

**THE PETROLEUM RULES,
2002**

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THE PETROLEUM RULES, 2002

G.S.R. 204 (E): Whereas a draft of the Petroleum Rules 2001 was published as required by sub-section (2) and (3) of Section 29 of the Petroleum Act 1934 (30 of 1934), by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. GSR 357(E) dated the 15th May, 2001 in the Gazette of India Extraordinary Part II Section 3 sub-section (i) dated the 15th May, 2001 inviting objections or suggestions from all persons likely to be affected thereby before the expiry of 45 days from the date on which the Notification was made available to the public;

AND WHEREAS, the said notification was made available to the public on the 19th June 2001;

AND WHEREAS, except certain suggestions, no objection to the draft rules were received by the Central Government;

AND WHEREAS the Central Government have duly considered all the suggestions received by it on the draft rules;

NOW, THEREFORE, in exercise of the powers conferred by Sections 4, 5, 14, 21, and 22 and sub-section (1) of Section 29 of the Petroleum Act 1934 (30 of 1934), the Central Government hereby makes the following rules, namely:

CHAPTER I PRELIMINARY PART I

1. Short title and commencement

- (1) These rules may be called the Petroleum Rules, 2002.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions

- (1) In these rules, unless the context otherwise requires,
 - (i) "Act" means the Petroleum Act, 1934 (30 of 1934);
 - (ii) "Adequate",
 - (a) in relation to ventilation, means where the concentration of the inflammable gas in a gas-air mixture does not reach the lower inflammable limit, or
 - (b) where applied to provision of facilities for fire-fighting, means the facilities so provided are in accordance with the prevalent recognized standards or codes of safety;
 - (iii) " Approved",

- (a) Where applied to a specification, means that the specification is authorised by the Chief Controller including the following Oil Industry Safety Directorates Standards: OISD -105, OISD-116, OISD- 117, OISD-118, OISD-141 and OISD –156;
 - (b) where applied to an appliance or fitting, means that the appliance or fitting bears a label of a designated testing organization certifying conformity with a specification approved by the Chief Controller or with a laboratory test report accepted by the Chief Controller; or
 - (c) where applied to any facility for petroleum, means that it conforms to these rules;
- (iv) “Chief Controller” means the Chief Controller of Explosives;
 - (v) “Controller” means Controller of Explosives and includes Joint Chief Controller of Explosives, Deputy Chief Controller of Explosives and Deputy Controller of Explosives;
 - (vi) “Competent person” means a person recognized by the Chief Controller to be a competent person, or a person who holds a certificate of competency for the job in respect of which competency is required from an institution recognized by the Chief Controller in this behalf;
 - (vii) “Conservator” includes any person acting under the authority of the officer or body of persons appointed to be Conservator of a port under Section 7 of the Indian Ports Act, 1908 (15 of 1908);
 - (viii) “Container” means a receptacle for petroleum not exceeding 1,000 litres in capacity;
 - (ix) “Defence Forces of the Union” includes General Reserve Engineering Forces under the Director-general Border Roads, Assam Rifles, Central Reserve Police Force, Border Security Force and National Security Guard under the Ministry of Home Affairs and Special Security Bureau under the Cabinet Secretariat;
 - (x) “District Authority” means,
 - (a) in towns having a Commissioner of Police, the Commissioner or a Deputy Commissioner of Police;
 - (b) in any other place, the District Magistrate;
 - (xi) “District Magistrate” means and includes an Additional District Magistrate and in the States of Punjab and Haryana and in the Karaikal, Mahe and Yenam areas of the Union Territory of Pondicherry, also includes a Sub-Divisional Magistrate;
 - (xii) “Electric Apparatus” includes motors, starters, lamps, switches, junction boxes, fuses, cut- outs or any other appliance, equipment or fitting which operates on electricity;

- (xiii) "Form" means a form in the First Schedule;
- (xiv) "Hot work" means any work which involves welding, burning, soldering, brazing sand blasting, chipping by spark-producing tools, use of certain power-driven tools, non-flame proof electrical equipment or equipment with internal combustion engines and including any other work which is likely to produce sufficient heat, capable of igniting inflammable gases;
- (xv) "Inspector" means an officer authorized by the Central government under sub-section (1) of Section 13 of the Act;
- (xvi) "Installation" means any premises wherein any place has been specially prepared for the storage of petroleum in bulk, but does not include a well-head tank or a service station;
- (xvii) "OISD" means "Oil Industry Safety Directorate" a technical body assisting the Safety Council constituted under the Ministry of Petroleum and Natural Gas;
- (xviii) "OISD Standard" means technical standards formulated by OISD and approved by Safety Council constituted under the Ministry of Petroleum and Natural Gas to ensure safety in Oil and Gas Industry (as amended from time to time).;
- (xix) "Petroleum in bulk" means petroleum contained in a tank irrespective of the quantity of petroleum contained therein;
- (xx) "Protected Area" means the area necessary for the maintenance of the distance required under the conditions of the licence to be kept clear between any installation, service station or storage shed and any protected works;
- (xxi) "Protected works" include,
 - (a) buildings in which persons dwell or assemble, docks, wharves, timber and coal yards, furnace, kiln or chimney and buildings or places used for storing petroleum or for any other purpose but does not include buildings or places forming part of an installation;
 - (b) any public road or a railway line which is used exclusively as an oil siding; and
 - (c) overhead high-tension power lines;
- (xxii) "Sampling Officer" means an officer authorized by the Central Government under sub-section (1) of Section 14 of the Act;
- (xxiii) "Schedule" means a schedule annexed to these rules;
- (xxiv) "Service Station" means any premises specially prepared for the fuelling of motor vehicles and includes such places within the premises which have been specially approved by the licensing authority for the servicing of motor vehicles and for other purposes;

- (xxv) "Storage Shed" means a building used for the storage of petroleum otherwise than in bulk whether forming part of an installation or not, but does not include a building used for the storage of petroleum exempt from licence under Sections 7, 8 or 9 of the Act;
 - (xxvi) "Tank" means a receptacle for petroleum exceeding 1,000 litres in capacity;
 - (xxvii) "Tank cart" means a hand-drawn or animal-drawn vehicle equipped with a tank;
 - (xxviii) "Tank semi-trailer" means a tank trailer constructed in such a manner that when it is drawn by a tractor by means of fifth wheel connection, some part of the load rests on the towing vehicle;
 - (xxix) "Tank trailer" means a vehicle with a tank mounted thereon or built as integral part thereof and constructed in such a manner that it has at least two axles and all its load rests on its own wheels;
 - (xxx) "Tank truck" means a single self-propelled vehicle with a tank mounted thereon;
 - (xxxi) "Tank Vehicle" means any vehicle, including a tank wagon with a tank of a capacity exceeding 1,000 litres mounted thereon and also includes refueller used for refuelling of air crafts or onsite fuelling of heavy vehicles/machineries/stationery equipment.
 - (xxxii) "Tank wagon" means a railway carriage with a tank mounted thereon.
 - (xxxiii) "Testing Officer" means an officer authorized by the Central Government to test petroleum under Section 17 of the Act;
 - (xxxiv) "Vehicle" means all carriages, including animal-drawn carriages for the transportation of petroleum either in bulk or otherwise than in bulk;
 - (xxxv) "Well-head tank" means a tank into which crude petroleum flowing or being pumped from an oil well is first discharged;
- (2) The words and expressions used in these rules but not defined in sub-rule (1), shall have the respective meanings assigned to them in the Act.

PART II

GENERAL PROVISIONS

3. Restriction on delivery and dispatch of petroleum

- (1) No person, shall deliver or dispatch any petroleum to anyone in India other than the holder of a storage licence issued under these rules or his authorized agent or a port authority or railway administration or a person who is authorized under the Act to store petroleum without a licence.

- (2) The petroleum delivered or dispatched under sub-rule (1) shall be of the class, and shall not exceed the quantity, which the person to whom it is delivered or dispatched is authorized to store with or without a licence under the Act.
- (3) Notwithstanding anything contained in sub-rule (2), Petroleum Class B not exceeding 15,000 litres in quantity packed in sealed airtight approved containers may be dispatched to a person not holding a storage licence provided that the person dispatching the petroleum has satisfied himself that prior arrangements have been made by the person to whom the petroleum is dispatched for the immediate disposal in the original sealed packages or such quantity as in excess of 2,500 litres:

Provided that a dry chemical powder fire extinguisher as a means of fighting fire in emergency shall be carried in the case of the containers with more than 2,500 litres.

- (4) Nothing in sub-rules (1) and (2) shall apply to the delivery or dispatch of petroleum to the Defence Forces of the Union and to the delivery or dispatch of kerosene (petroleum Class B) to the person holding licence in Form XVIII for decantation into containers from tank vehicle:

Provided that the person dispatching the Kerosene has satisfied himself that prior arrangements have been made by the person to whom the kerosene is dispatched for the immediate disposal into containers in lots of 2,500 litres or less.

4. Approval of containers

- (1) Containers exceeding one litre in capacity for Petroleum Class A and five litres in capacity for Petroleum Class B or Petroleum class C, shall be of a type approved by the Chief Controller.
- (2) Where the approval of the Chief Controller is sought to a type of container not previously approved, an application together with copies of drawings thereof to scale showing the design, materials to be used, the method of construction and capacity of the container together with two samples containers and a fee of rupees one thousand for scrutiny shall be submitted to the Chief Controller.
- (3) Nothing in sub-rules (1) and (2) shall apply to containers in the possession of the Defence Forces of the Union.

5. Containers for Petroleum Class A

- (1) Containers for Petroleum Class A shall be constructed of tinned, galvanized or externally rust proofed sheet iron or steel and be of a type approved by the Chief Controller:

Provided that glass bottles of a capacity not exceeding 2.5 litres and of a type approved by Chief Controller can be used as a container for laboratory chemicals classified as Petroleum Class "A".

- (2) The containers shall be so constructed and secured as not to be liable except under circumstances of gross negligence or extraordinary accident to become defective, leaky or insecure in transit and they shall be kept in proper repair.

- (3) The containers shall have well-made filling aperture which shall be fitted with well-fitting and secure airtight screw plugs or screw caps or other caps.
- (4) Containers made of sheet iron or steel shall have the following thickness of metal, namely:
 - Capacity of Container exclusive of the free space Minimum thickness in mm.
 - Prescribed in sub-rule (6) of sheet iron or steel
 - Not exceeding 10 litres 0.443(27BG)
 - Exceeding 10 but not exceeding 25 litres 0.63 (24BG)
 - Exceeding 25 but not exceeding 50 litres 0.80 (22BG)
 - Exceeding 50 but not exceeding 200 litres 1.25 (18BG)
 - Exceeding 200 but not exceeding 300 litres 1.59 (16BG).
- (5) The capacity of any container, other than those approved by the Chief Controller for specific purposes, shall not exceed 300 litres.
- (6) An air space of not less than 5 percent of its capacity shall be kept in each container.
- (7) The container shall bear a stamped, embossed or painted warning exhibiting in conspicuous characters the words "Petrol" or "Motor Spirit" or an equivalent warning of the highly inflammable nature of the petroleum.
- (8) Nothing in sub-rules (1), (3), (4), (5), (6) and (7), shall apply to containers in the possession of the Defence Forces of the Union.

6. Containers for Petroleum Class B and Class C

- (1) Containers for Petroleum class B or Petroleum class C shall be constructed of steel or iron and be of a type approved by the Chief Controller.
- (2) An air space of not less than 5 percent of its capacity shall be kept in each container for Petroleum Class B and not less than 3 percent of its capacity in each container for Petroleum Class C.
- (3) Nothing in this rule shall apply to containers in the possession of the Defence Forces of the Union.

7. Empty receptacles

All empty tanks which had Petroleum Class A or Petroleum Class B and empty containers which had Petroleum Class A shall, except when they are opened for the purpose of filling or cleaning and rendering them free from petroleum vapour, be kept securely closed until they have been thoroughly cleaned and freed from petroleum vapour.

8. Repairs to receptacles

- (1) No person shall cause to be repaired or repair by the use of hot work any tank or container which had petroleum unless it has been thoroughly cleaned and freed from

petroleum and petroleum vapour or otherwise prepared for safely carrying out such hot repair and certified, in writing, by a competent person to have been so repaired.

- (2) The certificate required under sub-rule (1) shall be preserved by the repairer for a period of at least three months and produced to an inspector on demand.

9. Prevention of escape of petroleum

All due precautions shall be taken at all times to prevent escape of petroleum into any drain, sewer, and harbour, river or watercourse or over any public road or railway line.

10. Prohibition of employment of children and intoxicated persons

No child under the age of eighteen years and no person who is in a state of intoxication shall be employed on the loading, unloading or transport of petroleum or in any premises licensed under these rules.

11. Prohibition of smoking, fires, lights, etc.

Unless expressly provided in these rules, no person shall smoke and no matches, fires, lights or articles or substances capable of causing ignition of petroleum shall be allowed, at any time in proximity to a place where petroleum is refined, stored or handled or in a vehicle's carriage or vessel in which petroleum is transported.

12. Special precautions against accident

- (1) No person shall commit or attempt to commit any act, which may tend to cause a fire or explosion in or about any place where petroleum is refined, stored or handled, or any vehicle's carriage or vessel in which petroleum is transported.
- (2) Every person storing petroleum and every person in charge of or engaged in the storage, handling or transport of petroleum shall at all time,
- (a) comply with the provisions of these rules and conditions of any licence relating thereto;
 - (b) observe all precautions for prevention of accident by fire or explosion; and
 - (c) prevent any person from committing any act referred to in sub-rule (1);

13. Payment of fees

- (1) All fees payable under these rules to the Chief Controller shall be paid by a crossed bank draft drawn in favour of the Chief Controller of Explosives, Nagpur. The bank draft shall be drawn on any nationalized bank, payable at Nagpur. Fees upto rupees one hundred in each case may be paid in cash at the office of the Chief Controller.
- (2) Fees payable to a Controller shall be paid by a crossed bank draft drawn in favour of the Controller of Explosives to whom the payment is made. The bank draft shall be drawn on any nationalized bank payable at the station where the office of the Controller to whom payment is to be made is located. Fees upto rupees one hundred in each case may also be paid in cash at the office of the Controller concerned.

- (3) Fees payable to District Authority or any other authority under these rules shall be paid in such a manner as may be specified by that authority.
- (4)(4)
- (i) If an application for the grant, renewal or amendment of the licence is rejected, the fees paid by the applicant shall be refunded to him;
 - (a) by the licensing authority, if the fee has been paid in cash or by bank draft; or
 - (b) if the fee has been paid into a treasury, by that treasury on the production of signed order from the licensing authority directing such refund.
 - (ii) The fees shall be refunded by the licensing authority preferably within six months of the realisation.
- (5) Fees payable under these rules for purposes other than the grant, renewal, or amendment of licences shall not be refundable.

CHAPTER II

IMPORTATION OF PETROLEUM

PART I

GENERAL

14. Licence for import of petroleum

Petroleum, other than petroleum, which may be stored without a licence under Sections 7, 8 and 9 of the Act, shall not be imported into India except under a licence granted under these rules: Provided that, such Petroleum products may also be imported by a person not having a licence if adequate advance arrangements are made by such person to receive and store the imported petroleum products in licensed premises.

15. Petroleum exempted

- (1) Nothing in this chapter applies to Petroleum Class B or Petroleum Class C comprising in a ship's stores and manifested as such;
- (2) Nothing in rules 14, 19 and 26 shall apply to petroleum imported by the Defence Forces of the Union.

PART II

IMPORTATION BY SEA

16. Ports into which petroleum may be imported

- (1) Petroleum shall not be imported into India by sea except through the ports which are duly approved for this purpose by the Ministry of Shipping, Government of India, in consultation with the Chief Controller and declared as Custom's ports by the Commissioner of Customs.

