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कार्यालयीन उद्देश्य के सभी पत्रादि "मुख्य विस्फोटक नियंत्रक" के पदनाम से भेजे जाए उनके व्यक्तिगत नाम से नहीं.

All communications intended for this Office should be addressed to the 'Chief Controller of Explosives' and NOT to him by name



भारत सरकार

GOVERNMENT OF INDIA

पेट्रोलियम तथा विस्फोटक सुरक्षा संगठन
Petroleum and Explosives Safety Organisation

(पूर्व नाम - विस्फोटक विभाग)

(Formerly- Department of Explosives)

"ए-ब्लॉक", पाँचवा तल, केन्द्रीय कार्यालय परिसर,

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सेमिनरी हिल्स, नागपुर - 440 006 (महा)

Seminary Hills, Nagpur- 440006.

संख्या/No. C.VIII(3)125/CIR/Petroleum
G.40(Misc)R.Min

नागपुर, दिनांक/ Nagpur, Date 19.07.2022

CIRCULAR

Reference is invited to DPIIT, New Delhi's email dated 18.07.2022 along with minutes of meeting held on 08.06.2022 under the Chairpersonship of Shri Anurag Jain, Secretary, DPIIT (copy enclosed) to review the amendment in the petroleum rules and also regarding applications received from Oil Marketing Companies for approval of proposal related to setting up of convenience stores, ATMs etc at the Retail outlet.

All Circle and Sub Circle offices of PESO are advised to comply the guidance as directed by DPIIT and also as mentioned in para 2.5 of the said MoM while processing the applications.

(P. Kumar)

Chief Controller of Explosives

Distribution

- 1) All Circle and Sub Circle Offices of PESO
(Through support site and website only)
- 2) All Oil Marketing Companies (OMCs)
(Through PESO web site)

Copy to-

Shri S. K. Satpute, Director, DPIIT, Udyog Bhawan, New Delhi

Status of the applications received from OMCs on their request

From : Sushil Kamlakar Satpute <sushil.satpute@nic.in> Mon, Jul 18, 2022 05:28 PM
Subject : Status of the applications received from OMCs on their request 1 attachment
To : Chief Controller of Explosives
<explosives@explosives.gov.in>, V.B. Borgaonkar
Controller of Explosives, PESO
<vbborgaonkar@explosives.gov.in>, R.N. Meena. Joint
Chief Controller of Explosives, PESO
<rnmeena@explosives.gov.in>
Cc : Explosive Section <expl-dipp@nic.in>, SURENDRA SINGH
UNDER SECRETARY DPIIT <ssingh.dopt@nic.in>

Dear Shri P Kumar, CCE, PESO

This refers to the discussions held in the meeting on 8.6.2022 regarding proposals submitted by the OMCs wrt to provision of facilities such as convenience stores , ATMs etc. at the retail outlets. The para 2.5 of the MoM may please be seen.

In this regard, the status of the such applications of OMCs in various regional / sub-regional offices of PESO may please be examined by PESO Nagpur at the earliest. A brief report in this regard to be submitted by 20.07.2022 for perusal of SIIT.

with regards

Sushil K Satpute
DIRECTOR (Explosives)
Department for Promotion of Industry and Internal Trade
Ministry of Commerce & Industry
Telephone No. 011-23010602



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Amrit Mahotsav

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Minutes of the Meeting held on 8th June 2022 under the Chairpersonship of Shri Anurag Jain, Secretary, DPIIT to review the amendments in the Petroleum Rules 2002.

1. Secretary, DPIIT welcomed all participants and provided a brief background of the agenda of the meeting. Director, DPIIT deliberated that the draft Petroleum (Amendment) Rules, 2021 were notified by MoPNG on 2nd September 2021. On receipt of comments from the stakeholders, meetings were held to discuss the suggestions and revised final rules are prepared for finalization. Meetings were held with the MoPNG and OMCs too. The amendments in the Petroleum Rules include provisions for the following purposes:

- a. Introduction of provisions for Ease of Doing Business.
- b. Introduction of Third Party Inspecting Agency (TPIA).
- c. To include technological advancements.
- d. To enhance safety during storage, transport and import of petroleum.

