



GOVERNMENT RESPONSIBILITY DURING 2026 LPG SHORTAGE: A CONSTITUTIONAL AND LEGAL ANALYSIS

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Liquefied Petroleum Gas (LPG) is one of the most essential sources of fuel in India, serving millions of households as well as commercial establishments such as restaurants, hotels, hospitals, and small businesses. The LPG shortage witnessed in 2026 raised significant concerns regarding the uninterrupted availability of this essential commodity and its impact on public welfare. Beyond causing inconvenience to domestic consumers, the shortage disrupted healthcare services, commercial activities, and the livelihoods of many who depend on LPG for their daily operations. This article examines the constitutional and statutory responsibilities of the Government in responding to such a crisis, with particular reference to the Essential Commodities Act, 1955, relevant regulatory frameworks, and the constitutional provisions that impose welfare obligations on the State. It also analyses the judicial approach towards protecting the rights and interests of the citizen during shortages of essential commodities. The article evaluates the adequacy of the Government's response to the crisis and suggests measures that can strengthen India's preparedness, improve equitable distribution, and ensure better management of similar situations in the future.

Keywords: LPG, Government, Regulatory Framework, Management.

INTRODUCTION

Energy plays an important role in the development and functioning of every modern society. It is required not only in households but also in healthcare, education, industries, and commercial activities. In India, the demand for reliable and affordable sources of energy has increased significantly with rapid urbanisation and economic growth. Among the various cooking fuels available, Liquefied Petroleum Gas (LPG) has become one of the most widely used because it is cleaner, efficient, and convenient. Its extensive use across households and commercial

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establishments has made LPG an essential commodity whose uninterrupted availability is vital for ensuring public welfare and economic stability.

The LPG shortage experienced in India during 2026 brought attention to the importance of ensuring an uninterrupted supply of essential commodities. The shortage affected millions of households that rely on LPG for cooking. At the same time, restaurants, hotels, hospitals, catering services, and small businesses also faced operational difficulties because of irregular fuel supplies. The situation demonstrated that the effects of such shortages extend far beyond domestic inconvenience and can disrupt public services as well as economic activities. Although shortages may arise due to various domestic and international factors, their consequences often require prompt governmental intervention to minimise hardship and maintain public confidence.

A shortage of an essential commodity like LPG is not only an economic issue but also a legal and constitutional one. It raises questions regarding consumer rights, public welfare, government accountability, and the fair distribution of essential resources. Citizens expect the Government to regulate supply, prevent hoarding and black marketing, and ensure that essential commodities remain accessible during emergencies. Such responsibilities are closely connected with the State's duty to protect public interest and maintain effective governance. Failure to adequately address such situations may adversely affect the rights, livelihood, and well-being of the people. Consequently, ensuring the availability of essential commodities forms an integral part of responsible governance and reflects the State's commitment to protecting public interest.

To regulate the production, supply, and distribution of LPG, India has enacted several laws and regulations. These include the Essential Commodities Act, 1955, the LPG (Regulation of Supply and Distribution) Order, consumer protection laws, and various constitutional provisions. Together, these legal measures empower the Government to regulate supply, prevent hoarding, and take necessary action during situations of scarcity. These legal mechanisms empower the Government to regulate supply, curb hoarding and black marketing, and take appropriate measures during emergencies or situations of scarcity. While each of these laws serves a distinct purpose, together they form the legal foundation for government action in ensuring the availability of essential commodities.

In light of these issues, this article seeks to examine the Government's constitutional and statutory responsibilities during the 2026 LPG shortage in India. It analyses the relevant legislative framework, constitutional provisions, judicial precedents, and the adequacy of the measures adopted by the Government in addressing the crisis. The article further evaluates whether the existing legal mechanisms are sufficient to protect the interests of the consumers and ensure equitable distribution during emergencies. Finally, it offers recommendations aimed at strengthening India's preparedness for future supply disruptions through improved governance, effective regulatory enforcement, and a more resilient framework for the management of essential commodities.

WHAT IS LPG?

Liquefied Petroleum Gas (LPG) is a fuel composed mainly of propane and butane gases. Although it is naturally colourless and odourless, a substance called ethyl mercaptan is added to it so that gas leaks can be easily detected by smell, allowing gas leaks to be detected easily and making it safer for everyday use. Owing to its clean-burning nature, high energy efficiency, and ease of use, LPG produces less smoke and causes lower indoor air pollution, making it a healthier and more environmentally friendly option. These characteristics have made LPG one of the most widely used cooking fuels across the country.