- (2) Notwithstanding anything contained in sub-rule (1), the Commissioner of Customs may, on the recommendation of the Chief Controller, allow import of Petroleum Class B or Petroleum Class C, otherwise than in bulk, through any other port.
- (3) Adequate firefighting facilities as per OISD Standard-156 shall be provided at the ports handling petroleum.
- (4) Person(s) desirous of seeking approval in respect of proposed facilities for unloading of petroleum for the purpose of import under sub-rule (1) or of making modifications in the existing facilities shall submit to the Chief Controller an application alongwith,
 - (a) specification and plans drawn to scale in quadruplicate, clearly indicating,
 - (i) surroundings and all protected works within 500 metres of the unloading facilities on all sides showing therein the location, available draft, navigation channel, turning circle, route of transfer pipeline(s);
 - (ii) mooring or berthing facilities, service platform/berth, mode of unloading, firefighting facilities, illumination arrangements, navigational facilities, control room, spill collection/ containment arrangements etc., and
 - (iii) piping and instrumentation diagram of the petroleum pipeline(s) at the unloading area;
 - (b) comprehensive project report elaborating the scheme and methodology of import, safety and security features including those mentioned in (a) (i), (ii) and (iii) of this sub-rule;
 - (c) Environment Impact Assessment and Risk Analysis Report indicating qualitative and quantitative risks, probable failure scenarios, LFL distances and consequent hazards and damages with damage distances and remedies recommended;
 - (d) scrutiny fee of rupees two thousand, and
 - (e) copies of clearances obtained from the following authorities,
 - (i) Ministry of Shipping or State Maritime Board as the case may be.
 - (ii) Ministry of Environment and Forests or State Pollution Control Board, as the case may be, and
 - (iii) Commissioner of Customs.
- (5) Unloading of petroleum in bulk shall be either by mechanized arm or by armoured hose as approved by Chief Controller. All hoses, pipes and other appliances used in unloading of petroleum shall be electrically and mechanically continuous and duly tested as per codes/standards.

17. Declaration by the master of the ship carrying petroleum or by the ship's agent

- (1) The master of every ship carrying petroleum shall deliver to the pilot before entering any port approved under sub-rule (1) of rule 16, a written declaration in Form I under his signature:

Provided that no such declaration is necessary if the agent of the ship deliver such a declaration signed by him to the Conservator before the arrival of such ship.

- (2) The pilot shall make over the said declaration to the Conservator without delay and the Conservator shall forward the declaration to the Commissioner of Customs of the port with all convenient dispatch.

18. Anchorage of ships carrying petroleum

- (1) Every ship having petroleum on board shall be anchored at such anchorage as the Conservator shall specify in this behalf and shall not leave such anchorage without the general or special order of the Conservator and subject to such conditions as may be specified in such order.
- (2) The anchorage shall in no case be the same as that for vessel laden with explosives and shall be at such distance from the anchorage for vessels laden with explosives as to render it impossible for a fire originating at the former anchorage to affect vessels at the latter:

Provided that nothing in this rule shall apply to ships having on board Petroleum Class C.

19. Production of certificate and licence for import

- (1) Every person desiring to import petroleum shall furnish personally or through his agent to the Commissioner of Customs,
 - (a) certificate of storage accommodation in Form II signed by such person or his agent; and
 - (b) the licence or an authenticated copy of the licence for the import and storage of such petroleum:

Provided that nothing in this rule shall apply to the importation, otherwise than in bulk of petroleum exempted under sections 7, 8, 9 and 10 of the Act: Provided further that the furnishing of a licence under clause (b) shall not be necessary for the importation of petroleum class C in bulk in quantity exempted under Section 7 of the Act.

- (2) Notwithstanding anything contained in sub-rule (1) a person may import petroleum Class A in bulk, even if;
 - (i) he is not holding a licence for storage at the port of importation; or
 - (ii) the storage accommodation in the premises licensed in his name is not sufficient to hold the quantity of petroleum intended to be imported: Provided in both cases adequate advance arrangements to the satisfaction of the Conservator are made by the importer to distribute the petroleum from the post of import to premises licensed to store such petroleum.

20. Permission of Commissioner of Customs to land petroleum

- (1) No imported petroleum shall be landed except with the permission of the Commissioner of Customs.
- (2) If the Commissioner of Customs after receiving,
 - (a) of the testing officer's report on the petroleum;
 - (b) the certificate of storage accommodation in Form II if required under rule 19; and
 - (c) the licence or an authenticated copy of the licence if required under rule 19, 18 and after making such further inquiries, as he deems necessary, is satisfied that the petroleum can be lawfully imported and that there is suitable accommodation for it, he shall permit it to be landed.
- (3) If the Commissioner of Customs is satisfied that any petroleum imported otherwise than in bulk is not intended to be stored in India but is intended to be dispatched immediately after landing to any place outside India, he may waive the requirements of rules 14 and 19 and by written order permit subject to such conditions as he may specify such petroleum to be landed for the purpose of immediate dispatch to that place. The Commissioner of Customs shall ensure that the goods are immediately moved to destination country. In the event of road breaches etc. occurring maximum time of 30 days may be allowed from the date of landing of the goods upto the date of dispatch to the destinations outside of India.
- (4) Nothing in this rule shall affect the power of the Commissioner of Customs to detain the petroleum under any other law or rule for the time being in force.

21. Landing of Petroleum Class B or Petroleum Class C in anticipation of the testing officer's report

- (1) Notwithstanding anything contained in Rule 20 where the consignee furnishes a guarantee to re-ship the petroleum if the testing officer's report proves unfavourable, the Commissioner of Customs may in anticipation of the testing officer's report permit any petroleum which he believes to be Petroleum Class B or Petroleum Class C to be discharged into boats or to be landed.
- (2) The permission granted under sub-rule (1) shall be subject to the conditions that the boats into which the petroleum is discharged shall remain at such place as the Conservator may specify or that the petroleum shall be landed at a landing place duly specified for the purpose by him and stored in an installation licensed under these rules.

22. Unloading of petroleum in bulk

Subject to the provisions of Part II of Chapter III, petroleum imported in bulk shall be discharged into storage tanks on shore either 19 directly or by means of barges or lighters specially constructed for carrying petroleum in bulk and only at such places as the Conservator may by general or special order direct.

23. Unloading of petroleum otherwise than in bulk

- (1) Subject to the provisions of Part II of Chapter III, petroleum imported otherwise than in bulk shall be landed either at jetties provided for the purpose, or in barges or lighters and only at any such places as the Conservator shall direct.
- (2) No petroleum contained in containers shall be landed unless such containers are free from leakage and are of such strength or construction as not to be liable to be broken or to leak except in cases of gross negligence or extraordinary accident:

Provided that petroleum contained in containers, which do not satisfy the requirements of this sub-rule, may subject to provisions of Part II of Chapter III and to such conditions as the Conservator may impose, be landed at separate landing place approved for the purpose.

24. Transshipment of petroleum

Petroleum may be transhipped from one ship to another for conveyance to any other port, whether within or beyond the territory of India subject to the provisions of Part II of Chapter III.

PART III**IMPORTATION BY LAND****25. Petroleum to be imported by land only at authorized places**

No petroleum shall be imported into India by land except at places specially authorized for the purpose by the Central Government.

26. Declaration and certificate to be furnished and licence to be produced before importing petroleum by land

Every person desiring to import petroleum by land shall furnish to the Commissioner of Customs,

- (a) a declaration in Form I signed by him or his agent;
- (b) a certificate of storage accommodation in Form II signed by him or his agent; and
- (c) the licence or an authenticated copy of the licence held for the importation and storage of such petroleum:

Provided that nothing in this rule shall apply to the importation of petroleum exempted under sections 7, 8 and 9 of the Act:

Provided further that the furnishing of licence under clause (c) shall not be necessary for the importation of Petroleum class C, in bulk, in quantity exempted under Section 7 of the Act.

27. Permission of the Commissioner of Customs to unload petroleum

- (1) No petroleum shall be unloaded except with the permission of the Commissioner of Customs.

- (2) If the Commissioner of customs, after receiving:
 - (a) the testing officer's report on the Petroleum;
 - (b) the certificate in Form II, if required by rule 26; and
 - (c) the licence, if required by rule 26; and after making such further inquiries as he deems necessary, is satisfied that the petroleum can be lawfully imported and that there is suitable accommodation for it, he shall permit it to be unloaded.
- (3) If the Commissioner of Customs is satisfied that any petroleum imported is not intended to be stored in India but is intended to be dispatched immediately after unloading to any place outside India, he may waive the requirements of rules 14 and 26 and by written order permit, subject to such conditions as he may specify, such petroleum to be unloaded for the purpose of immediate dispatch to that place.
- (4) Nothing in this rule shall affect the power of the Commissioner of Customs to detain petroleum under any other law or rule for the time being in force.

CHAPTER III

TRANSPORT OF PETROLEUM

PART I

GENERAL

28. Restriction on leaky receptacles

No leaky tank or container containing petroleum shall be tendered for transport.

29. Loading of containers

Barrels, drums and other containers filled with petroleum shall be loaded with bung upwards.

30. Restriction on passengers, combustible and inflammable cargo

Save as provided in rules 38, 39 and 52 and clause (b) of rule 60, no ship, vessel or vehicle shall carry petroleum, Petroleum Class A or Petroleum Class B and Class C in bulk if it is carrying passengers or any combustible cargo other than petroleum:

Provided that nothing in this rule shall prohibit the use of dunnage for packing purposes in the case of coastwise transport of Petroleum Class A otherwise than in bulk.

31. Prohibition of smoking, fires, lights

No person while engaged in loading or unloading or transporting shall smoke or carry matches, lighters or other appliances capable of producing ignition or explosion.

32. Restriction on loading and unloading by night

- (1) Petroleum shall not be loaded into, or unloaded from, any ship, vessel or vehicle between the hours of sunset and sunrise, unless,

- (a) adequate electric lighting is provided at the place of loading or unloading, and the provisions of Chapter IV are complied with; and
 - (b) adequate fire-fighting facilities with personnel are kept ready at the place of loading for immediate use in the event of a fire.
- (2) Nothing in this rule shall apply to the refuelling of an aircraft by vessels or vehicles licensed under these rules in accordance with the provisions of the Indian Aircraft Rules, 1937, or to the refuelling of an aircraft by the Defence Forces of the Union.

Explanation: For the purposes of this rules the Chief Controller shall determine the adequacy or otherwise of the electric lighting and fire-fighting facilities.

PART II

TRANSPORT BY WATER

33. Conditions of carriage of petroleum in bulk by water

- (1) Petroleum in bulk shall not be carried by water, except in a ship or other vessel licensed for the carriage of petroleum in bulk by an officer appointed by the Central Government in this behalf (hereinafter in this part referred to as the, licensing authority) and the petroleum shall be stored in such part of the ship or other vessel and in such manner as may be approved by general or special order by the licensing authority after consultation with the Chief Controller;

Provided that,

- (a) nothing in this rule shall apply to vessels registered in a country other than India importing petroleum;
 - (b) petroleum in tank vehicles may, with the permission, in writing, of the Chief Controller and subject to such conditions as he may specify, be transported across a river by a ferry.
- (2) The licence referred to in sub-rule (1) shall be granted in Form III, and shall remain in force for a period of one year from the date of its issue.

34. Requirement as to the construction of vessels

Every ship or other vessel carrying petroleum in bulk, other than a ferry permitted to transport tank vehicles under clause (b) of the proviso of sub-rule (1) of rule 33, shall be made of iron or steel well and substantially constructed with scantlings of ample dimensions in proportion to the size of the vessel:

Provided that the licensing authority may, in special circumstances, allow use of such ships or other vessels constructed of materials other than iron or steel under such conditions as it may, in consultation with the Chief Controller, specify.

35. Tank fittings on ships or vessels

The following provisions shall apply for the transport of petroleum other than petroleum Class C in ship or other vessels, namely:

- (a) All tanks shall be fitted with independent approved filling and suction pipes and valves, or with stand pipes with blank flanges, all pipes being carried down nearly to the bottom of the tanks, and no petroleum in bulk shall be taken on board or discharged except through such pipes and valves, unless otherwise permitted by the Chief Controller in writing;
- (b) All tanks shall be fitted with manholes having screw-down cover with petroleum-tight joints and, in the case of tanks intended for use with petroleum class A, with ventilators or relief valves of approved pattern properly protected with wire gauge of a mesh not less than 11 meshes to linear centimeter; and
- (c) Ventilators similarly protected shall be fitted to all spaces, around tanks.

36. Self-propelled barges

The following conditions shall be observed in self-propelled barges transporting petroleum other than Petroleum class C, namely:

- (a) The whole of the machinery shall be at the stern of the barge and shall be entirely separated from the cargo by a cofferdam consisting of two transverse petroleum-proof bulkheads separated by a space of at least 75 centimetres;
- (b) each exhaust outlet from the machinery shall be fitted with an approved type of spark arrester;
- (c) no petrol-driven engine shall be used either as main engine or for the purpose of driving any auxiliary machinery or pumps.
- (d) a quick-action closing valve which can be operated from outside the machinery space, shall be fitted to each fuel feed pipe at its junctions with the fuel service tank;
- (e) the barge shall be provided with a heavy wood belting; and
- (f) suitable ventilators shall be fitted to the cargo space.

37. Petroleum in bulk on barges and flats

Petroleum in bulk shall not be transported in a barge or flat unless the barge or flat is self-propelled or is in tow of, or otherwise, attended by, a steamer or tug and carries:

- (a) at least four fire extinguishers suitable for extinguishing oil fires and a covered sand box, on deck, containing at least 0.20 cubic metres of dry sand;
- (b) a suitable hammer of non-sparking metal; and
- (c) a red flag.

38. Restriction on cargo or passengers

- (1) No ship or other vessel shall carry petroleum in bulk if it is carrying passengers, or any inflammable cargo other than petroleum or coal.
- (2) This rule shall not apply to Petroleum Class C used as fuel and carried in cellular double bottoms under engine and boiler compartments and under ordinary holds; such fuel oil tanks and installations connected therewith shall comply with the provisions of the

Indian Merchant Shipping (Construction and Survey of Passenger Steamers) Rules, 1956.

39. Petroleum carried as cargo in unberthed passenger ships

Petroleum Class A shall not be transported as cargo by an unberthed passenger ship as defined in the Merchant Shipping Act, 1958 (44 of 1958):

Provided that the certifying officer referred to in section 243 of the Merchant Shipping Act, 1958 (44 of 1958), may in cases where he is satisfied that no other means of transporting the petroleum are available, permit petroleum Class A in quantity not exceeding 1,250 litres to be transported otherwise than in bulk by an unberthed passenger ship subject to,

- (a) the condition that no more persons shall be carried in the ship than can with safety be accommodated in the ship's life-boats in case of an accident; and
- (b) such other conditions as the certifying officer may, after consultation with the Chief Controller, impose:

Provided further that clause (a) of the first proviso shall not apply in the case of unberthed passenger ships engaged on voyages in the course of which they do not go beyond 32 kilometres from land.

40. Prohibition of transport of Petroleum Class A by country craft

No country craft shall carry Petroleum class A if it is carrying passengers.

41. Restrictions on steamers or tugs employed in towing or attending a petroleum vessel

- (1) No steamer or tug employed in towing or otherwise attending a barge, flat or lighter carrying petroleum, other than petroleum class C in bulk, shall at the same time tow or otherwise attend any other vessel carrying an inflammable cargo other than petroleum or coal.
- (2) No such steamer or tug shall carry any inflammable cargo other than petroleum or coal.
- (3) All such steamers or tugs shall be fitted with efficient spark arresters.

