

All DRSMS

pl. note
M. Anna desai
03/02/2020

///SPEED POST///

Grams: "EXPLOSIVES" Chennai
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All communications intended for this Office should be addressed to the "Joint Chief Controller of Explosives" and NOT to him by name.



GOVERNMENT OF INDIA
MINISTRY OF COMMERCE AND INDUSTRY
PETROLEUM AND EXPLOSIVES SAFETY ORGANISATION (PESO)
(Formerly Department of Explosives)
A&D WING, BLOCK 1 – 8, 2ND FLOOR
SHASTRI BHAVAN, 26, HADDOWS ROAD
NUNGAMBAKKAM, CHENNAI – 600 006.

No. Pet/Genl.

Date: January 20, 2020.

To

All the District Magistrates,
TAMIL NADU.

Sub: - Illegal Bowsers carrying fuel to door delivery to customers - Complaint - Reg.

Ref: - Tamil Nadu Petroleum Dealers Association's complaint dated 18/12/2019 (Copy enclosed).

Dear Sirs,

Petroleum is highly inflammable substance and attracts the provisions of Petroleum Rules, 2002 for storage and transportation. It has been brought to the notice of this office about the operation of illegal/unauthorized bowsers delivering HSD (Petroleum Class B) on site, which is a matter of concern and also poses threat to public safety and properties.

It is informed that as per the provision of Rule 75 of Petroleum Rules, 2002 [Now Petroleum (Amendment) Rules, 2019], a licence is necessary for transportation in bulk of Petroleum Class A and Class B. Licence in Form XIX (Bowser) of Petroleum Rules, 2002 (Now Petroleum (Amendment) Rules, 2019) are being granted by the Organization for door to door delivery of HSD (Class B Petroleum). Such Bowsers are filled at a storage premises licensed in special form or premises licensed in Form XV having tank lorry loading facilities or at a specially prepared area attached to service station licensed in form XIV under Petroleum Rules, 2002 as per condition 6 of the licence issued in Form XIX of Petroleum Rules, 2002.

The licensed bowsers are of the type approved by the Chief Controller of Explosives, Nagpur and the retail outlet licence in Form XIV of Petroleum Rules, 2002 is also amended for installation of bowser loading and parking facilities specifically as per the condition 12 of the licence for Bowser issued in Form XIX of Petroleum Rules, 2002.

The description of the licence in Form XIX for Bowser includes:

- (a) The vehicle is loaded in the specially prepared area described in the approved plan or in the storage premises licensed in Form XIV or Form XV or Special Form.

- (b) The area of operation and the equipments.
- (c) The refueller conforms to the drawing approved by the Chief Controller of Explosives, Nagpur and conditions of the licence.

Further, copies of agreement between Oil Marketing Companies and service station dealers/bowser owners for operation of bowser, loading of bowser with petroleum class B in the retail outlet and refueling in the customer premises is also obtained for issuance of licence in Form XIX, for door to door delivery of legitimate customer premises.

Filling, plying and delivery of petroleum through bowser other than the licensed bowser is illegal. Again only the licensed bowser for door to door delivery can be allowed to fill at the petroleum retail outlet having specifically amended for bowser loading/parking facilities as per Petroleum Rules, 2002 [Petroleum (Amendment) Rules, 2019.

In view of the above, the District Authorities in the State are requested to take necessary action at their end whenever information/complaints are received by them against plying of illegal/unauthorized bowser in their area of jurisdiction.

Please acknowledge the receipt of this letter.

Yours faithfully,

(Dr. SANJNA SHARMA)
Deputy Chief Controller of Explosives,
for Joint Chief Controller of Explosives,
South Circle, Chennai.

Copy for information to

1. The Chief Controller of Explosives, Nagpur.
2. The Superintendent of Police, Virudhunagar District.
3. The General Manager (Retail Sales), M/s. Indian Oil Corporation Limited, Indian Oil Bhavan, 139, Nungambakkam High Road, Chennai - 600 034 - They are advised to ensure that no illegal bowser are filled/loaded at the retail outlet and compliance of petroleum Rules are strictly adhered to in respect of loading of bowser at the retail outlet.
4. The Deputy Chief Controller of Explosives, Ernakulam / Hyderabad / Visakhapatnam / Mangalore.
- They may issue similar letter to the District authority, Superintendent of Police and OMCs coming under their jurisdiction under intimation to this office.
5. Tamil Nadu Petroleum Dealers Association, No.17, 10th Street, Kalaignar Nagar, Tiruvottiyur, Chennai - 600 019 - With reference to their letter dated 18/12/2019.

for Joint Chief Controller of Explosives,
South Circle, Chennai.

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फैक्स/ FAX : 0712-2510577
कार्यालयीन उद्देश्य के सभी पत्रादि "मुख्य विस्फोटक नियंत्रक" के पदनाम से भेजे जा एउनके व्यक्तिगत नाम से नहीं.