The copy of the presentation made during the meeting is enclosed.

2. After detailed discussion on the proposed amendments, the provisions in the draft Petroleum (Amendment) Rules, 2022 were found acceptable and the following provisions are to be reviewed as decided below:

2.1 The provision for the import of petroleum by air was noted. Further, exemption to the R&D sample containers in which petroleum will be brought (Rule 4 sub-rule 4), is also provided in view of the IATA norms for transportation by air.

2.2 Presently, the timelines for the District Authorities to issue NOC to the applicant is 3 months, however, there is significant delay up to 1 year in many cases. Hence, proposal was introduced in the draft rules (Rule 144 sub-rule 5) for deemed approval of the NOC after completion of 3 months timelines. It was discussed that the NOCs are issued by District Authorities after consultation with several departments such as fire services, enforcement agencies, NHAI, city master plan, State Pollution Control Boards etc. which may involve compliance of regulations under concerned laws. The proposed provision of deemed approval may lead to non-compliances of other laws or regulations. This may

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also require more consultation with State Authorities on this matter. Also, PESO and OMCs may device an online application mechanism that will keep track of the applications made for the NOCs and monitoring may be done for expediting the applications. The proposed online mechanism will help in reducing the timelines for the processing / decision on the application. Therefore this rule should be removed from the draft amendment.

2.3 The proposal in the draft rules (Rule 148 sub-rule 9) to dispense with the requirement of NOC in case an application for renewal is made after 3 years of expiry of licence (presently it is 1 year) may also be removed as several changes such as master plan, development of the area / nearby locations and therefore it is necessary for the District Authorities to review the application for NOC. PESO also confirmed that such cases are very less. It was decided to remove this clause from the draft rules.

2.4 The new rule (Rule 200 sub-rule 2) regarding timelines of 7 days for PESO officials to visit the accident site was discussed. As the visit to the accident site is required to be done at the earliest, it was decided that the text to be amended with provision to visit the accident site as expeditiously but not later than 7 days.

2.5 Further, OMCs raised the issues faced in approval of proposal related to setting up of Convenience Stores, ATMs etc. at the Retail Outlets as PESO has recently stopped issuing approvals to such proposals. The participants from OMCs, MoPNG and DPIIT suggested that the approvals to such proposals may be continued to be given in the manner it was considered in the past after ensuring that the facilities are setup beyond the hazardous distances mentioned in the Petroleum Rules. However, it was also discussed that the rule may be amended, if required, to bring more clarity regarding approval to be given for activities in the non-hazardous areas of the retail outlet.

2.6 OMCs requested that use of flameproof equipment approved by ATEX (European certifying body) may be allowed. PESO informed that application for approvals should be submitted to PESO alongwith the relevant documents. DPIIT suggested that direct acceptance of certification by any country should be examined on mutual basis under Mutual Recognition Arrangement.

3. The above changes in the draft Petroleum (Amendment) Rules , 2022 should be accordingly incorporated.

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4. The meeting ended with thanks to the chair.

Annexure A**List of participants****DPIIT**

1. Sh. Anurag Jain, Secretary, DPIIT
2. Sh. Sushil K. Satpute, Director, DPIIT
3. Sh. Surendra Singh, Under Secretary, DPIIT.

MoPNG

1. Shri Deepak Srivastava, DS (M), MoPNG

PESO

1. Shri P. Kumar, CCE, PESO
2. Shri R.N. Meena, Jt.CCE, Faridabad, PESO

Oil marketing Companies

1. Shri Arnik Mathur, Chief Manager, BPCL
2. Shri D.H.V. Anand, DGM-Retail Engg, HPCL
3. Shri A S Reddy, CGM, HPCL
4. Shri Sandip Deshpande, CGM, BPCL
5. Shri Sanjeev Agrawal, ED, BPCL
6. Shri Sandeep Makker, ED, IOCL
7. Shri S.K. Bajpai, ED, IOCL
8. Shri S P Srivastava, CGM, IOCL
9. Shri Kritarth Pandey, AM, IOCL