42. Ventilation and cleaning of holds and tanks

- (1) Before any petroleum is discharged from a ship or vessel, the holds of such vessels shall be thoroughly ventilated:

Provided that nothing in this sub-rule shall apply to any vessel carrying Petroleum Class A not exceeding 30 litres or Petroleum Class B not exceeding 2,500 litres or Petroleum Class C.

- (2) After all petroleum has been discharged from any such vessel, the holds, tanks and bilge's of the vessel shall be rendered free from inflammable vapour.
- (3) Sub-rule (2) shall not apply to the tanks of a ship importing petroleum which leaves the port without delay after unloading of cargo or remains only for the purpose of taking on board bunkers, stores or ballast or for such other purpose as may be

approved by the Conservator, if the tanks of every such ship are securely fastened down immediately after the discharge of the cargo.

- (4) Sub-rule (2) shall not apply to barges or lighters continuously engaged in the transport of petroleum in bulk, if;
 - (a) an interval of not more than 72 hours is likely to elapse between an operation of unloading and the next loading operation; and
 - (b) the tanks are securely fastened down immediately after unloading.
- (5) Sub-rule (2) shall not apply to specially constructed steel tank motor vessel approved by the Chief Controller which are engaged in the transport of petroleum in bulk on such rivers and on such ports thereof as may be approved by him in areas outside port limits, or by the Conservator within port limits, if the tanks of such vessels are securely fastened down immediately after unloading and the vessels depart not later than 12 hours after completion of unloading for their next place of loading.
- (6) All ships or other vessels which by sub-rule (3) or sub-rule (4) or sub-rule (5) are exempted from the application of sub-rule (2), shall until their holds and tanks have been rendered free from inflammable vapour, comply with all the rules applicable to ships or other vessels when carrying petroleum in bulk.

43. Master of vessels specially responsible

The Master or other officer in charge of any vessel which had carried petroleum on board whether as a cargo or as a fuel, or any vessel licensed under rule 33 shall be responsible to see that,

- (a) all due precautions are taken for the prevention of accidents due to ignition of petroleum or petroleum vapour;
- (b) so long as there is petroleum or petroleum vapour in a tank, all openings from the tank to the atmosphere except the gas escape line are kept closed and locked or otherwise securely fastened; and when it is necessary to take dips or samples, the sludge plugs or sighting ports are closed immediately after such dips or samples are taken:

Provided that subject to the provisions of clause (c) the master or officer in charge may cause the necessary openings to be opened or unlocked for the purpose of taking on board or unloading petroleum Class B or petroleum Class C for cleaning the tanks or for other sufficient reason;

- (c) no person enters a tank or an enclosed space which had, or is suspected to have contained petroleum without wearing a breathing apparatus of a type approved by the Chief Controller unless an officer appointed by the Central Government in this behalf has examined the tank or space with the aid of an approved petroleum vapour-testing instrument and has been certified by him in writing that the said tank or space is free from petroleum vapour.

- (d) the vessel does not undergo repair by hot work to any of its tanks, part of fittings which are likely to contain petroleum vapour or petroleum unless each such tank, part of fittings, as the case may be, has been examined by an officer appointed under clause (c) with the aid of an approved petroleum vapour-test instrument and has been certified by him in writing that the tank, part or fittings is free from petroleum vapour or petroleum;
- (e) the vessel used for the carriage of petroleum in bulk as a cargo is not taken among other ships or to a dry dock unless,
 - (i) the vessel is proceeding to an oil berth, or
 - (ii) a certificate from an officer appointed under clause (c); to the effect that he has examined all the tanks, cofferdams, pump rooms and such other parts as are deemed necessary with the aid of an approved petroleum vapour-testing instrument, and that such tanks, cofferdams, pump rooms and other parts are free from petroleum vapour; and declaration from the Master that to the best of his knowledge there is no petroleum vapour, present in other parts of the vessel not covered by the above certificate are produced.
- (f) the officer granting certificate under clause (c) or clause (d) or clause (e) may specify such conditions and make such recommendations as are necessary to maintain gas-free conditions of tanks, space or parts certified;
- (g) the certificate referred to in clause (c), (d) and (e) shall be granted only on receipt of fee fixed by the Central Government from time to time;
- (h) the vessel or any steamer or tug towing or otherwise attending on such vessel exhibits conspicuously,
 - (i) from sunrise to sunset a red flag not less than 90 centimetres square with white circular centre 15 centimetres in diameter if Petroleum class A is carried and a red flag not less than 90 centimetres square if Petroleum Class B is carried; and
 - (ii) from sunset to sunrise such warning lights as may be required by the Conservator;

Note: The port authority concerned shall be the authority for the issue of final permission for the purpose of clauses (c), (d) and (e) even though Gas Free Certificates have been obtained from the officer concerned under clause (c) of this rule.

43-A. ¹[Agency undertaking ship breaking specially responsible

The Agency, which owns vessels meant for breaking or beaching. before undertaking breaking of such vessels, called ship breaking, shall be responsible to see that,

- (a) all due precautions are taken for the prevention of accidents due to ignition of petroleum or petroleum vapour;
- (b) so long as there is petroleum vapour in a tank, all openings from the tank to the atmosphere except the gas escape line are kept closed and locked or otherwise

securely fastened; and subject the provisions of clause (c), the agency undertaking the ship breaking activities may cause the necessary openings to be opened or unlocked for cleaning the tanks or for making the tank free from petroleum vapour or for other sufficient reason;

- (c) no person enters a tank or an enclosed space which had, or is suspected to have contained petroleum without wearing a breathing apparatus of a type approved by the Chief Controller unless an officer appointed by the Central Government in this behalf has examined the tank or space with the aid of an approved petroleum vapour-testing instrument and has been certified by him in writing that the said tank or space is free from petroleum vapour;
- (d) the vessel does not undergo breaking by hot work to any of its tanks, part of fittings which are likely to contain petroleum vapour or petroleum unless each such tank, part of fittings, as the case may be, has been examined by an officer appointed under clause (c) with the aid of an approved petroleum vapour-test instrument and has been certified by him in writing that the tank, part of fittings are free from petroleum vapour or petroleum;
- (e) the vessel is not taken to ship breaking yard unless a certificate from an officer appointed under clause (c); to the effect that he has examined all the tanks, cofferdams, pump rooms and such other parts as are deemed necessary with the aid of an approved petroleum vapour-testing instrument, and that such tanks, cofferdams, pump room and other parts are free from petroleum vapour; and declaration from the agency undertaking the ship breaking activities that to the best of its knowledge there is no petroleum vapour, present in other parts of the vessel not covered by the above certificate are produced;
- (f) the officer granting certificate under clause (c) or clause (d) or clause (e) may specify such conditions and make such recommendations as are necessary to maintain gas free conditions of tanks, space or parts certified;
- (g) the certificate referred to in clauses (c), (d) and (e) shall be granted only on receipt of fee fixed by Central Government from time to time.

Note: The port authority concerned shall be the authority for the issue of final permission for the purpose of clauses (c), (d) and (e) even though Gas Free Certificates have been obtained from the officer concerned under clause (c) of this rule.

44. Loading and unloading of bulk petroleum

- (1) Petroleum in bulk shall not be loaded or unloaded into or from any ship/ barge at any place unless,
 - (a) the location is notified or permitted by the Central Government and the facilities are approved by Chief Controller under rule 16, in case of import, or
 - (b) the location and facilities for loading or unloading are approved by the Chief Controller, in cases other than import.

- (2) Persons(s) seeking approval under sub-rule 1 (b) of this rule shall submit to Chief Controller;
- (a) Specification and plans drawn to scale in quadruplicate, indicating;
 - (i) surroundings and all protected works within 500 metres of the loading or unloading facilities on all sides showing therein the location, size of the ship, available draft, navigation channel, turning circle, route of transfer pipeline(s),
 - (ii) mooring or berthing facilities, service platform/berth, mode of loading or unloading, firefighting facilities, illumination arrangements, control room, spill collection/containment arrangements etc., and
 - (iii) piping and instrumentation diagram of the petroleum pipeline(s) at the loading or unloading area;
 - (b) Comprehensive project report elaborating the scheme and methodology of loading or unloading of petroleum, safety and security features including those mentioned in (a) (i), (ii) and (iii) of this sub-rule;
 - (c) Risk Analysis Report indicating qualitative and quantitative risks, probable failure scenarios and consequent hazards and damages with damage distances etc, and remedies recommended;
 - (d) Scrutiny fee of rupees two thousand, and
 - (e) Copies of clearances obtained from the following authorities,
 - (i) Ministry of Shipping or State Maritime Board as the case may be.
 - (ii) Ministry of Environment and Forests or State Pollution Control Board as the case may be.
- (3) Loading or unloading of petroleum in bulk shall be either by merchandised arm, or armoured hose metal pipe as approved by Chief Controller.
- (4) All hoses, pipes and other appliances used in loading or unloading of petroleum shall be electrically and mechanically continuous and duly tested as per codes/standards.
- (5) The hose and metal pipes used for loading and unloading of petroleum in bulk shall be subjected to periodic testing.

45. Precautions on suspension of loading or unloading

When the loading or unloading of petroleum has commenced, such loading or unloading shall proceed with due diligence and, if it is discontinued, the tanks, and holds of the ships or other vessels concerned and all loading or unloading valves shall be closed immediately.

46. Prohibition of naked lights, fire and smoking on board a vessel

No fire, naked light, fuses, matches or other appliances for producing ignition or explosion and no smoking shall be allowed on board any barge, flat or lighter carrying petroleum in bulk or on board any vessel used for the transport of Petroleum class A otherwise than in

bulk or for the transshipment of petroleum to or from any vessel within the limits of any port:

Provided that nothing in this rule shall prevent the use on a self-propelled barge of the machinery or propulsion.

47. Prohibition of smoking, fire and lights, during loading or unloading

At all times during loading or unloading of a ship or other vessel and until such time as all petroleum shall have been loaded into or unloaded from the holds or tanks and the holds or tanks shall have been securely closed down and, in the case of unloading rendered free from inflammable vapour, there shall be no fire or artificial light or smoking on board such ship or other vessel or within 30 metres of the place where the petroleum is being loaded or unloaded:

Provided that nothing in this rule shall apply,

- (i) to the use of lamps, cookers or similar apparatus, electric or otherwise so designed, constructed and maintained as to be incapable of igniting inflammable vapour or in the case of Petroleum Class C the use of gally fires.
- (ii) to the unloading or loading of a ship under conditions approved by the conservator by means of steam from her own boilers or power generated by electric motors or internal combustion engines placed in a position away from cargo holds and pump rooms or by means of electric motors, so designed, constructed and maintained as to be incapable of igniting inflammable vapour and maintained in accordance with the requirements specified by Lloyds or other ship surveyors approved by Central Government.

48. Fire-extinguishing appliances to be ready for use

Vessels unloading or loading petroleum shall have adequate fire-extinguishing appliances so disposed that they can be put into immediate use.

49. Restriction on the simultaneous conveyance of different classes of petroleum

- (1) Petroleum Class A shall not be conveyed to the shore from, or loaded into the same vessel simultaneously with Petroleum Class B or Petroleum Class C.
- (2) The Chief Controller may, by written order exempt specially any particular operation from the provisions of sub-rule (1) if separate and distinct pipelines and pumps are provided for loading or unloading of Petroleum Class A simultaneously with Petroleum Class B or Petroleum Class C.

50. Transport by sea of petroleum which has not been tested

Petroleum which has been imported into any port approved under sub-rules (1) and (2) of rule 16 and which has not been tested at such port in accordance with the rules contained in Chapter X, shall not be transported to any port other than a port at which importation is permitted under sub-rule (1) of rule 16 and in accordance with the provisions of all the rules in Chapter II.

PART III

COASTWISE TRANSPORT OF PETROLEUM CLASS A OTHERWISE THAN IN BULK

51. Application

- (1) The rules in this Part apply only to the transport coastwise of Petroleum class A otherwise than in bulk.
- (2) Unless otherwise expressly provided in this part, nothing contained in Part II of this Chapter shall apply to any petroleum transported in accordance with this Part.

52. Conditions of transport by unberthed passenger ships

Petroleum Class A may be transported otherwise than in bulk by an unberthed passenger ship as defined in the Merchant Shipping Act, 1958 (44 of 1958), in accordance with the provisions of rules 29, 30, 39 and 54 to 60 (both inclusive).

53. Maximum quantity allowed to be carried

Petroleum Class A may be transported otherwise in bulk by a country craft or steam or motor vessel other than unberthed passenger ship as defined in the Merchant Shipping Act, 1958 (44 of 1958), subject to the provisions of rules 29, 30, 39 and 54 to 60 (both inclusive), if the quantity of petroleum does not exceed,

- (a) in the case of country craft, the licensed carrying capacity of the vessel after taking into account the weight of barrels or tins in which the petroleum is carried; or
- (b) in the case of steam or motor vessels, 15 tonnes.

54. Carriage below decks

- (1) Petroleum Class A shall not be carried below deck in decked vessels unless there are efficient ventilators in the hold.
- (2) Half of the ventilators referred to in sub-rule (1) shall be carried down nearly to the bottom of the holds and the other half of such ventilators terminated only a short distance below the deck; the short ventilators shall be labelled "Outlet or to Leeward" and the long ventilators shall be labelled "Inlet or to Windward", such ventilators shall have large cowl heads, the openings being covered with double copper or noncorroding metal gauze not less than 11 meshes per linear centimeter.

55. Provisions of bulkhead

In all vessels other than country craft, a solid gas-tight bulkhead without openings, and in country craft a solid bulkhead without openings, shall be between the hold and the afterdeck where the crew are accommodated, and in vessels fitted with a poop the bulkhead shall be placed immediately in front of the poop. In decked vessels the bulkhead shall reach upto the deck; in all other vessels it shall reach to within 15 centimetres of the gunwale.

56. Prohibition of fire, lights and smoking

- (1) No fire, naked light of any description and smoking shall be allowed on any part of the vessel transporting Petroleum Class A except abaft the solid bulkhead.
- (2) The navigational lights on any such vessel shall be carried abaft the bulkhead.

57. Provisions of fire extinguishers

Fire extinguishers suitable for fighting oil fires shall be placed at convenient points on any vessel transporting petroleum Class A. Not less than two such fire-extinguishers shall be placed on the afterdeck.

58. Construction of steam or motor-vessels

Steam or motor-vessels not specially constructed for the carriage of petroleum shall not carry petroleum unless they are constructed of iron or steel or any other material approved by the Chief Controller.

59. Transport in steam or motor-vessels

On steam or motor vessels not specially constructed for the carriage of petroleum,

- (a) any petroleum shall either be carried in separate compartments which shall be gas-tight and shall be effectively sealed, or in a hold in which there are efficient ventilators in accordance with sub-rule (2) of rule 54 or on deck in accordance with rule 60;
- (b) Petroleum Class A shall be packed in containers complying with the provisions of rules 4 and 5.
- (c) Special precautions shall be taken against smoking and the use of lights or fire of any kind while cargo is being loaded or unloaded or while the hatches are off, or any deck openings are uncovered; before any lights are used in compartment which contains petroleum, precautions shall also be taken to ensure that the space is clear of vapour and all empty containers which have contained Petroleum class A are kept securely closed.

60. Transport of deck

Petroleum may be carried in deck in steamer or motor vessels not specially built for the carriage of petroleum, subject to the following conditions, namely:

- (a) in cargo ships Petroleum Class A shall not occupy more than 50 per cent of the open deck area and shall be so stowed as not to interfere with the navigation of the ship or make it unseaworthy.
- (b) in passenger ships a limited quantity of Petroleum Class A may be carried provided that proper precautions are taken regarding stowage and keeping the packages away from passengers, promenade or deck space;
- (c) the petroleum shall be protected from the direct rays of the sun by the use of canvas awnings or otherwise; and

- (d) Conspicuous notices shall be posted up, drawing attention to the danger arising from smoking or striking matches near the deck cargo.

