manpower and may like to provide Fixed and Variable pay structure to Sales and Marketing Staff. This holds good for all Channel Partners.
 - i) Sales Representative for Primary Lube Distributor: 1 Sales Person based on count of Bazaar Outlets upto 75 and to be increased based on bazaar outlet counts exceeding 75 or multiples thereof.
 - ii) Sales / Technical Representative for Industrial Distributor: Minimum 1 Sales / Technical Representative up to 120 KL of Volume per annum and to be increased based volume throughput, 120 KL per annum or multiple thereof.
 - iii) Marketing Representative for Primary Lube Distributor: 1 Marketing Person dedicated to MAK Lubricants for market development upto a volume of 180 KL per annum and to be increased based volume throughput exceeding 180 KL or multiple thereof.
 - iv) Office Staff: Minimum 1 Office Staff required for Telemarketing, Billing, Paper Filling etc or can be increased as per requirement.
 - iv) Loading / Unloading Staff: Minimum 1 loading / unloading staff required for product receipt and dispatch or can be increased as per requirement.
 - v. Computer & Internet Connection: One computer/laptop with printer along with High speed Internet connection to be arranged, which must be compatible with any software that is required to be installed by BPCL from time to time.
 - vi. Communication Device: Sales Representatives, Marketing Representatives, Technical Representatives and Office Staffs must have the smart phones.
- c) Adequate working capital for the Distributor shall have an investment of at least an amount equivalent to average monthly sales turnover based on sales target given by the Company in the business initially. The capital employed have to be enhanced in proportion to the increase of business turnover in future. The Distributor shall have the required amount of 'Capital Employed' invested at all times in the business to meet the assigned target given by the Company maintaining 21 days inventory and credit to the market.
- d) Distribute products to appropriate target segment of secondary / end customers including door delivery of products.
- e) Create a database of potential customers in the area and organize mechanics / customer meets /retailer meets etc. to spread awareness about MAK Lubricants and focus grades and run incentive schemes for promoting the focus grades.
- f) Organize customer campaigns in association with Retailers, Mechanics, and Workshops etc.

ANNEXURE 2 (i)

**(TO BE TYPED ON APPROPRIATE NON-JUDICIAL STAMP PAPER OF REQUIRED VALUE)
AFFIDAVIT TO BE SUBMITTED BY INDIVIDUALS & PARTNERS**

I, _____ son/daughter/wife of

_____ Age _____ years

residing at _____

do hereby solemnly affirm and say as under:

1. That I am an Indian National.
2. I am unmarried. That neither I nor my Father, Mother, unmarried brother(s), unmarried sister(s) have or hold Letter of Intent of BPCL Lubes C&F Agency .(Or we hold BPCL Lubes C&F Agency but we commit to resign from the same before taking up Lubes Distributorship, if selected).

OR

That I am married. That neither I nor my spouse, unmarried son(s) / unmarried daughter(s) have or hold Letter of Intent of BPCL Lubes C&F operatorship. (Or we hold BPCL Lubes C&F Agency but we commit to resign from the same before taking up Lubes Distributorship, if selected).

3. I have never been convicted and / or no charges have been framed by a Court of law against me for any criminal offence involving moral turpitude / economic offences (other than freedom struggle).
4. I hereby confirm that I was never a signatory to a dealership/distributorship agreement of any oil company, which was terminated for proven adulteration/malpractices.
5. I hereby confirm that I am not an existing signatory to any MAK distributorship agreement (PL/IL/RL/RI/LI/RR) anywhere in the country.
6. That against item no.28 of my application form details of various sources of funds required for setting up and operation of the distributorship has been furnished. I undertake that these funds will be made available for the purpose stated above. In case it is found that the same is not made available as and when required, the offer of distributorship, at any stage, can be withdrawn and that I will have no claim/damages whatsoever against the Bharat Petroleum Corporation Limited.
7. I hereby verify that what has been stated above is true to the best of my knowledge and belief and nothing material has been concealed thereof. 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 distributorship at _____ (Location) or in this affidavit shall be found to be untrue or incorrect or false at a later date, Bharat Petroleum Corporation Limited would be within **its rights**

to withdraw the letter of intent / terminate the distributorship (if already appointed) and that I would have no claim, whatsoever, against Bharat Petroleum Corporation Limited for such withdrawal/termination.

Solemnly affirmed and declared before me

This _____ day of _____

Signature and Seal of
Magistrate/Judge/Notary public

Signature of person making affidavit
(Name in block letters)

ANNEXURE (ii)

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

AFFIDAVIT -To be submitted by Non Individual Entities like limited companies.

In the matter of MAK distributorship of Bharat Petroleum Corporation Limited, at _____ (Location).
Whereas M/s _____ (Name of the entity)
_____ (Address) has applied for MAK
distributorship of Bharat Petroleum Corporation Limited at _____ (Location).