Importance of LPG in Indian Households: Over the years, LPG has become the primary cooking fuel for millions of Indian households due to its convenience, efficiency, and health benefits. Unlike traditional fuels such as firewood and coal, LPG burns more cleanly and produces very little smoke, reducing indoor pollution. This has especially benefited women and children, who are often exposed to smoke from traditional cooking methods for long hours. In addition to making cooking quicker and more convenient, LPG has also contributed to improving the overall quality of life in many households. The implementation of the ¹Pradhan Mantri Ujjwala Yojana has significantly expanded access to LPG connections, particularly among economically weaker families and those living in rural areas, encouraging the use of cleaner cooking fuel across the country.

Importance of LPG in Commercial and Public Sectors: Apart from being an essential cooking fuel in households, LPG also plays a significant role in the commercial sector. Several businesses, including hotels, restaurants, cafes, bakeries, catering services, street food vendors,

¹ Pradhan Mantri Ujjwala Yojana <https://www.pmuu.gov.in/>

and Tea stalls, rely on LPG for their day-to-day operations. It enables the quick and efficient preparation of food while maintaining hygiene and consistency in service. Since these businesses depend on a continuous supply of fuel, any disruption in the availability of LPG can affect their functioning and lead to financial losses. In many cases, prolonged shortages may even force small businesses to reduce their operations or temporarily suspend their services, affecting the livelihood of those who depend on them.

The importance of LPG extends beyond commercial establishments and is equally significant in the public sector. Hospitals require LPG for preparing meals for patients and staff, while government hostels, schools, colleges, community kitchens, and relief centres also depend on it for providing food on a daily basis. During emergencies or disaster situations, the availability of LPG becomes even more crucial to ensure the uninterrupted functioning of essential public services. A shortage can create practical difficulties in food preparation and may adversely affect the quality and continuity of services offered by these institutions. Therefore, LPG is no longer confined to domestic use alone. It has become an essential resource that supports economic activities as well as public welfare. Considering its wide-ranging importance, ensuring an uninterrupted supply of LPG is necessary not only for individual households but also for businesses, institutions, and the overall functioning of society.

LEGAL FRAMEWORK GOVERNING LPG IN INDIA

Essential Commodities Act 1955:² The Essential Commodities Act 1955 was enacted to ensure the availability of essential commodities to the public at fair prices and prevent practices such as hoarding and black marketing. As LPG is widely used for domestic, commercial, and public purposes, it is treated as an essential commodity whose uninterrupted supply is necessary for public welfare. The Act empowers the Central Government to regulate the production, supply, distribution, storage, and movement of essential commodities whenever required in the public interest. It also authorises the Government to take measures against hoarding, black marketing, and other unfair practices that may create an artificial shortage or increase prices. By enabling the regulation of supply and promoting equitable distribution, the Act seeks to protect consumers and ensure that essential commodities such as LPG remain accessible, particularly during periods of scarcity or increased demand.

² Essential Commodities Act 1955

LPG (Regulation of Supply and Distribution) Order 2000:³ The LPG (Regulation of Supply and Distribution) Order lays down the framework for the regulated distribution of LPG cylinders across the country. Its primary objective is to ensure that LPG is supplied in a fair, safe, and systematic manner while preventing its misuse or unauthorised use. The Order provides guidelines for the licensing of distributors and prescribes the conditions under which LPG can be supplied to consumers. It also outlines the duties and responsibilities of dealers, requiring them to comply with the prescribed rules and maintain transparency in the distribution process. By regulating the supply chain and monitoring the activities of distributors, the Order seeks to ensure that consumers receive LPG without discrimination or unnecessary delay. These provisions also help prevent illegal diversion, hoarding, and other malpractices, thereby promoting fair distribution and protecting the interests of consumers.

Consumer Protection Act 2019:⁴ Consumers affected by irregular LPG supply or unfair practices may also seek remedies under the Consumer Protection Act 2019. The Act safeguards the rights of consumers by ensuring that they receive goods and services fairly and satisfactorily. If an LPG distributor fails to provide timely delivery, overcharges consumers, or engages in unfair trade practices, such actions may amount to a deficiency in service under the Act. Consumers who suffer due to such practices have the right to file complaints before the appropriate Consumer Commission and seek suitable remedies, including compensation or other relief as provided by law. By providing an accessible mechanism for grievance redressal, the Consumer Protection Act, 2019 strengthens consumer confidence and encourages greater accountability among LPG distributors and service providers.