61. Conditions of transport by country craft

No Petroleum Class A shall be transported in a country craft unless the following conditions are satisfied, namely:

- (a) the petroleum shall be carried,
 - (i) in 200 litres capacity steel barrels, the screw bungs of such barrels being well fitting and sealed; or
 - (ii) in 200 litres capacity sealed steel drums, not more than three tiers of which may be carried on any single vessel; or
 - (iii) in 10 litres capacity sealed tins, not more than six tiers of which may be carried on any single vessel; or
- (b) all barrels or tins shall be carefully examined, and no leaky barrel or tin shall be taken on board the craft.
- (c) no barrels, drums or tins shall be placed within 1.2 metres of afterdeck where the crew are accommodated in the case of an undecked vessel or on deck in the case of a decked vessel; and
- (d) no passengers shall be carried on board the craft.

PART – IV

TRANSPORT ON LAND BY VEHICLES

62. Application

The provisions of this part shall apply to the transport of petroleum on land by vehicles except transport of,

- (a) Petroleum Class A in quantity not exceeding 100 litres and petroleum of any other class, otherwise than in bulk, subject to the provisions of rule 67.
- (b) Petroleum of any class transported by the Defence Forces of the Union.

63. Tank Vehicles

- (1) every tank vehicle used for the transport of petroleum, in bulk on land shall be built, tested and maintained in accordance with the requirements laid down in the Third Schedule and be of a type approved in writing by the Chief Controller:

Provided that the Chief Controller may under exceptional circumstances to be recorded in writing, waive any of the requirements of the Third Schedule. This will, inter alia, include approvals for trials of better quality vehicles that will contribute to enhancement of safety of petroleum transportation by road under Indian conditions.

- (2) The tank shall be fabricated and mounted on the vehicle chassis by a manufacturer approved by the Chief Controller. Such a manufacturer shall apply to the Chief

Controller for approval with particulars of facilities and competent persons available with him and a scrutiny fee of rupees five hundred. The tank fabrication and mounting drawings in quadruplicate for each type of tank vehicle, along with scrutiny fee of rupees one hundred shall be submitted to the Chief Controller for approval. Such approval shall be valid for three years from the date of issue of approval and renewable for further period of 3 years on payment of fee of rupees five hundred.

- (3) If the Chief Controller, after receipt of the drawing under sub-rule (2) and after making such further inquiries as he may deem necessary, is satisfied that the tank vehicle or the special safety fittings, as the case may be, meet with the requirements laid down in the Third Schedule, he shall approve the drawing and return to the applicant one copy thereof duly endorsed.
- (4) Nothing in this rule shall apply to tank wagons for the carriage of petroleum by rail.

64. Tank Capacity

- (1) In this part, "the tank forming part of a tank vehicle" shall be deemed to include any number of tanks on the same chassis and any limitation herein specified on the capacity of a tank shall be construed so as to permit of the tank containing the quantity specified under varying degrees of temperature.
- (2) The net carrying capacity of a tank shall be 97 percent of its gross carrying capacity in the case of Petroleum Class A and Petroleum Class B and 98 percent, in the case of Petroleum Class C.
- (3) The net carrying capacity of a tank truck or a tank semi-trailer shall not exceed 25 kilolitres of petroleum except in case of air-craft refueller in which case it should not exceed 50 kilolitres and the net carrying capacity of any tank trailer should not exceed 5 kilolitres of petroleum.
- (4) The maximum safe carrying capacity in weight of petroleum that can be carried in a tank vehicle shall not exceed the difference between the unladen weight of the vehicle and the maximum gross weight permitted for the class of vehicle under the appropriate transport regulations.

65. Restriction on other use

Tank vehicle meant for the carriage of petroleum in bulk shall not be used for any other purpose except when so authorised by the Chief Controller in writing.

66. Trailers

- (1) A tank trailer not exclusively used for transporting petroleum shall not be attached to any vehicle for transporting petroleum.
- (2) A tank trailer transporting petroleum shall not be attached to any vehicle other than a vehicle used exclusively for transporting petroleum and not more than one trailer shall be so attached.
- (3) A tank trailer shall not be attached to a tank semi-trailer or a trailer.

- (4) A tank trailer or tank semi-trailer shall have reliable brakes and all wheels which shall be capable of efficient operation from driver's seat of the vehicle towing the trailer.
- (5) The width of the tank trailer or a tank semi-trailer shall be less than the overall width of the towing vehicle.
- (6) A tank trailer shall be so connected to the towing vehicle as to cause the trailer to follow substantially the path of the towing vehicle and to prevent the tank trailer from whipping or swerving side to side dangerously.
- (7) If a tank trailer carrying Petroleum Class A is attached to a vehicle carrying Petroleum Class B or Petroleum Class C, the towing vehicle shall comply with all the provisions of these rules relating to a vehicle for the transportation of Petroleum Class A.
- (8) A trailer other than a tank trailer shall not be attached to any tank truck.
- (9) Where a tank trailer is attached to a tank truck, the total quantity of petroleum transported in the tank trailer and the tank truck shall not exceed 15 kilolitres.
- (10) No tank trailer shall be attached to a tank truck having a net carrying capacity exceeding 12 kilolitres of petroleum.
- (11) No tank trailer attached to a tank truck shall be operated within a thickly populated area without the written permission of the district authority.

67. Vehicle for transport otherwise than in bulk

- (1) Every vehicle on which petroleum otherwise than in bulk is transported shall be strongly constructed and with sides and back of adequate height, and shall be maintained in good condition.
- (2) In the case of animal-drawn vehicles, push carts and pedal carts, the requirements of sub-rule (1) regarding the sides and back of the vehicle shall not apply if the load is securely fastened to the vehicle.
- (3) All containers shall be so packed as not to project beyond the sides or back of the vehicle.
- (4) Petroleum Class A otherwise than in bulk shall not be transported in a trailer, attached to any vehicle.

68. Composite vehicles

Petroleum in cans or in other containers shall not be transported by road on any tank vehicle used for transport of petroleum unless the vehicle is so constructed as to comply with the rules applicable to the transport of petroleum otherwise than in bulk as well as with the rules applicable to the transport of petroleum in bulk.

69. Carriage of other articles prohibited

No vehicle shall carry any other article while it is carrying petroleum except when specifically authorised in writing by the Chief Controller.

70. Engines of mechanically propelled vehicles

- (1) In every mechanically propelled vehicle used for the transport by road of petroleum other than Petroleum Class B otherwise than in bulk or Petroleum Class C.
 - (i) the engine shall be diesel engine or an internal combustion engine.
 - (ii) the exhaust shall be wholly in front of the tank or the load, as the case may be and shall have ample clearance from fuel-system and combustible materials and shall not be exposed to leakage or spillage of the fuel or product or accumulations of grease or oil;
 - (iii) the exhaust pipe shall be fitted with an approved spark arrestor;
 - (iv) the muffler or silencer shall not be cut off from the exhaust system;
 - (v) the engine air intake shall be fitted with an effective flame-arrester, or an air cleaner having effective flame-arrester, characteristics, substantially installed and capable of preventing emission of flame from the side of the engine in the event of back firing;
 - (vi) the cab of the vehicle shall be of all-metal construction and its rear window, if provided, shall be fully covered with wired glass; alternatively, the cab and the engine shall be separated from the tank or the load, as the case may be, by a fire-resisting shield which shall fully cover the tank or load.
- (2) The fuel tanks of every such vehicle, if installed behind the cab of vehicle, shall be;
 - (a) so designed, constructed and installed as to present no unusual hazard, and shall be so arranged as to permit drainage without removal from their mountings; and
 - (b) protected against blows by stout steel guards and provided with a lock in the filling caps.
- (3) In every engine running on Petroleum Class A, quick action cut-off valve shall be fitted to the fuel feed pipe in an easily accessible position which shall be clearly marked.
- (4) Notwithstanding anything contained in this rule, provisions of sub-rules (1) to (3) except Clauses (i) and (iii) of sub-rule (1) shall not apply for transportation of Petroleum Class A otherwise than in bulk exclusively used by helicopters and aeroplanes for aerial crops-spraying purpose only.

71. Electrical installation

If electric light or instrument or any other electrically operated equipment is employed on any vehicle including a trailer used in the transportation by road of petroleum other than Petroleum Class C,

- (i) the pressure of the electric circuit shall not exceed 24 volts.
- (ii) electrical wiring shall,
 - (a) be heavily insulated and be adequate for maximum loads to be carried.

- (b) be provided with suitable over-current protection in the form of fuses or automatic circuit breakers and installed so as to be protected from physical damage and contact with possible product spill either by location or by being encased in metal conduit or other oil resistant protective covering, and
- (c) have all junction boxes sealed;
- (iii) the generator, batteries, switches, fuses and circuit brackets shall be carried in the cab of the vehicle or in the engine compartment and the battery shall be in an easily accessible position with a heavy-duty switch close by to cutoff the battery;
- (iv) generators and motors and switches thereof which are not installed within the engine compartment shall be of the approved flame-proof type:

Provided that where such generators or motors or switches thereof are installed in an enclosed space, adequate provision shall be made for air circulation to prevent overheating and possible accumulation of inflammable vapours:

Provided further that the provisions of this rule except clause (i) and sub-clause (a) of clause (ii) shall not apply for transportation of petroleum Class A otherwise than in bulk exclusively used by helicopters and aeroplanes for aerial crop spraying purposes only.

72. Means of extinguishing fire to be carried

A portable fire extinguisher (10 kg, dry chemical powder or equivalent) suitable for extinguishing petroleum fire shall be carried in an easily accessible and detachable position and away from the discharge faucets on every vehicle transporting petroleum by road. Additionally, one dry chemical powder type fire extinguisher of 1Kg. capacity shall be carried in the driver's cabin of the vehicle.

73. Vehicles to be constantly attended

- (1) Every vehicle which is engaged in the transport of petroleum by road shall be constantly attended to by at least one person who shall be familiar with the rules in this Part Provided that such a vehicle, if its tanks or compartments are empty, but not free from Petroleum vapour, may be left unattended in places previously approved for the purpose in writing by the Chief Controller.
- (2) Every vehicle in which more than 5 kilolitres of petroleum, other than Petroleum Class C, is being transported by road, or which, while transporting petroleum, other than petroleum Class C, by road is being trailed by another vehicle, shall, so long as it is in motion, be attended to, by the driver and at least one more person both of whom shall be familiar with the rules in this Part.

74. Prohibition as to parking

No vehicle carrying petroleum by road shall be parked on a public road or in any congested area or at a place within 9 metres of any source of fire.

75. Licence necessary for the transport in bulk of Petroleum Classes A and B

- (1) No person shall transport Petroleum Class A or Petroleum Class B in bulk, by road except under and in accordance with the condition of a licence granted under these rules.
- (2) Nothing in this rule shall apply to the transport by railway administration of petroleum which is in its possession in its capacity as a carrier or to the transport of petroleum in the refueller, licensed under these rules between places within the same aerodrome.

76. Restriction against loading and unloading of tank vehicles

- (1) No person shall load or unload a tank vehicle with any class of petroleum except at a place which is situated within premises licensed under these rules and is approved in writing, for loading or unloading of such class of petroleum, by the Chief Controller:
 Provided that Petroleum Class C may be loaded or unloaded at a place where such Petroleum is allowed to be stored without licence under sections 7 and 10 of the Act:
 Provided further that,
 - (a) a tank wagon may be loaded or unloaded at railway sidings earmarked for the purpose; and
 - (b) a tank vehicle may be unloaded at any other place with all due precautions against fire and under adequate supervision if such unloading is necessitated by an accident or breakdown.
- (2) Every tank vehicle, while it is being loaded or unloaded and until its valves have been shut and filling pipe and discharge faucets closed, shall be attended to by a person who is familiar with the rules in this part.
- (3) No person shall under any circumstances allow filling or replenishment of the fuel tank of any motor vehicle or internal combustion engine directly from a tank vehicle: Provided that nothing in this sub-rule shall restrict filling or replenishment of the fuel tank of an aircraft in accordance with the rule framed under Aircraft Act, 1934 (22 of 1934).

77. Prohibition of loading of leaky or defective tank vehicles or unlicensed tank vehicles

No person shall load,

- (i) any class of petroleum in tank vehicle if any tank, compartment, valve, pipes or any safety fitting thereof becomes leaky or defective and until such leaks are repaired and defects rectified and, in the case of any leak in a tank or a compartment until all the tanks or compartment are re- tested in the manner laid down in para 5 of the third Schedule and pass the test;
- (ii) Petroleum Class A or Petroleum Class B in any tank vehicle other than a tank wagon which is not licensed under these rules.

78. Precautions against static charges

- (1) All petroleum pipelines entering any tank vehicle loading or unloading area shall be electrically continuous and be efficiently earthed.
- (2) An earth boss with a flexible cable having robust clamping device shall be provided adjacent to the loading point.
- (3) Sound and electrically continuous hoses or metal pipes shall only be used for loading or unloading of a tank vehicle. Where stand pipes or metallic loading arms are provided, swivel joints shall be electrically continuous.
- (4) The tank, filling pipe and the chassis of the tank vehicle shall, during loading of a tank vehicle, be efficiently bonded and connected with the earth boss referred to in sub-rule (2) by means of a flexible metal wire or tape.
- (5) The bonding and earthing connections shall not be broken until loading of the tank vehicle has been completed and the filling and dip pipes thereof have been securely closed.
- (6) Dip rod, if used, shall be lowered into the tank or compartment before loading of petroleum starts; such a rod shall not be completely raised above the liquid level during or within one minute of the completion of such loading.
- (7) No tank vehicle shall be loaded at a rate exceeding one metre per second at the delivery end of the filling pipe until the filling pipe is completely submerged in petroleum and thereafter the loading rate may be gradually increased but it shall at no time exceed six metres per second at the delivery end of the filling pipe:

Provided that the Chief Controller may specify a faster loading rate in respect of crude petroleum and petroleum products which have a relative higher conductivity rate.
- (8) No tank or compartment of any tank vehicle which has last carried Petroleum Class A, shall be filled with petroleum of any other class if the interior thereof has any floating non-conducting loose object or water. No tank vehicle shall be subjected to splash loading.

79. Precautions against electrical hazards and hazard of a running engine

No mechanically propelled vehicle for the petroleum shall be loaded or unloaded until its engine has been stopped and battery is isolated from the electrical circuit. The engine shall not be restarted, and the battery shall not be connected to the electrical circuit until tanks and valves have been securely closed:

Provided that this rule shall not apply in the case of unloading of a tank vehicle into the fuel tank of aircraft in accordance with the rules framed under the Aircraft Act, 1934 (22 of 1934) or in any other case as may be authorized, in writing, by the Chief Controller subject to such conditions as he may specify in that behalf.

80. Precautions against movements of vehicles during loading or unloading

Petroleum shall not be loaded into or unloaded from a vehicle until its wheels have been secured by efficient brakes or by scotching and in the case of animal-drawn vehicle until the animals have been unhitched and removed.

81. Precaution against product contamination

- (1) No person shall load or unload any tank vehicle unless he has selected the correct filling hose and otherwise satisfied himself that such loading or unloading will not result in any dangerous contamination of one class of petroleum with another class of petroleum.
- (2) A tank or compartment which carried Petroleum Class A shall not be filled with any other class of Petroleum until such tank or compartment has been completely drained of residual oil and its discharge faucet and emergency control valve have been closed firmly.

82. Filling discharge faucet and dip pipes to be kept close

Except during the operation of loading or emptying a tank vehicle, the filling pipe, discharge faucet and dip pipe shall be kept securely closed. Where the filling pipes are not provided with a liquid seal, the covers shall be locked or sealed except during the operation of loading a tank vehicle and the keys shall not be carried on the vehicle or the trailer.