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भारत सरकार

GOVERNMENT OF INDIA

वाणिज्य और उद्योग मंत्रालय

Ministry of Commerce & Industry

पेट्रोलियम तथा विस्फोटक सुरक्षा संगठन

Petroleum and Explosives Safety Organisation

(पूर्वनाम-विस्फोटक विभाग)

(Formerly- Department of Explosives)

'ए' ब्लॉक, पाँचवातल, केन्द्रीय कार्यालय परिसर,

"A" Block, 5th Floor, CGO Complex,

सेमिनरी हिल्स, नागपुर- 440 006 (महा)

Seminary Hills, Nagpur- 440006

No. G (40)/Misc/Mobile Dispenser

dated 18/06/2020

To,

Shri Sundeep Chauhan
Development Officer
Department for Promotion of Industry and Internal Trade
Ministry of Industry and Commerce
New Delhi:

18 JUN 2020

Sub: Usage on bowsers, violations of safety norms and Petroleum Act - Reg.

Sir,

This has reference to your email dated 17/06/2020 along with a copy of complaint of Tamil Nadu Petroleum Dealers Association on usage of refuellers, violations of safety norms and Petroleum Act received from DPIIT.

The following comments are offered with regard to action to be taken by PESO on delivery of Class B Petroleum products by licensed refuellers at the area of operation mentioned in the description of the licence.

As per preamble of the license Form XIX, the refueller (bowser) shall be used for onsite refuelling of heavy vehicles/ stationary equipments/ machinery with Class B Petroleum (HSD).

It has been reported by the complainant that refuellers which are not licenced under Petroleum Rules 2002 are being used for transporting and supplying of HSD to educational institutions, shopping malls and hospitals etc illegally. In this regard, it is stated that District Authorities/ Police Department are authorised to take action on such illegal supplier of Petroleum products as District Authorities are also empowered to take action under Rule 198 of Petroleum Rules 2002. Therefore, if any person delivers HSD using unauthorized refuellers to the above

mentioned places, a complaint may be lodged to the District Authorities/Police Department and the same may also be brought to the notice of PESO so as to sensitize the OMC for effective control and to take action against the supplier(owner of concern retail outlet) of HSD to such unauthorized bowzers.

It may be noted that PESO is authorized to grant license in Form XIX for delivery of HSD at the area of operation mentioned in the description of the licence and to take action on the licensee if a licensee violates Petroleum Rules 2002 and condition of the licence while delivering HSD at sites specified in the licence. It is also informed that if any licensee violates the afore said rules and condition of the licence while receiving and delivery of HSD, the same may be brought to the notice of PESO and action will be initiated against the violators under Petroleum Act 1934 and rules framed there under.

With regard to responsibility / role of owners of licensed refuellers and guidelines to be issued by PESO on the operations of refuellers, it is stated that as per the condition 14(d) of the license Form XIX, specific emergency plan for each site is to be prepared by OMC and copy of such emergency plan shall be submitted District Authorities and also as per Condition 14(e) of the license, Standard Operating Procedure prepared by OMC shall be complied with by the licensee.

It has also been reported that in Erode ,Tamil Nadu state , a bowser at a public road was delivering HSD to passing vehicles. It is an illegal activity and seen as a serious violation which is punishable under the Petroleum Act, 1934. If such incidents are noticed by anybody, they may directly complaint to District Authority or Police Authority to take penal action.

It may be noted that the regulation of supply and distribution of petroleum products is covered under "The Petroleum Products (Maintenance of Production, Storage and Supply Order, 1999)" framed under the Essential Commodities Act, 1955. Therefore, the owner / dealer of the retail outlet is also responsible for supply and distribution of petroleum products.

Yours faithfully

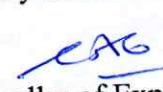
(R.A. Gujar)

Dy Chief Controller of Explosives
For Chief Controller of Explosives

Copy to:

1. TPDA in reference to their complaint dated 12/06/2020 addressed to Hon'ble MOS, C&I, New Delhi.

2. All circle heads with an advice that if any complaint is received on illegal delivery of HSD by refuellers, action shall be taken in accordance with Petroleum Rules 2002.


for Chief Controller of Explosives

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NUNGAMBAKKAM, CHENNAI - 600 006.

No. Bowsers/Refuellers

Date: August 14, 2020.

To
✓ Shri K P Murali,
President,
Tamilnadu Petroleum Dealers Association,
Chennai.

Sub: Use of Bowsers and Refuellers- Compliance of Statutory Norms emphasized- reg.

Dear Mr Murali,

It is informed that, Shri K Sundaresan Deputy Chief Controller of Explosives & Head, South Circle, Chennai held VC meetings with State Heads(Retail) of OMCs- IOCL, BPCL, HPCL on 27/07/20, 28/07/2020 & 29/07/2020 and discussed thoroughbare, the safety & regulatory issue regarding **Bowsers/Refuellers-(Mobile Dispensers-DDD)**.

Subsequently, vide Memo dated 30/07/2020, PESO, Chennai emphasized and reiterated that dealers and DDD operators, of all the OMCs, shall comply with the provisions of Petroleum Rules in force, and if any violations brought to the notice of authorities, strict action will be initiated by the implementing authorities and OMCs against the erring dealers/DDD operators.

It is hereby requested that your Esteemed Association shall also instruct the **dealer-members** to strictly follow the statutory rules & regulations in the operation of mobile dispensers (DDD). A line in reply to the instruction given by you to your **dealer-members** may be communicated to us and OMCs.

Kindly acknowledge the receipt of this letter.

Kind Regards

Yours faithfully

[Signature] 14/8/20

(K Sundaresan)
Deputy Chief Controller of Explosives & Head
South Circle, Chennai
14/08/2020