



VPDA

Reg. No. : NGP 5095

VIDARBHA PETROLEUM DEALERS ASSOCIATION

Regd. off. "Pranjal" 262-D, Near Water Tank, Opp. Mehadia Hardware, Laxmi Nagar, Nagpur-440.022

To,

January 5th 2022

The Secretary,

PNGRB

1st Floor, World Trade Centre,

Babar Road,

New Delhi-110001

Sub: Objections/ Comments on draft "Petroleum and Natural Gas Regulatory Board (Technical Standards and specifications including Safety Standards for dispensing of Automotive fuels) Amendment regulations, 2021

Sir,

We are a registered body of all Petrol Dealers of Vidarbha region in Maharashtra working in tandem with the government and representing them since 2009.

Please record our comments / objections as per the invitation through public notice dated 15.12.2021 issued by Secretary, PNGRB wherein comments on draft "Petroleum and Natural Gas Regulatory Board (Technical Standards and specifications including Safety Standards for dispensing of Automotive fuels) Amendment regulations.

As per Schedule 2(1) of above said draft amendment regulations issued by PNGRB, the technical standards and specification including safety standards for door to door delivery of liquid automotive fuels are specified in schedule-5 which inter-alia covers-

- a. Minimum requirements in design, operation, inspection, maintenance, safety, emergency management etc. for filling facility of Mobile refueller at a Petroleum Retail Outlet (PRO) vide Schedule-5A.
- b. Layout, design, operating procedures, maintenance, inspection, safety, emergency management plan, for fuelling of Commercial vehicles and parking of Mobile Dispenser (for Class B Product) vide Schedule 5B.

It may be noted that section 3 and 4 of Petroleum Act, 1934 is already in force to ensure public safety in transport of petroleum across the country. Also, rules covering all necessary safety provisions for safe transport of petroleum via land by vehicles viz. road tankers, refuellers etc. are already covered under Part-IV of Petroleum rules 2002 which are framed under Petroleum Act 1934. After ensuring the mandatory compliance of necessary safety provisions defined under petroleum rules, 2002, License under Form XIX for transport of petroleum via refuellers etc. is granted by PESO under rule 141 of Petroleum rules 2002. Approval of design of refuellers and layout of parking premises where the refueller will be stationed is already under purview of PESO. Standard operating procedures (SOPs)



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developed by PESO for loading of mobile dispenser at retail outlet and refueling at customer premises as per safety provisions of Petroleum rules, 2002 is already in place to ensure public safety.

Thus, the above said draft amendment regulations is against the spirit of existing statutory rules and safety provisions already in force under Petroleum Act, 1934 and safety in these operations is at par with the international standards as accident rates are below the international average. Such duplication of safety standards will increase compliance burden to the industry which is against the Hon'ble PM vision of reducing compliance burden for Ease of Doing Business (EoDB) and it will create confusion in minds of stakeholders due to misinterpretation and will distort the benchmarking safety norms and in turn jeopardize public safety.

Further, refuelling of commercial vehicles as stated in Schedule 5B of above said draft regulations is also objectionable and not permitted in accordance with safety provisions of petroleum rules, 2002 as such malpractices may jeopardize the public safety as any leakage of flammable vapours / liquid may form a vapor cloud and even a small source of ignition may result into explosion. Thus, Door to door delivery of class B product i.e. HSD is permitted only for on-site refuelling of heavy vehicles/ machineries and stationary equipments since they cannot be refuelled at retail outlets. All necessary safety provisions such as geofencing requirement at premises of each legitimate customer or submission of specific emergency plan to district authority etc. for refuelling of such machineries and stationary equipments are also ensured in view of safe operation and public safety. Fuelling of commercial vehicle has not been permitted in view of public safety.

In view of the above, this illegal notification may be treated as null and void as it is against the existing law i.e. Petroleum Act, 1934 and there is no provision in the PNGRB Act for such safety regulations.

Thanking you,

Yours faithfully,

Copy to:

Joint Secretary, Committee on Subordinate Legislation with a request to stop PNGRB from issuing such illegal notifications under PNGRB Acts which is against the provisions of Petroleum Act, 1934 and Petroleum rules, 2002.