83. Restrictions on loading and unloading of Petroleum at night

Except where approved electric lights as specified in Chapter IV are exclusively used, the loading or unloading of tank vehicles carrying petroleum shall be performed between the hours of sunrise and sunset.

84. Prohibition of fires and smoking

- (1) No fire or other artificial light capable of igniting inflammable vapour shall be allowed on any vehicle containing Petroleum Class A otherwise or Petroleum Class B and class C in bulk.
- (2) No person shall smoke while on or attending such a vehicle.
- (3) No article or substance capable of causing fire or explosion shall be carried on such a vehicle.

85. Repair of tank

- (1) No tank which has carried petroleum shall be repaired by welding, brazing, soldering or hot- riveting unless it has been examined by a competent responsible person and certified in writing by such person to be free from inflammable vapour or oil.
- (2) The certificate issued by the competent and responsible person under sub-rule (1) shall be preserved by the repairer for a period of at least three months and shall be produced for examination on demand by an inspector.

- (3) All repairs to tanks which have contained petroleum shall be carried out by qualified and experienced persons.
- (4) All the compartments of the tank shall be tested after each repair in the manner laid down in para 5 of the Third Schedule.

86. Special provisions for motor conveyances

- (1) No motor conveyance carrying passengers on hire shall carry petroleum other than,
 - (a) Petroleum in the tank incorporated in the conveyance, and
 - (b) Petroleum not exceeding 100 litres in quantity intended to be used to generate motive power for the conveyance of that vehicle kept in the manner provided in sub-section (2) of section 8 of the Act.
- (2) During the filling or replenishment of the fuel tank of a motor conveyance licensed for the carriage of more than six passengers on hire the driver or other person in charge of such conveyance shall not allow any passenger to remain therein.
- (3) All petroleum containers carried in a motor conveyance carrying passengers on hire shall be free from leaks and be securely closed and shall be placed in a specially prepared receptacle which is not accessible to passengers in such conveyance and is not on the roof.

PART – V

TRANSPORT BY PIPELINES

87. Application

The rules in this part apply only to the transport of petroleum by means of pipelines other than those in any area in which operation for the winning of natural petroleum or natural gas or both are carried on or within the limits of refineries and installations.

88. Right of way to be acquired

No pipeline and installation connected with a pipeline, shall be constructed without acquiring the necessary land, leaseholds and right for the construction thereof and for the unhindered access thereto for inspection, maintenance, repairs, replacements and patrolling.

89. Approval of the design and route of the pipeline

- (1) No pipeline shall be laid without the prior written approval of the Chief Controller of the route of the pipeline, and of the design, construction and working thereof.
- (2) Where the approval of the Chief Controller is sought for the laying of a pipeline, the person desirous of laying the pipeline shall submit to the Chief Controller,
 - (a) a comprehensive project report, accompanied by all necessary drawings, calculations giving references to recognized code or codes followed, giving full details of the design, construction and testing of the pipeline and its components; the route along which the pipeline will be laid and the manner of

laying, the class or classes of petroleum proposed to be transported in the pipeline and provisions proposed to be made for the maintenance and patrolling of the pipeline.

- (b) a scrutiny fee of rupees five hundred.

90. Design of pipeline and attachments

- (1) The pipeline shall be constructed of suitable steel which is safe for the conditions under which it is to be used.
- (2) The pipeline and its components shall be designed and constructed in accordance with a code recognized by the Chief Controller or OISD Standard 141 regarding design and construction requirements for cross country hydrocarbon pipelines and shall be capable of withstanding a pressure which shall not be less than the maximum working pressure thereof plus an allowance for surge pressure, as anticipated.
- (3) Provision shall be made for thermal expansion or contraction of the pipeline and for the prevention of excessive stresses on the pipeline or its anchorages, guides and connections.
- (4) The pipeline shall be protected by a casing of steel pipe or by increasing the thickness of its wall or in any other manner approved by the Chief Controller and any other authority having jurisdiction to prevent damage to the pipeline from usual external conditions which may be encountered in railway crossings, road crossings, river or water course crossings, bridges, long self-supported spans, unstable ground, vibrations, weight of special attachments or thermal forces.
- (5) By-pass relief valves, pressure limiting stations or automatic shutdown equipment of approved design shall be provided in the pipe line to prevent rising at any time of the pressure, in the pipeline to a pressure which exceeds the designed internal pressure by more than ten percent.
- (6) Isolation valves shall be installed at each of the following locations;
 - (a) On the suction end and the discharge end of the pump station in a manner that permits isolation of the pump station equipment in the event of an emergency.
 - (b) On each line entering or leaving the installation in a manner that permits isolation of the installation from other facilities.
 - (c) On each main line at locations along the pipeline system that will minimize damage from accidental product discharge, as appropriate for the terrain in open country or for the location near cities or other populated areas.
 - (d) On each lateral take off from a trunk line in a manner that permits shutting off the lateral without interrupting the flow in the trunk line.
 - (e) On each side of a water crossing that is more than 30m wide from highwater mark to high- water mark.
 - (f) On each side of a reservoir holding water for human consumption.

91. Laying of Pipe line

- (1) Pipeline shall be laid in the most favorable route, avoiding as far as possible, known obstructions and areas in which unusual external conditions prevail.
- (2) Pipeline shall be laid below the ground level except where laying thereof above the ground level is desirable for topographical economic or other special reasons.
- (3) Where an underground Pipeline has to cross any existing underground water or gas line, cable, drain or other services, the pipeline shall be laid at least thirty centimetres below such services in a manner that will not obstruct access to such services for inspection repair, or maintenance.
- (4) The number of bends in the pipeline shall be kept to the minimum by proper grading of trenches or supports at crossing and other obstacles.
- (5) The route of underground sections of a pipeline shall be indicated by markers and not less than two such markers shall be visible from any point along the route.

92. Protection against corrosion

The pipeline shall be protected against corrosion by suitable coating strapping and where necessary by cathodic protection.

93. Hydrostatic testing of pipeline

- (1) Before transporting petroleum for the first time, each pipeline or completed sections thereof shall be filled with water and the pressure in the line or section, as the case may be, raised to 1.1 times the design internal pressure and maintained for a period of at least 24 hours or as per procedure laid down in the relevant pipelines design code recognized by Chief Controller. A pipeline or a section thereof showing any significant drop of pressure during the period of testing shall not be used for transporting petroleum until necessary repairs have been carried out and satisfactory retest done.
- (2) The test specified in sub-rule (1) shall be carried out atleast once every 12 months in each completed pipeline section which crosses an area where there is danger of water pollution by any leakage:

Provided that the Chief Controller may subject to such conditions as may be specified by him in this behalf allow retesting of such sections of the pipelines as are protected by sleeves or otherwise,
 - (i) to contain or prevent leakage at longer intervals, and
 - (ii) by filling them with petroleum in place of water for the purposes of test.
- (3) The provisions of sub-rule (2) shall not apply to cross-country pipelines, for which new technologies are available.

94. Shut down of pipelines

Except when shut down for maintenance work, a pipeline when not in operation shall be shut down under pressure and a careful record made of the pressure during the shut down period. Any significant drop in pressure shall be deemed to render the pipeline unfit for transport of petroleum until it is repaired and tested in accordance with rule 98 and no significant drop in shut-down pressure is observed and it passes the test specified in rule 93.

95. Patrolling of pipeline

- (1) The whole of every pipeline shall be efficiently patrolled by the company owning the pipeline.
- (2) Telegraph or telephone or radio communication facilities shall be provided at frequent intervals along the pipeline:

Provided that one such communication channel shall suffice for a series of parallel pipelines laid close to each other:

Provided further that nothing in this sub-rule shall apply to a pipeline if the length thereof does not exceed two kilometres.

96. Checking of gauges

Tank gauges or gauges at intermediate or booster pump stations shall be checked at least once a year.

97. Additions and alterations in the pipeline

- (1) No addition or alteration to a pipeline shall be carried out without the previous approval of the Chief Controller in writing.
- (2) Every person desirous of carrying out any additions or alterations in any pipeline shall submit to the Chief Controller an application alongwith,
 - (a) three copies of a drawing to scale and a full descriptive note of the proposed additions and alterations and the purpose thereof, and
 - (b) a scrutiny fee of rupees five hundred.
- (3) On receipt of the drawings and fee under sub-rule (2) and after eliciting such additional information as may be required, the Chief Controller shall, if he is satisfied, approve the proposed additions or alterations subject to such conditions as he may deem fit.

98. Repair and maintenance of pipeline

No maintenance or repair involving cutting or rewelding of any pipeline shall be carried out except under following conditions, namely:

- (i) an experienced engineer shall inspect the section requiring maintenance or repair before the work is undertaken and issue a written permit specifying therein the precautions to be observed and the procedure to be followed for carrying out the

work. The permit so issued shall be preserved by the owner of the pipeline for a period of six months;

- (ii) all work involving cutting or welding shall be carried out by an experienced person in accordance with the permit referred to in clause (i);
- (iii) the section of the pipeline shall be isolated and drained before starting repairs or maintenance.
- (iv) only mechanical cutters shall be used for cutting the pipeline or any connection thereof unless the section of the pipeline and its connections have been purged with an inert gas.
- (v) no hot work shall be carried out on any pipeline until the section thereof requiring repair has been isolated drained and purged with inert gas or steam or kept filled with water or until such section has been prepared in a manner approved in writing by the experienced engineer.
- (vi) the section of the pipeline in which repairs or maintenance work has been carried out shall not be used for transporting petroleum until such sections are replaced with hydro statically pretested sections and the repaired weld joints pass the radiography test;
- (vii) no section of any pipeline and no valve fitted to it shall be separated until an efficient electrical bond has been established between the parts to be so separated which shall not be broken until the separated parts have been rejoined.

99. Relaying or repairs to a pipeline in public interest

Where the Chief Controller is of the opinion that it is in the interest of public safety to do so, he may, by a notice in writing given to the owner of the pipeline, require such owner, to relay, renew or repair such pipeline in accordance with such requirements as may be specified in such notices.

100. Power of inspection and examination

The Chief Controller or Controller may at any time inspect and examine any pipeline, and the owner thereof or persons operating or using the pipeline and the person on whose land such pipeline is situated or his representative shall facilitate such inspection and examination and answer all inquiries put by the Chief Controller or Controller in regard to such pipeline.

101. Reports of fire or major leakage

The occurrence of any fire or major leakage in a pipeline and connected facilities thereof shall be reported immediately by the person for the time being incharge of the pipeline to the nearest Magistrate or officer-incharge of the nearest police station and to the Chief Controller by telephone/fax and also by telegram at his telegraphic address, namely "Explosives Nagpur".

CHAPTER IV
ELECTRIC INSTALLATION

102. Restriction on electric installation and apparatus

Save as provided in this chapter, no electric wiring shall be installed, and no electric apparatus shall be used in any refinery, installation, storage shed, service station or in any other place where petroleum is refined, blended, stored, loaded or unloaded.

103. Hazardous area

For the purpose of this chapter, an area shall be deemed to be a hazardous area, where;

- (i) petroleum having flash point below 650 C or any inflammable gas or vapour in a concentration capable of ignition is likely to be present.
- (ii) Petroleum or any inflammable liquid having flash point above 650 C is likely to be refined, blended, handled, stored at above its flash point.

104. Classification of hazardous area

- (1) A hazardous area shall be deemed to be,
 - (i) zone "0" area, if inflammable gas or vapours are expected to be continuously present in the area; or
 - (ii) a zone "1" area, if inflammable gases or vapours are likely to be present in the area under normal operating conditions; or
 - (iii) a zone "2" area, if inflammable gases or vapours are likely to be present in the area only under abnormal operating conditions or failure or rupture of an equipment.
- (2) If any question arises as to whether hazardous area is a zone "0" area or a zone "1" or a zone "2" area, the decision thereon of the chief controller shall be final.

105. Extent of hazardous area

The extent of hazardous area shall be as laid down in the fourth Schedule:

Provided that the Chief Controller may, increase or reduce the extent of hazardous area where there are special circumstances which, in his opinion, warrant such increase or reduction, and the persons affected shall be informed of his decision.

106. Fixed electric apparatus

- (1) No electric apparatus shall be allowed in a zone "0" area:

Provided that this sub-rule shall not prohibit the use in a zone "0" area of an intrinsically safe apparatus of a type approved in writing by the Chief Controller and in connection with an intrinsically safe circuit, where use of such apparatus cannot be completely excluded.
- (2) All electric apparatus installed or used in a zone "1" area shall be either,

- (i) a flame proof or intrinsically safe apparatus of a type or types approved in writing by the Chief Controller or
 - (ii) an industrial-type apparatus housed in an enclosure or a room which has been made safe by pressurizing or purging with a plenum of atmosphere free from significant concentration of any inflammable gas or vapour and so arranged and inter blocked that in case of failure of the pressurizing or purging agent, the electricity supply is automatically cut off or a warning is automatically given to a person in attendance who shall take suitable measures to prevent a hazard.
- (3) All electric apparatus installed or used in a zone "2" area shall, be either;
- (i) a non-sparking apparatus of a type approved by the Chief Controller; or
 - (ii) an apparatus of any of the types permitted under sub-rule (2).
- (4) Where the approval of the Chief Controller is sought for any type of electric apparatus for use in hazardous area, the person desirous of manufacturing the apparatus shall submit to the Chief Controller;
- (i) a comprehensive report accompanied by all necessary drawings, calculations giving references to recognized code or codes followed, full details of design and construction and necessary test certificates from the recognized bodies in respect of the apparatus and its components.
 - (ii) a scrutiny fee of rupees five hundred.

107. Fixed electric wiring

- (1) All conductors of an intrinsically safe circuit in connection with an intrinsically safe apparatus installed in any hazardous area shall be so laid as to prevent invasion of such circuit by current arising from contact or electrostatic or electromagnetic induction from any other circuit. Conductors of intrinsically safe circuits shall be effectively protected against mechanical damage.
- (2) All electric wiring in a hazardous area, other than the conductors of an intrinsically safe circuit, shall be effectively sealed at all joints, mechanically protected and adequately supported throughout its length and shall consist of,
 - (i) approved armoured cable with correctly designed terminations, complete with armour clamps, the armouring being carried and electrical clamps to provide mechanical support to the cable and electrical continuity; or
 - (ii) approved metal sheathed cable with correctly designed and installed terminations; or
 - (iii) single or multicored insulated cables accommodated in solid drawn heavy gauge screwed galvanized conduits used in conjunction with approved flameproof fittings, the conduit being sealed at both ends and installed in such a manner as to permit internal condensation to drain to a point or points from which it may be removed; where a conduit runs from a zone "1" area to a zone "2" area or an

area which is not a hazardous area, an adequate seal shall be provided outside the boundary of zone "1" area;

- (iv) single or multicored mineral insulated cable of approved type in conjunction with approved flame-proof type glands at all joints and terminations;
 - (v) bare conductors contained in an approved flameproof or forming part of an intrinsically safe circuit.
- (3) Insulated cables without metallic sheathing or armouring but accommodated in a conduit shall not be buried in the open ground in any hazardous area;
 - (4) The electric supply circuits of each electric pump in a hazardous area shall be,
 - (i) separately protected by a fuse or circuit breaker set to operate when the current in the circuit so exceeds the rated current for such a period of time as to involve danger; and
 - (ii) provided with an individual isolating switch at the main supply point for each electric pump including its integral lighting system, if any.
 - (5) If the Chief Controller is satisfied that the requirements of sub-rules (1) and (2) may be modified or relaxed in any class of electric wiring, he may authorize such modification or relaxation for such period and subject to such conditions as he may think fit.