Ministry of Petroleum and Natural Gas (MoPNG):⁵ The Ministry of Petroleum and Natural Gas plays a central role in formulating policies relating to the production, supply, and distribution of LPG in India. It is responsible for developing policies that ensure the efficient management of LPG resources and improve access to clean cooking fuel across the country. The Ministry also works in coordination with State Governments, Oil Marketing Companies, and other authorities to monitor the supply and distribution of LPG and address any disruptions that may arise. During periods of shortage or emergencies, it takes necessary measures to maintain the availability of LPG and minimise the impact on consumers. Through regular

³ LPG (Regulation of Supply and Distribution) Order 2000

⁴ Consumer Protection Act, 2019

⁵ Ministry of Petroleum and Natural Gas (MoPNG) <https://mopng.gov.in/>

monitoring, policy implementation, and coordination with various stakeholders, the Ministry plays an important role in ensuring the smooth functioning of the LPG distribution network and protecting the interests of the public.

Oil Marketing Companies: The responsibility for the procurement, storage, transportation, and distribution of LPG largely rests with the three major public sector Oil Marketing Companies, Indian Oil Corporation Limited (IOCL), Bharat Petroleum Corporation Limited (BPCL), and Hindustan Petroleum Corporation Limited (HPCL). These companies play a crucial role in ensuring that LPG reaches consumers across the country without unnecessary delays. They procure LPG from domestic and imported sources, store it at designated facilities, and transport it to bottling plants before supplying it to authorised distributors. They are also responsible for maintaining adequate stock levels to meet consumer demand and prevent disruptions in supply. During periods of increased demand or unforeseen shortages, these companies work closely with the Ministry of Petroleum and Natural Gas to manage distribution efficiently and ensure that LPG remains available to households, commercial establishments, and other essential sectors.

CONSTITUTIONAL RESPONSIBILITY OF THE GOVERNMENT

Article 14 (Right to Equality):⁶ Article 14 of the Constitution of India guarantees equality before the law and equal protection of the laws to every person. It ensures that the State acts fairly, reasonably, and without arbitrary discrimination while implementing its policies and decisions. In the context of LPG distribution, this principle requires the Government to adopt a transparent and equitable approach, particularly during periods of shortage. The allocation of LPG should be based on objective and reasonable criteria rather than favouring certain regions, distributors, or consumers without a valid justification. Any arbitrary or discriminatory distribution of an essential commodity may undermine the principles of equality enshrined in Article 14. Therefore, ensuring fair and non-discriminatory access to LPG is not only an administrative responsibility but also reflects the constitutional commitment to equal treatment and equitable distribution of essential resources.

Article 19(1)(g) (Freedom to Carry on Trade or Business):⁷ Article 19(1)(g) of the Constitution of India guarantees every citizen the freedom to practise any profession or to carry

⁶ Constitution of India, art 14

⁷ Constitution of India, art 19(1)(g)

on any occupation, trade, or business. This right is particularly relevant to businesses such as hotels, restaurants, bakeries, catering services, tea stalls, and other establishments that depend on LPG for their daily operations. A prolonged shortage of LPG can disrupt their normal functioning, resulting in financial losses and affecting their ability to serve customers efficiently. However, this right is not absolute, as Article 19(6) permits the State to impose reasonable restrictions in the interest of the general public. While temporary disruptions may arise due to unforeseen circumstances, the Government has a responsibility to manage the supply and distribution of LPG effectively, minimise unnecessary shortages, and ensure that essential commercial activities are not adversely affected without reasonable justification.

Article 21 (Right to Life and Personal Liberty):⁸ Article 21 of the Constitution of India guarantees every person the right to life and personal liberty, except according to the procedure established by law. Over the years, the Supreme Court has given this provision a broad interpretation by holding that the right to life is not limited to mere existence but also includes the right to live with dignity, health, and a reasonable standard of living. Although Article 21 does not specifically recognise a right to LPG, access to clean cooking fuel can be viewed as an important aspect of a dignified life, as it directly affects health, nutrition, and everyday living conditions. A prolonged shortage of LPG may force people to rely on traditional fuels, which can increase indoor air pollution and create difficulties in preparing food. Therefore, while the Government is not required to guarantee uninterrupted supply at all times, it has a responsibility to take reasonable measures to ensure the availability and fair distribution of essential commodities in the public interest.