I, _____ son/daughter/wife of _____ Age _____ years
resident of _____ in _____ the capacity of _____
_____ do hereby solemnly declare:

1. That through a resolution passed by M/s _____, I have been authorized to apply for the said Distributorship. A copy of the resolution/authorization is enclosed herewith forming part and parcel of this affidavit.

2. That the said entity M/s _____ is duly registered with the competent authority and a photocopy of the registration certificate is enclosed herewith forming part and parcel of this affidavit.

3. That on behalf of M/s _____, I undertake that I will observe all the relevant guidelines with regard to award/operation of the said distributorship issued by the Bharat Petroleum Corporation Limited /Government of India or any other statutory body from time to time.

4. That M/s _____ is a Registered Co-operative Society Registered under Societies registration Act 1860 (@)/is a Company registered under companies Act 1956 (@)/ is a _____ (@) (specify the type of entity) registered under _____ (specify the authority) and that the same does not have any criminal records nor does it have any criminal charges framed against it by a court of law involving moral turpitude and/or economic offences. Moreover, none of the members of its Governing Body(@) / Managing Body(@) / Any such other Body _____ (please specify) (@)/Directors (@) have been convicted and / or charges have been framed against them by a Court of law for criminal offences involving moral turpitude and / or economic offences (other than freedom struggle).

5. That M/s _____ is a Registered Co-operative Society Registered under Societies registration Act 1860 (@) / is a Company registered under companies Act 1956 (@) / is a _____ (@) (specify the type of entity) registered under _____ (specify the authority) and that neither this entity itself nor any of the members of its Governing Body(@) / Managing Body(@) / Any such other Body _____ (@) (Please specify)/ Directors (@) or his/her family members (family unit - Father, Mother, unmarried brother(s), unmarried sister(s) in case of unmarried & Spouse, Unmarried son(s) / Unmarried daughter(s) in case of married applicants) was ever signatory to a dealership/distributorship of any oil company, which was terminated for proven adulteration/malpractices.

6. That M/s _____ is a Registered Co-operative Society Registered under Societies registration Act 1860 (@)/ is a Company registered under companies Act 1956 (@)/ is a _____ (@) (specify the type of entity) registered under _____

_____ (specify the authority) and that neither this entity itself nor any member of its Governing Body (@) / Managing Body (@) / Any such other Body _____ (please specify) (@) / Directors (@) or his/her family members (family unit - Father, Mother, unmarried brother(s), unmarried sister(s) in case of unmarried & Spouse, Unmarried son(s) / Unmarried daughter(s) in case of married applicants) is having or hold letter of intent of BPCL Lubes C&F Agency (Or we hold BPCL

Lubes C&F Agency but we commit to resign from the same before taking up Lubes Distributorship, if selected).

7. In case of Companies registered under companies Act 1956, it will not be eligible for a MAK distributorship if existing MAK distributorship is held by any of the Directors or his/ her family members (family as defined in the case of Multiple dealership norms for individuals), or by the Holding company or Subsidiary company or by any other company or Firm where share holders (put together) of the applicant company have controlling stake i.e. 51% or more.

In respect of organized bodies, charitable trusts registered with the Charity Commissioner of the respective State Governments and societies registered under Societies Registration Act- 1860, etc. they will not be eligible for MAK distributorship if the same already held by any of the Members of the Governing Body / Managing Body / Any such other Body or their family members (family as defined in the case of multiple dealership norms for individuals).

If any individual, partnership firm or non-individual entity holding MAK distributorship acquire controlling stake in a company having MAK distributorship, the acquirer would be liable to be terminated.

However, Government owned Companies defined as major shareholding with the Government, Public Sector & Joint Sector Units or Government administered Organizations will be exempted from the multiple distributorship norms as mentioned above.

8. That against item no.28 of my application form details of various sources of funds required for setting up and operation of the distributorship has been furnished. I undertake that these funds will be made available for the purpose stated above. In case it is found that the same is not made available as and when required, the offer of distributorship, at any stage, can be withdrawn and that I will have no claim/damages whatsoever against the Bharat Petroleum Corporation Limited.

9. I hereby verify that what has been stated above is true to the best of my knowledge and belief and nothing material has been concealed there from. If any information/declaration given by me in my application or in any document submitted by me in support of my application for the award of the Distributorship or in this affidavit shall be found to be untrue or incorrect or false, Bharat Petroleum Corporation Limited would be within its rights to withdraw the letter of intent / terminate the distributorship (if already appointed) and that I would have no claim, whatsoever, against Bharat Petroleum Corporation Limited for such withdrawal/termination.

Solemnly affirmed and declared before me

This _____ day of _____

Signature and Seal of
Magistrate/Judge/Notary public

Signature of person making affidavit
(Name & Designation in block letters)