108. Earthing and bonding

- (1) All electrical systems and equipment and all structures, plants and other non-current-carrying metallic parts of major electric apparatus or any major metallic object in any place where petroleum is refined, blended, stored, loaded or unloaded shall be efficiently earthed; the resistance value of an earthing system to the general mass of the earth, shall not be more than,
 - (a) 4 ohms in the case of electrical systems and equipment or a valve that ensures the operation of the protective device in the electrical circuit, whichever is lower, and
 - (b) 10 ohms in the case of all non-current carrying metallic parts of major electric apparatus or any major metallic object.
- (2) All joints in pipelines, valves, plants, storage tanks and associated facilities and equipment for petroleum shall be made electrically continuous by bonding or otherwise; the resistance value between each joint shall not exceed 1ohm.
- (3) A piping which is not in electrical contact with the associated tank or vessel shall be efficiently connected to such tank or vessel by a flexible conductor and earthed.

109. Cathodic protection

- (1) Cathodic protection system where employed shall be designed and installed in accordance with the current recognized practice and so maintained as,
 - (a) not to affect adversely metallic bodies in the zone of protection; and
 - (b) to eliminate the danger of sparking in a hazardous area.
- (2) The metallic structures, pipelines, valves, plants and associated equipment under cathodic protection shall not be broken for repair or maintenance unless a heavy gauge conducting cable is clamped to each side of the intended break for establishing between them an electrical bond and the cable shall remain clamped until repair or maintenance work is completed and the break rejoined.

110. Protection against stray current

- (1) Where high values of stray currents are likely to exist, both the rails of spur lines shall be insulated from a railway siding which is used for the loading or unloading of tank wagons.
- (2) On electrified railway systems, live-contact rails and overhead electric lines shall be terminated outside the area where tank wagons are loaded or unloaded, such rails or overhead lines shall not be allowed within a refinery or an installation.
- (3) No joint in a pipeline or associated equipment shall be broken save as provided in sub-rule (2) of rule 109.

111. Portable electric apparatus

- (1) No person shall install or use in a hazardous area any portable electric lamp or apparatus other than a portable lamp or apparatus of a type approved by the Chief Controller after such examination and test and for such application as he may specify.
- (2) No mains operated portable lamp shall be operated at a voltage exceeding 25 volts above the earth:

Provided that the Chief Controller may, at his discretion, allow higher operating voltage not exceeding 55 volts above earth.
- (3) All portable lamps or apparatus other than a self-contained lamp or apparatus shall be connected to the mains in such a manner and used under such conditions as the Chief Controller may specify.

112. Maintenance of approved electric apparatus and wiring

All electric apparatus and wiring in a hazardous area shall at all times be so maintained as to retain the characteristic on which their approval has been granted.

113. Repair and test work

- (1) No flame-proof or intrinsically safe apparatus shall be opened and no work likely to impair the safety characteristics of such apparatus or electric wiring connected thereto shall be carried out until all electrical supply has been cut off from the said

apparatus or wiring. The power supply shall not be restored thereto until the work has been completed and the safety characteristics provided in connection with the apparatus and wiring have been fully restored.

- (2) Notwithstanding anything contained in this rule, use of soldering apparatus or other means involving flame, fire or heat or use of industrial type apparatus in a zone "1" area shall be permitted for the purposes of effecting repairs and testing and alternations, provided that the area in which such apparatus or wiring has been installed, has first been made safe and certified by a competent person after testing with an approved gas-testing apparatus to be safe and free from inflammable vapours, gases or liquids and is maintained in such conditions, so long as the work is in progress.

114. Certificate of electric installation

- (1) Before engineering any electric circuit and any electric apparatus in hazardous area for the first time and after each repair maintenance or alteration work carried out in such circuit or apparatus, a competent person shall issue a certificate under his signature to the effect that the circuit and the apparatus have the safety characteristics upon which their use in such area has been approved.
- (2) The certificate referred to in sub-rule (1) shall be preserved by the occupier of the premises and shall be produced to the Inspector on demand:

Provided that the certificate issued for each repair and maintenance work need not be preserved for a period exceeding six months.

115. Precautions against corrosion

- (1) Where necessary, all electric apparatus and equipment and conduits carrying electric wiring in a hazardous area shall be regularly treated with a suitable protective paint.
- (2) The certification label indicating the flame-proof or intrinsically safe nature of the apparatus or equipment shall not be painted over or treated in any manner to impair the legibility of the particulars written stamped or embossed on such label.

CHAPTER V

STORAGE OF PETROLEUM REQUIRING LICENSE

116. License for storage

Save as provided in sections 7, 8 and 9 of the Act, no person shall store petroleum except under and in accordance with a licence granted under these rules:

Provided that no license shall be necessary,

- (i) for the storage of petroleum in well-head tanks; or
- (ii) for the storage of petroleum as transit cargo within the limits of a port subject to such conditions as may be specified by the Conservator.

117. Precautions against fire

- (1) No person shall smoke in any installation, storage shed or service station save in places specifically authorized by the licensing authority for the purpose.
- (2) No person shall carry matches, fuses or other appliances capable of producing ignition or explosion in any installation or storage shed, which is used for the storage of petroleum.
- (3) No fire, furnace or other source of heat or light capable of igniting inflammable vapour shall be allowed in any installation, storage shed or service station save in places specially authorized by the licensing authority for the purpose.
- (4)(4)
 - (i) An adequate number of portable dry chemical powder or any other fire extinguisher capable of extinguishing oil fires shall always be kept in every storage shed and small class B or C installations at strategic point and all persons employed at such locations shall be conversant with the use of such fire extinguishers.
 - (ii) Scale of firefighting provided in other areas of installation should be as per the requirement given in OISD Standard -117 for all installations approved by the Chief Controller after publication of the original standard OISD-117. For Installations existing prior to the publication of this standard the firefighting facilities shall be improved to the extent feasible (keeping this standard in mind) and approved by the Chief Controller.

118. Supervision of operations within an installation, service station or storage shed

All operations within an installation, service station or storage shed shall be conducted under supervision of an experienced responsible agent or supervisor who is conversant with the terms and conditions of the licence held for the installation, service station or storage shed as the case may be and those persons should have proper safety training.

119. Cleanliness of installation, service station or storage shed

The ground in the interior of an installation or service station and the protected areas surrounding any installation, service station or storage shed shall be kept clean and free from all vegetation, waste material and rubbish.

120. Drainage

- (1) All enclosures surrounding above ground tanks in an installation shall be provided with proper drainage facilities in such a way that no water is allowed to accumulate in the enclosures.
- (2) No part of the enclosure referred to in sub-rule (1) shall be below the level of the surrounding ground within the protected area.

- (3) Where drainage is effected by means of a pipe, the pipe shall be fitted with a valve which is capable of being operated from the outside of the enclosure or with any other arrangements approved in writing by the Chief Controller.
- (4) All valves and other opening for draining of water shall be kept closed except when water is being drained off.
- (5) The nature of the drainage arrangements and the position of all openings and valves therein shall be shown in the plan submitted with the application for a license.

121. Exclusion of unauthorized persons

- (1) The protected area surrounding every installation and storage shed shall be surrounded by a wall or fence of at least 1.8 metres in height.
- (2) In case of service station 1.2 metre high boundary wall or fence on sides other than the drive way shall be provided.
- (3) Precautions shall be taken to prevent unauthorized persons from having access to any storage shed or installation.

122. Petroleum only to be stored

No installation, service station or storage shed shall, without permission in writing from the Chief Controller be used for any purpose other than the storage and distribution of petroleum and for purpose directly connected therewith.

123. Marking of Capacity of Tanks

The capacity in litres or kilolitres of every above ground tank in an installation shall be conspicuously marked on the tank.

124. Construction of tanks

- (1) Every tank or receptacle for the storage of petroleum in bulk other than a well-head tank shall be constructed of iron or steel in accordance with the codes or specification approved by the Indian Standards Institution or any other code or specifications approved in writing by the Chief Controller.

Provided that if the properties of petroleum to be stored so required or for any other reason it is necessary to do so, tanks or other receptacles may be built of materials other than iron or steel.

- (2) The tanks or other receptacles shall be erected on firm foundations or supports of non- combustible material in accordance with sound engineering practice.
- (3) The height of a storage tank shall not exceed one and a half times its diameter or twenty metres, whichever is less.

Explanation: For the purpose of this sub-rule, the height of a tank shall be the height from its bottom to top curb angles.

- (4) An air space of not less than five percent of the total capacity of the tank or the space prescribed in the code or specification referred to in sub-rule (1), whichever is less, shall be kept in each tank.

125. Protection against corrosion

All tanks or other receptacles for the storage of petroleum in bulk, other than well-head tanks installed on the ground or below the ground, shall be protected against corrosion by the use of protective coatings or cathodic protection or by any other means approved by the licensing authority.

126. Testing of tanks

- (1) Storage tanks or other receptacles for the storage of petroleum-in bulk, other than well-head tanks, after being installed and secured in the final position or after undergoing re-installation or any major repair, shall, before being put into use, be tested by water pressure by a competent person.

- (2) The water used for testing shall be free from petroleum and shall not be passed through any pipe or pump ordinarily used for the conveyance of petroleum:

Provided that where the licensing authority is satisfied that it is not reasonably possible to convey water by pipes or pumps other than those ordinarily used for conveyance of petroleum, he may permit use of a petroleum pipe or pump for the conveyance of water subject to such conditions as he may impose.

- (3) The competent person carrying out the test as required under sub-rules (1) shall issue a certificate in the proforma given below; the certificate so issued shall be submitted to the licensing authority along with the application for the grant or amendment of a licence, or, in the case of any major repair, after each repair.

Proforma of Certificate of Tank Testing

[See Rule 126]

In respect ofof size..... (number of tanks)
(diameter and height or length of each tank)..... and capacity
..... respectively, installed within the installation service station of
..... (delete words not applicable) (full name of occupier of
installation/service station as the case may be) at.....
..... (Name of place, police station, District State) covered by licence No.
..... (To be filled in the case of amendment of licence or repair of
tank) Certified that I have in accordance with rule 126 of the Petroleum Rules, 2002,
tested the tanks described above by water pressure after they had been installed and
secured in the final position/repared and found them free from leak and suitable for
the storage of Petroleum (delete words not applicable) Date of test Full signature of
the competent person issuing the certificate..... His recognized
qualification..... His full name and postal address

127. Earthing of tank

- (1) Every tank or other receptacle for the storage of Petroleum in bulk, other than a well head tank or tanks of less than 50,000 litres capacity containing Petroleum Class C shall be electrically connected with the earth in an efficient manner by not less than two separate and distinct connections placed at the opposite extremities of such tank or receptacle. The roof and all metal connections of such tank or receptacle shall be in efficient electrical contact with the body of such tank or receptacle.
- (2) The connections and contacts required under sub-rule (1) shall have a few joints as possible. All joints shall be riveted, welded or bolted and also soldered to ensure both mechanical and electrical soundness.
- (3) The resistance to earth shall not exceed 7 ohms and the resistance to any part of the fitting to the earth plate or to any other part of fitting shall not exceed 2 ohms.

128. Testing of earth connections

- (1) The connections and contacts of the tank or receptacle required under rule 127 shall be inspected and tested by a competent person at least once in every twelve months by means of a direct reading instrument, such as a Megar.
- (2) The testing instrument referred to in sub-rule (1), if capable of producing a spark, shall be so shielded as to be incapable of igniting petroleum vapour.
- (3) A record of such inspections and tests shall be maintained by the licensee in the licensed premises and shall be produced on demand by any inspector.

129. Night working

No installation storage shed shall be open and no work in any installation or storage shed shall be permitted between sunset and sunrise except where approved electric lights conforming to the provisions of Chapter IV are exclusively used.

130. Certificate of safety

- (1) A certificate of safety in the proforma given below this rule and signed by a competent person shall be furnished to the licensing authority before any petroleum is stored in an installation or a service station for the first time or whenever any additions or alterations to the enclosure walls and embankments are carried out or when any tank is installed, or its position shifted.

Proforma of Certificate of Safety

[See Rule 130]

I, hereby certify that I have inspected the petroleum service station/installation described below on(date) and it has been constructed as per plan approved by Chief Controller/Controller, vide letter No. dated and the service station/installation, in my opinion is safe for storage of petroleum.

- 1. Name and Address of occupier

2. Location of the service station/installation(Plot No... Village/Town, District, State)
3. Description of facilities of the service station/installation.
 - (A) Tanks:
 - (i) Aboveground tank
 - (a) identification No., size, capacity, product, class of petroleum
 - (b) whether enclosure walls provided –if so, nature of enclosure walls its capacity, provision of drain pipe and valve.
 - (c) nature and description of fittings provided.
 - (ii) Underground tank
 - (a) identification No., size, capacity, product, class of petroleum
 - (b) nature of pit, soil cover, fastening arrangement
 - (c) nature of top cover (whether soil/RCC)
 - (d) nature and description of fittings provided.
 - (B) Filling /storage shed

Whether provided as per approved plan
 - (C) Tank lorry and/or Tank wagon loading/unloading
 - (i) Number of bays and points provided
 - (ii) Type of loading and unloading facilities
 - (D) Pipelines
 - (i) Size and specification of pipeline(s)
 - (ii) Test pressure of pipelinekg/cm² (Tested by..... on)
 - (E) Electrical fittings/equipment's
 - (i) Pumps (specification, make and CCE approval reference for each)
 - (ii) Starters
 - (iii) Junction Box
 - (iv) Switches
 - (v) Light fittings
 - (vi) Others
 - (F) Earthing, bonding and electrical continuity
 - (i) Earthing of tanks, pumps, bulk loading/unloading facilities
 - (ii) Bonding of pipeline joints

- (iii) Earthing resistance at each point
- (G) Nature of Fencing/boundary wall
- (H) Description of firefighting facilities provided

4. Remarks:

Place:

Date: Signature of the competent person

Particulars of recognition by Chief Controller

- (i) Anybody intending to be recognized as competent person shall possess the qualification and experience prescribed in para (A) of Form- XX and shall submit to the Chief Controller an application in the form prescribed in para (B) of the same form. Every application shall be accompanied by a scrutiny fee of rupees five hundred. The Chief Controller shall register such application and within a period of sixty days of the date of receipt of the application, and after having satisfied himself with regard to competence and professional ethics either recognize the applicant as a competent person or reject the application specifying the reason therefor.
- (ii) The Chief Controller may after giving an opportunity to such person to be heard revoke the recognition,
 - (a) if he has reason to believe that such person has violated any condition stipulated in the letter of recognition or has not carried out a test, examination and inspection or has acted, in a manner inconsistent with the intent for the purpose of these rules; or
 - (b) for any other reason to be recovered in writing.

131. Prior approval of specifications and plans of premises proposed to be licensed

- (1) Every person desiring to obtain a licence to import and store petroleum in Form XIV, Form XV, Form XVI or in Special Form, as the case may be, shall submit to the licensing authority an application along with,
 - (a) specification and plans drawn to scale, in duplicate, clearly indicating;
 - (i) the manner in which the provisions prescribed in these rules will be complied with;
 - (ii) the premises proposed to be licensed, the area of which shall be distinctly coloured or otherwise marked.
 - (iii) The surroundings and all protected works lying within 100 metres of the edge of all facilities which are proposed to be licensed;
 - (iv) The position, capacity, materials of construction and ground and elevation view of all storage tanks, enclosures around tanks, all valves, filling and discharge points, vent pipes, dip pipes, storage and filling sheds, pumps,

fire-fighting and all other building and facilities forming part of the premises proposed to be licensed;

(v) The areas reserved for different class of petroleum including petroleum exempted under section 11 of the Act; and

(b) a scrutiny fee of rupees four hundred paid in the manner specified in rule 13.