Article 38 (Promotion of Social Welfare):⁹ Article 38 of the Constitution of India is a Directive Principle of State Policy (DPSP) that requires the State to promote the welfare of the people by securing a social order based on justice and by reducing inequalities. Although it is not enforceable by courts, it serves as an important guiding principle for governance and policy-making. Ensuring the availability of essential commodities such as LPG contributes to public welfare by supporting the daily needs of citizens and promoting a better standard of living. Therefore, taking effective measures to ensure fair access to LPG is consistent with the objectives of Article 38.

⁸ Constitution of India, art 21

⁹ Constitution of India, art 38

Article 39(b) (Distribution of Material Resources):¹⁰ Article 39(b) of the Constitution of India is a Directive Principle of State Policy (DPSP) which provides that the ownership and control of the material resources of the community should be distributed in a manner that best serves the common good. In the context of LPG, this principle highlights the importance of ensuring that an essential resource is made available to all sections of society fairly and equitably. It also supports measures taken by the Government to prevent hoarding, black marketing, and other practices that may disrupt supply. Fair distribution of LPG ultimately promotes public welfare and serves the larger interests of society.

Article 47 (Duty to improve Public Health):¹¹ Article 47 of the Constitution of India, which forms part of the Directive Principles of State Policy (DPSP), places a duty on the State to improve public health and raise the standard of living of its people. Promoting the use of Liquefied Petroleum Gas (LPG) supports this constitutional objective, as it is a cleaner and safer cooking fuel compared to traditional fuels such as firewood and coal. The use of LPG helps reduce indoor air pollution, thereby lowering the risk of respiratory diseases and other health problems. It is particularly beneficial for women and children, who are more likely to be exposed to smoke from conventional cooking methods for long hours. Therefore, ensuring wider access to LPG contributes to better public health and aligns with the goals of Article 47.

RELEVANT JUDICIAL DECISION

Paschim Banga Khet Mazdoor Samity v. State of West Bengal¹² -

Facts of the Case: In *Paschim Banga Khet Mazdoor Samity v State of West Bengal* (1996), the petitioner suffered serious injuries in a train accident and was taken to several government hospitals for medical treatment. However, each hospital refused to admit him due to the lack of adequate medical facilities. As a result, a Public Interest Litigation (PIL) was filed before the Supreme Court, raising the issue of whether the failure of government hospitals to provide timely medical care violated the fundamental right to life under Article 21 of the Constitution.

Issue of the Case: The primary issue before the Supreme Court was whether the failure of government hospitals to provide timely medical treatment due to inadequate facilities

¹⁰ Constitution of India, art 39(b)

¹¹ Constitution of India, art 47

¹² *Paschim Banga Khet Mazdoor Samity v State of West Bengal* (1996) 4 SSC 37

amounted to a violation of the fundamental right to life guaranteed under Article 21 of the Constitution of India.

Judgement: The Supreme Court held that the State has a constitutional obligation to provide adequate medical facilities to its citizens, as the right to life under Article 21 includes the right to timely medical care. The Court further observed that financial or administrative constraints cannot be relied upon as a justification for denying essential healthcare services. It emphasised that the Government must take reasonable steps to ensure that adequate medical facilities are available to the public. This judgment significantly expanded the scope of Article 21 by recognising access to healthcare as an integral part of the right to life and human dignity.

Relevance to the Topic: Although this case primarily dealt with the provision of medical treatment, the principles laid down by the Supreme Court are relevant to the issue of LPG shortages. The judgment makes it clear that the State has a positive obligation under Article 21 to take reasonable measures for protecting the life and well-being of its citizens. In the context of an LPG shortage, the Government is expected to ensure the fair and timely distribution of this essential commodity, as its unavailability can affect public health, food preparation, and the ability of people to lead a dignified life. Thus, the decision reinforces the broader constitutional responsibility of the State to safeguard public welfare through effective governance.