(2) If the Chief Controller, after scrutiny of the specification and plans and after making such enquiries as he deems fit, is satisfied that petroleum may be stored in the premises proposed to be licensed, he shall return to the applicant one copy each of the specifications and plans signed by him conveying his sanction subject to such conditions as he may specify.

132. Pumping

No internal combustion engine or electric motor in an installation shall be used for driving pumps for pumping petroleum save in a pump house or pumping area specially constructed for the purpose and approved by the Chief Controller.

133. Identification mark on licensed premises

Every installation, storage shed or service station under these rules shall have prominently marked thereon the number of the licence held for it.

134. Posting up of rules and conditions

An extract of rules 3 to 12, 102 to 115, 116 to 134 and rules 146 to 148 and 152 to 160 and of the conditions of the licence shall be exhibited in a conspicuous place in every licensed installation, service station or storage shed.

135. Petroleum in the possession of Defence Forces of the Union

Nothing in rules 116, 121, 122, 125, 126, 127, 128, 130, 131, 133 and 134 shall apply to petroleum in the possession of the Defence Forces of the Union.

CHAPTER VI

STORAGE OF PETROLEUM CLASS "C" NOT REQUIRING A LICENCE

136. Application

(1) The provisions of this chapter shall apply to Petroleum Class C stored otherwise than under a license as provided in section 7 of the Act but shall not apply to petroleum Class C in the possession of the Defence Forces of the Union.

(2) The provisions of Chapter V shall not apply to Petroleum Class C permitted to be stored without a licence under section 7 of the Act.

137. Restriction of Storage

Petroleum Class C shall not be stored together with any other class of petroleum except under and in accordance with a licence granted under these rules.

138. Storage of exempted Petroleum Class C in bulk

- (1) Petroleum Class C in bulk shall be stored in a tank constructed of iron or steel or any other material approved in writing by the Chief Controller.
- (2) The tank referred to in sub-rule (1) shall be properly designed and erected and the tank with all its fittings shall be so constructed and maintained as to prevent any leakage of petroleum.
- (3) All tanks of capacity exceeding 5,000 litres for the storage of Petroleum Class C shall be surrounded by an enclosure wall or placed inside a pit, so constructed and maintained as to be able to contain without leakage the maximum quantity of petroleum capable of being contained in largest tank within such enclosure or pit.
- (4) A drainage pipe with a valve capable of being actuated from outside the enclosure wall shall be provided in the enclosure or pit referred to in sub-rule (3) and the valve shall be kept closed.
- (5) A distance of not less than 1.5 metres shall be kept clear between protected works and the edge of such enclosure wall or pit.

139. Storage of Petroleum Class C in non-bulk

- (1) Petroleum Class C which is not in bulk shall, if the quantity at any one time exceeds 2,500 litres be stored in a storage shed of which either,
 - (a) the doorways and openings shall be built up to a height of 30 centimetres above the floor, or
 - (b) the floor shall be sunk to a depth of 30 centimetres.

140. Prior report of storage of Petroleum Class C

Every person intending to store Petroleum Class C in quantity exceeding 5000 litres otherwise than under a licence shall submit the following to the Chief Controller before commencing storage,

- (i) plans drawn to scale of the storage facilities showing compliance of rule 138 and site plan of the storage premises and surroundings upto 100 metres identifying the locations of premises; and
- (ii) a scrutiny fee of rupees five hundred.

CHAPTER VII**LICENCES****141. Grant of licence**

Licences under these rules may be granted by the licensing authorities set forth in the First Schedule in the forms specified for the purpose and on payment of a fee specified therein.

142. Period for which licences may be granted or renewed

- (1) A Licence in Form III or Form XVII may be granted for such period as the licensing authority may deem necessary subject to a maximum of one year.
- (2) Every other licence granted or renewed under these rules will remain in force until the 31st day of December of the year up to which the licence is granted or renewed subject to a maximum of three years.
- (3) Notwithstanding anything contained in sub rule (1) or sub-rule (2), the licensing authority where it is satisfied that a licence is required for a specific work or festival which is not likely to last up to the 31st day of December of the year up to which the licence is granted or renewed, may grant or renew a licence for such period as is actually necessary.

143. Application for licence

- (1) A person wishing to obtain or renew a licence under these rules shall submit an application in writing to the authority empowered to grant such a licence.
- (2) An application for the grant of a licence to transport petroleum in bulk by road in mechanically propelled vehicles shall be in Form VII and to transport petroleum class A/B in bulk on land for onsite fuelling of aircraft's, heavy vehicles/machineries and stationary equipment by a mechanically propelled vehicle viz. Refueller shall be in Form VIII. An application for licence to import and store petroleum shall be in Form IX and to decant kerosene (petroleum class B) from mechanically propelled vehicles containers shall be in Form X.

144. No-objection certificate

- (1) Where the licensing authority is the Chief Controller or the Controller, as the case may be, an applicant for a new licence other than a licence in Forms III, XI, XVII, XVIII, or XIX shall apply to the District Authority with two copies of the site-plan showing the location of the premises proposed to be licensed for a certificate to the effect that there is no objection, to the applicant receiving a licence for the site proposed and the District Authority shall, if he sees no objection, grant such certificate to the applicant who shall forward it to the licensing authority with his application Form IX.
- (2) Every certificate issued by the District Authority under sub-rule (1) shall be accompanied by a copy of the plan of the proposed site duly endorsed by him under his official seal.
- (3) The Chief Controller or the Controller as the case may be, may refer an application not accompanied by certificate granted under sub-rule (1) to the District Authority for his observations.
- (4) If the District Authority, either on a reference being made to him or otherwise, intimates to the Chief Controller or the Controller as the case may be, that any licence which has been applied for should not, in his opinion, be granted, such licence shall not be issued without the sanction of the Central Government.

- (5) The District Authority shall complete his inquiry for issuing NO OBJECTION CERTIFICATE (NOC) under sub-rule (1) and shall complete the action for issue or refusal of the NOC, as the case may be, as expeditiously as possible but not later than three months from the date of receipt of application by him.

145. Particulars of licence

- (1) Every licence granted under these rules shall be held subject to the conditions specified therein and shall contain all the particulars which are contained in the Form specified under these rules.
- (2) One copy of the plan or plans for the licensed premises signed in token of approval by the licensing authority shall be attached to the licence which shall form part 81 of such licence, and an identical copy shall be filed for record in the office of the licensing authority, except in the case of licence in Form XVIII.

146. Prior approval necessary for alterations in the licensed premises

- (1) No alteration shall be carried out in the licensed premises until a drawing or drawings showing such alteration has been approved in writing by the licensing authority.
- (2) A person wishing to carry out any alteration in the licensed premises shall submit to the licensing authority,
 - (i) three copies of a properly drawn plan of the licensed premises showing in distinct colour or colours the proposed alteration and the reasons and therefore.
 - (ii) a fee of rupees four hundred for scrutiny of the proposed alteration.
- (3) If the licensing authority, after scrutiny of the plan showing the proposed alteration and after making such enquiries as he deems fit, is satisfied that the proposed alteration may be carried out, he shall return to the licensee one copy of the plan signed by him and conveying his sanction subject to such condition or conditions as he may specify.
- (4) The holder of the licence, shall apply to the licensing authority for the amendment of the licence as soon as the sanctioned alteration has been carried out.

147. Amendment of licence

- (1) Any licence granted under these rules may be amended by the authority empowered to grant such a licence.
- (2) The fee for amendment of a licence shall be rupees five hundred plus the amount, if any, by which the fee that would have been payable if the licence had originally been issued in the amended form exceeds the fee originally paid for the licence.
- (3) A licensee who desires to have his licence amended shall submit to the licensing authority,
 - (i) an application duly filled in and signed in Form VII if the licence has been granted for transport of petroleum in bulk by road, in Form VIII, if the licence has been

granted for refueller in Form XIX, in Form IX if the licence is granted to import and store petroleum and in Form X, if the licence is granted to decant kerosene (Petroleum Class B) from mechanically propelled vehicles in containers.

- (ii) the licence sought to be amended together with the approved plans attached to it;
- (iii) where any alteration in the licensed premises has been carried out three copies of the properly drawn plan shown in the alteration sanctioned under rule 146 by the licensing authority;
- (iv) fee for the amendment of a licence as specified in sub rule (2);
- (v) a certificate of testing of the tank or tanks, if required under rule 126;
- (vi) a certificate of safety, if required under rule 130.

148. Renewal of licence

- (1) A licence may be renewed by the authority empowered to grant such a licence. Provided that a licence which has been granted by the Chief Controller may be renewed without alteration by a Controller duly authorized by the Chief Controller.
- (2) Every licence granted under these rules, other than a licence in Form III or Form XVII may be renewable for three calendar years where there has been no contravention of the Act or of the rules framed thereunder or of any conditions of the licence so renewed.
- (3) Where a licence which has been renewed for more than one year is surrendered before its expiry, the renewal fee paid for unexpired portion of the licence shall be refunded to the licensee provided that no refund of renewal fee shall be made for any calendar year during which,
 - (a) the licensing authority receives the renewed licence for surrender, or
 - (b) any petroleum is received or stored on the authority of the licence.
- (4) Every application under sub-rule (2) shall be made in Form VII, Form VIII, Form IX or Form X as the case may be and shall be accompanied by the licence which is to be renewed together with approved plans attached to the licence, wherever applicable and the renewal fee paid in the manner specified in rule 13.
- (5) Every application for the renewal of licence shall be made so as to reach the licensing authority at least thirty days before the date on which it expires, and if the application is so made, the licence shall be deemed to be in force until such date as the licensing authority renews the licence or until an intimation that the renewal of the licence is refused, has been communicated to the applicant.
- (6) Where the renewal of a licence is refused, the fee paid for the renewal shall be refunded to the licensee after deducting therefrom the proportionate fee for the period beginning from the date from which the licence was to be renewed up to the date on which renewal thereof is refused.

- (7) The same fee shall be charged for the renewal of licence for each calendar year as for the grant thereof:

Provided that,

- (i) if the application with accompaniments required under sub-rule (4) is not received within the time specified in sub-rule (5), the licence shall be renewed only on payment of a fee amounting to twice the fee ordinarily payable;
- (ii) if such an application with accompaniments is received by the licensing authority after the date of expiry but not later than 30 days from the date of expiry, the licence may, without prejudice to any other action that may be taken in this behalf, be renewed on payment of twice the fee ordinarily payable.

Provided further that in case of an application for the renewal of a licence for a period of more than one calendar year at a time, the fee prescribed under clause (i) or (ii) of the first proviso, if payable, shall be paid only for the first calendar year of renewal.

- (8) No licence shall be renewed if the application for renewal is received by the licensing authority after thirty days of the date of its expiry.

149. Refusal of no-objection certificate

A district authority refusing to grant a no-objection certificate under rule 144 shall record, in writing, the reasons for such refusal and shall furnish to the applicant a copy of such order:

Provided that before refusing to grant a no-objection certificate, the applicant shall be given a reasonable opportunity of being heard.

150. Cancellation of no-objection certificate

- (1) A no-objection certificate granted under rule 144 shall be liable to be cancelled by the District Authority or the state Government, if the District Authority or the state Government is satisfied, that the licensee has ceased to have any right to use the site for storing petroleum:

Provided that before cancelling a no-objection certificate, the licensee shall be given a reasonable opportunity of being heard.

- (2) A District Authority or a State Government cancelling a no-objection certificate shall record, in writing, the reasons for such cancellation and shall immediately furnish to the licensee and to the licensing authority concerned, copy of the order cancelling the no-objection certificate.

151. Refusal of licence

A licensing authority refusing to grant, amend, renew or transfer a licence, shall record his reason for such refusal in writing.

152. Suspension and cancellation of licence

- (1) Every licence granted under these rules shall,
 - (i) stand cancelled, if the licensee ceases to have any right to the site for storing petroleum;
 - (ii) stand cancelled, if the no-objection certificate is cancelled by the District Authority or the State Government in accordance with sub-rule (1) of rule 150;
 - (iii) be liable to be suspended or cancelled by an order of the licensing authority for any contravention of the Act or of any rule thereunder or of any condition contained in such licence, or by order of the Central Government, if it is satisfied that there are sufficient ground for doing so:

Provided that,

 - (a) before suspending or cancelling a licence under this rule, the holder of the licence shall be given an opportunity of being heard;
 - (b) the maximum period of suspension shall not exceed three months; and
 - (c) the suspension of a licence shall not debar the holder of the licence from applying for its renewal in accordance with the provisions of rule 148;
- (2) Notwithstanding anything contained in sub-rule (1), an opportunity of being heard may not be given to the holder of a licence before his licence is suspended or cancelled in cases,
 - (a) where the licence is suspended by a licensing authority as an interim measure for violation of any of the provisions of the Act or these rules, or of any conditions contained in such licence and in his opinion such violation is likely to cause imminent danger to the public: Provided that where a licence is so suspended, the licensing authority shall give the holder of the licence an opportunity of being heard before the order of suspension is confirmed; or
 - (b) Where the licence is suspended or cancelled by the Central Government, if that Government considers that in the public interest or in the interest of the security of the State, such opportunity should not be given.
- (3) A licensing authority or the Central Government suspending or cancelling a licence under sub- rule (1), shall record its reason for so doing in writing.

153. Procedure on expiration, suspension or cancellation of licence

- (1) A person licensed to store petroleum shall, on the expiration, suspension or cancellation of his licence, forthwith give notice to the District Authority of the class and quantity of petroleum in his possession and shall comply with any directions which the District Authority may, on the recommendation of the Chief Controller, give in regard to its disposal.
- (2) The District Authority may grant for a term not exceeding three months from the date of expiration, suspension or cancellation, as the case may be, a temporary licence for

the storage of petroleum actually held at the time of the issue of the temporary licence:

Provided that where the expired, suspended or cancelled licence was granted by an authority, other than the District Authority, no temporary licence shall be granted without the previous consent of such other authority.

- (3) The fee chargeable on a licence granted under sub-rule (2) shall bear the same proportion to the fee charged on the expired or cancelled or suspended licence as the period covered by the temporary licence bears to a full year.

154. Appeals

- (1) An appeal shall lie against any order refusing to grant, amend or renew a licence or cancelling or suspending a licence to,
 - (i) the Central Government, where the order is passed by the Chief Controller;
 - (ii) the Chief Controller, where the order is passed by a Controller;
 - (iii) the immediate official superior to the District Authority, where the order is passed by the District Authority;
 - (iv) the immediate official superior to officer appointed under rule 33 in the case of vessels licensed for the carriage of petroleum in bulk.
- (2) An appeal against any order of the District Authority refusing to grant or cancelling a no-objection certificate shall lie to the authority which is immediately superior to the said District Authority.
- (3) Every appeal shall be in writing and shall be accompanied by a copy of the order appealed against and shall be presented within sixty days of the order passed.

155. Supply of rules

With every licence granted for the storage of petroleum, an extract of rules 3 to 12, rules 102 to 134, rules 146 to 148 and rules 151 to 159 shall be given free of charge to the licensee.

156. Transfer of licence for storage

- (1) The holder of a licence, for the storage of petroleum may, at any time before the expiry of the licence, apply to the licensing authority to transfer the licence to another person.
- (2) Every application for the transfer of a licence shall be accompanied by,
 - (i) a letter signed by the holder of the licence indicating the full name and address of the person to whom he wishes to transfer the licence and give complete possession of the licensed premises;
 - (ii) the licence sought to be transferred together with the approved plan or plans attached to it.

- (iii) an application in Form IX duly filled in and signed by the person to whom the licence is sought to be transferred;
 - (iv) a fee of rupees five hundred paid in the manner specified in rule-13.
- (3) The licensing authority on receipt of the documents and fee required under sub-rule (2) shall, if he approves the transfer, enter upon the licence, under his signature, an endorsement to the effect that the licence has been transferred to the person named.
 - (4) The person to whom the licence is so transferred shall enjoy the same power and be subject to the same obligations under the licence as the original licensee.