IMPACT OF THE 2026 LPG SHORTAGE

The LPG shortage witnessed in India during 2026 had far-reaching consequences for both individuals and institutions that rely on it as a primary source of fuel. At the household level, many families experienced delays in receiving LPG cylinders, forcing them to rely on alternative fuels that were often less efficient, more expensive, or harmful to health. The shortage created additional difficulties for low-income households, particularly in rural areas, where access to other cooking fuels was limited. Commercial establishments such as hotels, restaurants, bakeries, catering services, tea stalls, and street food vendors also faced operational challenges due to the irregular supply of LPG. Many businesses were compelled to reduce their operations, resulting in financial losses and inconvenience to customers.

The impact of the shortage was equally significant in hospitals, government hostels, educational institutions, community kitchens, and other public establishments where LPG is essential for preparing meals and maintaining daily services. Any disruption in its availability

had the potential to affect the smooth functioning of these institutions, particularly during emergencies. In addition to the immediate inconvenience caused to consumers, the shortage also had broader economic implications by disrupting business activities and increasing operational costs. It further highlighted the importance of maintaining an efficient supply chain and adopting timely measures to prevent prolonged shortages. The 2026 LPG shortage demonstrated that the uninterrupted availability of essential commodities is crucial not only for meeting the everyday needs of citizens but also for ensuring economic stability, public welfare, and the effective functioning of essential services.

CHALLENGES AND RECOMMENDATIONS

Challenges: The 2026 LPG shortage exposed several challenges in India's existing supply and distribution system. One of the major concerns was the disruption of the supply chain, which affected the timely availability of LPG cylinders across different parts of the country. Delays in transportation, fluctuations in demand, and logistical issues further aggravated the situation. Another significant challenge was the possibility of hoarding and black marketing, where some individuals attempted to take advantage of the shortage by charging higher prices or creating artificial scarcity. India's dependence on imported LPG also made the country vulnerable to international market fluctuations and supply disruptions. In addition, the absence of adequate emergency reserves and uneven distribution in certain regions highlighted the need for a more resilient and efficient system capable of responding to unexpected crises.

Recommendation: To minimise the impact of similar situations in the future, several measures can be adopted. The Government should strengthen emergency LPG reserves to ensure adequate availability during periods of shortage or unforeseen disruptions. Greater use of digital technology for monitoring stock levels and tracking distribution can improve transparency and enable authorities to identify supply gaps at an early stage. Strict action should also be taken against hoarding, black marketing, and other unfair practices through effective enforcement of existing laws. Better coordination between the Central Government, State Governments, and Oil Marketing Companies is equally important to ensure the timely movement and equitable distribution of LPG across the country. At the same time, encouraging the adoption of alternative clean cooking fuels, wherever suitable, can reduce excessive dependence on a single source of energy. Collectively, these measures would strengthen India's preparedness for future supply disruptions while ensuring that essential commodities remain accessible to all sections of society.

CONCLUSION

The 2026 LPG shortage highlighted the vital role of Liquefied Petroleum Gas as an essential commodity that supports not only domestic households but also commercial establishments and public institutions across the country. The disruption demonstrated that ensuring the uninterrupted availability of LPG is not merely an economic or administrative concern but also a matter of public welfare, consumer protection, and constitutional responsibility. The existing legal framework, including the Essential Commodities Act, 1955, the LPG (Regulation of Supply and Distribution) Order, and the Consumer Protection Act, 2019, provides the necessary mechanisms for regulating supply, preventing unfair practices, and protecting consumer interests.

At the same time, constitutional provisions such as Articles 14, 19(1)(g), and 21, together with the Directive Principles of State Policy, emphasise the State's obligation to promote equality, safeguard public welfare, and ensure the equitable distribution of essential resources. Moving forward, strengthening emergency preparedness, improving coordination between authorities, enhancing transparency, and enforcing regulatory measures effectively will be crucial in preventing similar crises. Ensuring the uninterrupted availability of essential commodities such as LPG is not merely an administrative responsibility but a reflection of the State's commitment to public welfare, social justice, and constitutional governance. The 2026 LPG shortage also serves as a reminder that effective governance is measured not only by the existence of laws but by their timely and efficient implementation. A strong legal framework can achieve its intended purpose only when supported by prompt administrative action, accountability, and coordinated decision-making. Ensuring that essential commodities remain readily available during times of crisis ultimately strengthens public confidence in government institutions and upholds the principles of constitutional governance.