157. Procedure on death or disability of licensee

- (1) If a licensee dies or becomes insolvent or mentally incapable or is otherwise disabled, the person carrying on the business of such licensee shall not be liable to any penalty or confiscation under the Act or these rules of exercising the powers granted to the licensee during such time as may reasonably be required to allow him to make an application for a new licence in his own name for the unexpired portion of the original licence in respect of the year in which the licensee dies or becomes insolvent or mentally incapable or is otherwise disabled.

Provided that nothing in this sub-rule shall be deemed to authorize the exercise of any power under this sub-rule by any person after the expiry of the period of the licence.

- (2) An application for a new licence for the unexpired portion of the original licence shall be accompanied by a no-objection certificate issued by the District Authority in favour to the person applying for such licence.
- (3) A fee of rupees two hundred shall be charged for a new licence for the unexpired portion of the original licence granted to any person applying for it under this rule.

158. Loss of licence

Where a licence granted under these rules is lost or accidentally destroyed, a duplicate may be granted on submission of a copy of plan or plans identical with those attached to the licence and on payment of a fee of rupees two hundred.

159. Production of licence on demand

- (1) Every person holding or acting under a licence granted under these rules shall produce it, or an authenticated copy of it, at the place to which the licence applies, when called upon to do so by any Inspector.
- (2) Copies of any licence may, for the purpose of this rule, be authenticated by the authority which granted the licence,
 - (a) on payment of a fee of rupees fifty for each authenticated copy, and
 - (b) on the submission of a copy or copies of the plans identical with the approved plan or plans attached to the licence.

160. Procedure on reports of infringement

The District Authority shall inform the Chief Controller of the action taken by him on any report of infringements of the Act or of these rules which the Chief Controller may make to him.

161. Executive control over authorities

Every authority other than the Central Government, acting under this Chapter shall perform its duties subject to the control of the Central Government:

Provided that nothing in this rule shall be deemed to affect the powers of executive control of the Chief Controller over the officer subordinate to him.

CHAPTER VIII**REFINING OF PETROLEUM****162. Approval of refinery**

- (1) No person shall refine, crack, reform or blend petroleum unless the project report with specifications and plans showing the general arrangements of tanks, stills, furnaces, electrical installations, pump houses, arrangement for drainage treatment and disposal of effluents, arrangement for fighting fire, fencing gates and all plants and buildings at the place where it is proposed to refine, crack, reform or blend petroleum (hereinafter in this chapter referred to as the refinery) has been approved by the Chief Controller.
- (2) The design and layout of the various blocks/facilities/process units in new crude oil refineries shall be as per design philosophy given in OISD standard-118. This will apply to new crude oil refineries/gas processing installations approved by the Chief Controller after publication of this rule.
- (3) Any person desiring to refine, crack, reform or blend petroleum shall submit to the Chief Controller an application along with,
 - (i) a copy of the project report and specifications and plans referred to in sub-rule (1) in triplicate; and
 - (ii) a scrutiny fee of rupees five thousand paid in the manner specified in rule 13.
- (4) The Chief Controller on receiving the project report with specifications and plans may require submission of such further particulars as he may specify after satisfying himself that petroleum can be so refined, cracked reformed or blended, shall return to the applicant one set of the specifications and plans signed by him and conveying his sanction subject to such conditions as he may specify.

163. Retention of plans and specifications

A copy each of the approved plans and specifications and containing any alterations sanctioned under rule 164 from time to time shall be kept at the refinery.

164. Alterations

- (1) No alterations in refinery involving the general arrangements or the design of tanks, stills, furnaces, plants, pump-houses, electric installation or firefighting facilities shall be carried out without the previous sanction in writing of the Chief Controller.
- (2) The occupier of a refinery wishing to carry out any of the alterations referred to in sub-rule (1) shall submit to the Chief Controller an application along with,
 - (i) specifications and plans, in triplicate, showing proposed alterations together with reason therefor, and
 - (ii) a scrutiny fee of rupees one thousand paid in the manner prescribed in rule 13.
- (3) The Chief Controller on receiving the specifications and plans for the alterations and reasons therefor, may require submission of such further particulars as he may specify and after satisfying himself that the proposed alterations can be carried out, return to the applicant one copy of the specifications and plans signed by him and conveying his approval subject to such conditions as he may prescribe.

165. Use of fire-proof materials

All buildings and facilities in which petroleum is handled shall be built of fire-proof materials.

166. Situations of storage tanks

No storage tanks for petroleum shall be situated nearer than 90 metres to any still, boiler or furnace:

Provided that this rule shall not apply to a storage tank containing Petroleum Class C for use as a fuel for a boiler and such a storage tank shall not be larger than is necessary to conserve 24 hours fuel for the fire which it services.

167. Situation of storage tanks and facilities for liquefied petroleum gases

No storage tank or filling facility for liquefied petroleum gases shall be nearer than 90 metres to any still, boiler or furnace or nearer than 30 metres to any storage tank, pump-house or any facility for the blending or filling of petroleum or to any protected work.

168. Situation of flare

No flare shall be situated nearer than 90 metres to any tank, still, pump-house or any facility for the refining, cracking, reforming, blending, storage or handling of petroleum or liquefied petroleum gas, other than knockout drum and condensate recovery pump attached to such flare.

169. Drainage

- (1) Adequate arrangement shall be made to ensure that effluents and drainage passing from the refinery does not cause pollution of rivers, irrigation channels water reservoirs or foreshore and does not harmfully affect animal or vegetable life in any way.

- (2) Effluent drainage from pump-houses and all other points where oil be entrained shall be passed through an efficient oil interceptor system of adequate size.
- (3) All chemical waste shall be rendered harmless before they leave the refinery area.
- (4) The whole of the sewerage shall be independent of other drainage systems.
- (5) All drains shall have adequate capacity to prevent any flooding or backing-up and be of such construction as to prevent leakage from them to the surrounding grounds.
- (6) Drains for carrying waste chemicals shall be of a type which is not affected by the chemicals in question.
- (7) Trash racks shall be fitted to the drains where there is a possibility of rubbish being carried forward and forming a plug.
- (8) Manholes shall be provided in closed drains where there is an abrupt change of directions and also at reasonable intervals in straight sections to permit rodding.
- (9) When vents are provided to release gases separated from contaminated effluents in closed drains, they shall be sited where they are unlikely to cause danger or annoyance.
- (10) All drains shall be fitted with fire traps/water seals at suitable points to prevent the passage of flame.
- (11) Where gas traps are provided in the drains they shall be constructed on the upstream side of the oil interceptors and such gas traps shall be fitted with vents to liberate the gas at such a height that danger or annoyance is not caused.

170. Fire and Smoking

- (1) No fire furnace, source of heat or light capable of igniting inflammable vapours shall be allowed except in the firing space of stills and boilers.
- (2) No smoking shall be allowed except in spaces or buildings specially approved for the purpose by the Chief Controller.

171. Permits to carry out maintenance and repair work

- (1) No maintenance or repair work and no entry into confined spaces including a closed drain or manhole shall be permitted except under and in accordance with the conditions of a written permit as per OISD standard 105 issued by a competent person authorized by the occupier of the refinery.
- (2) The competent person referred to in sub-rule (1) shall, before issuing the permit, satisfy himself by inspection and testing, whenever necessary, that the conditions of the vessel, site or equipment are entirely safe for the work which is to be undertaken and shall specify on the permit the conditions under which the work can be carried out safely.

- (3) Permits for carrying out maintenance or repair work shall be issued for limited and stated period during which known conditions will remain safe and such permits shall not be renewed without re-inspection and re-testing of the vessel, site or equipment.
- (4) All gas tests for the purpose of issuing a permit shall be carried out by suitably trained persons by an instrument which is calibrated and checked at such intervals as are recommended in this behalf by the manufacturers of such instruments in the manual of instructions pertaining thereto.
- (5) In the case of vessels which had contained products blended with leaded fluid, the regulations laid down by the suppliers of the fluid shall be fully observed.

172. Fire Control

- (1) Every crude oil refinery shall be fully protected against fire by a well-organized and trained firefighting service with necessary materials and fixed, mobile and portable equipment for fighting fires in line with the OISD Standard –116. This will apply to new crude oil refineries/gas processing installation approved by the Chief Controller after publication of this rule.
- (2) An adequate supply of water shall be available at all strategic points in the refinery by means of an independent ring main or grid provided with isolating valves. The main shall be kept constantly pressurized by two or more boosting pumps of adequate capacity preferably working automatically as any significant loss of pressure in the main occurs. At least one of the boosting pumps shall be independent of the normal power supply.
- (3) All mains shall be fitted with hydrants at convenient places not more than thirty metres apart in hazardous areas and not more than 45 meters apart in non-hazardous area. Such hydrants shall be of design suitable for operating conditions and for connecting mobile pumps.
- (4) Static water supply of adequate capacity shall be provided where mains water supply may be subject to interference.
- (5) All refinery personnel shall be practiced in the use of first-aid, fire-fighting appliances and selected refinery personnel shall be trained in all aspects of fire-fighting.
- (6) The Chief Controller may relax any of the provisions of sub-rule (1) to (5) or require additional fire-fighting provisions to be made if he deems such relaxation or additional fire-fighting provisions necessary in respect of any class of refinery.

173. Removal of Petroleum

All petroleum as it leaves the stills with the exception of such quantities as may be pumped direct to service tanks for fuel, shall at once be pumped out into the refinery storage tanks and shall not be stored in the immediate neighbourhood of stills and boilers:

Provided that the Chief Controller may permit petroleum to be disposed of otherwise.

174. Prevention of danger from static electricity

Adequate provision shall be made to prevent accumulation of dangerous static charges of electricity.

175. Warning notices

- (1) Warning notices regarding prevention of unauthorized persons, naked lights, smoking and other hazards shall be displayed prominently at strategic locations in the refinery.
- (2) No fire works of any kind shall be carried out within a radius of one kilometre from the refinery except with the prior permission of District Magistrate.

176. Marking of pipelines and cables

- (1) All above-ground pipelines and cables shall be identified by taping, stenciling, colouring distinctively or by any other suitable methods.
- (2) All overhead pipelines and cables crossing roads shall be adequately protected against accidental damage.
- (3) Pipelines and valves at loading and discharging berths shall be prominently marked to identify the product.
- (4) The route of all underground cables shall be marked by prominent markers. At least two such markers shall be visible from any point on the route of the cable.
- (5) The route of all underground pipelines shall be marked by prominent markers or by any other effective means to prevent accidental damage to the pipelines.

177. Inspections

All plants, instruments and equipment including fire-fighting equipment shall be inspected and tested at intervals, the frequency depending on practical or other relevant factors, and records of all such inspections shall be maintained.

178. Safe operations

- (1) All operators employed in a refinery shall be adequately trained in the safe operation of plants and equipment.
- (2) Written procedures shall be established for operators to start up, shut down and gas-free plants or sections of plants safely and to take safe action under emergency conditions.
- (3) Checks shall be made at all stages of the operations by supervisors to ensure that vessels and equipment are properly isolated or connected up, as required, and to ensure that safety facilities are commissioned as the operation proceeds.

179. Report of Fire

The occurrence of any fire in the refinery shall be reported immediately by the person in-charge of the refinery for the time being to the Chief Controller and to the nearest police station.

180. Closing of refinery

If refinery is closed down, the area within the fence surrounding it shall be cleared of all petroleum having flash point below 93 degree C as soon as possible.

CHAPTER IX**TETRA ETHYL LEAD MIXTURES****181. Additions of Tetra Ethyl Lead Mixtures**

Tetra Ethyl Lead shall not be blended with petroleum except in an equipment approved in writing by the Chief Controller and in such proportions and under such conditions as may from time to time be determined by him.

182. Additions of Tetra Ethyl Lead Mixture

Tetra Ethyl Lead shall not be blended except in an equipment approved in writing by the Chief Controller and in quantities not exceeding the limits specified in the relevant Indian Standards specifications.

183. Prescription of special conditions

The Chief Controller may from time to time by a written order prescribe special conditions which shall be observed during mixing of petroleum with ethyl fluid, handling of leaded petroleum or cleaning or repair of storage tanks which have contained leaded petroleum.

184. Colouration of leaded petroleum

Every mixture of petroleum and tetra ethyl lead shall be distinctively coloured before being supplied to the public.

185. Marking of receptacles

All receptacles other than tank containing a mixture of petroleum and tetra ethyl lead shall, except when they are in possession of the Defence Forces of the Union, bear a warning in the following terms, namely:

WARNING:

THIS SPIRIT CONTAINS LEAD AND SHALL BE USED AS A MOTOR FUEL ONLY

CHAPTER X**TESTING OF PETROLEUM****186. Drawing of Sample**

- (1) In all cases, the sampling officer shall personally superintend the drawing of the sample and the sample shall be drawn in the presence of at least one witness. Where the sample is drawn from an original unopened receptacle containing petroleum otherwise than in bulk the opening shall be sufficient to admit of the sample being rapidly transferred from the receptacle.
- (2) Two bottles, each of a capacity of 1 litre shall be filled to nine-tenths of their capacity with the sample and corked. The corks shall be driven home and cut-off level with the

neck; and melted sealing wax shall be worked into the corks and the bottles shall be efficiently sealed.

- (3) In the case of petroleum imported into India the bottles containing the samples shall, after being sealed, be labelled with the name of the consignee, particulars of the ship or vehicle by which it is imported and such other distinguishing marks as may be necessary.

187. Forwarding and retention of samples

One of the bottles referred to in sub-rule (2) or rule 186 shall be preserved for reference in case of need and the other shall be forwarded to the testing officer.

188. Procedure of delivery of samples

- (1) When the master of, or the agent for, a ship or the agent of the importer has made the declaration required under rule 17 or rule 26, the sampling officer shall obtain samples of all the petroleum which is intended to land at the port or place of import, If the importer so desires, the sampling officer shall also take samples of all the petroleum which is intended to land at any other port or place of import in India:

Provided that no sample need be taken of petroleum if it is declared to be the petroleum Class A.

- (2) The master of ship or the person for the time being in-charge of the vehicle by which petroleum is imported shall deliver to the sampling officer, without charge, samples of every variety of petroleum comprised in the petroleum of which samples are to be taken under sub-rule (1). Such samples shall, if the sampling officer so requires, be taken from the particular receptacles indicated by him:

Provided that when the petroleum is in cases, samples shall be taken as the landing proceeds.

189. Selection of samples from imported cargo

The minimum number of samples to be selected from each brand or quality contained in the cargo to be imported shall be as follows:

- (i) in cases-one sample for every 10,000 cases or part thereof;
- (ii) in casks or drums, declared to be uniform quality - one sample for every 600 kilolitres or part thereof;
- (iii) in bulk or in tanks - one sample from each tank or tank compartment.

190. Standard test apparatus

The Standard test apparatus shall,

- (a) agree in every respect with the Indian Standard Specification No. IS-1448 (Part I): (P 20) or (P21) as applicable and for the time being in force; and
- (b) have been tested and certified by an officer appointed by the Central Government under sub- section (1) of section 15 of the Act.

191. Certification of apparatus

- (1) When any apparatus for determining the flash point of petroleum is submitted to the officer appointed under sub-section (1) of section 15 of the Act for comparison with the standard test apparatus, the officer shall examine the apparatus including the thermometres and the barometres or aneroid.
- (2) No certificate shall be granted under section 16 of the Act if the apparatus, any thermometres or barometer is in any respect outside the tolerances laid down or variations permitted under the Indian Standard Specification No. IS-1448 (Part I): (P20) or (P21) as applicable and for the unit being in force.
- (3) A certificate in Form IV shall be granted in respect of any apparatus which has been found to agree with the standard test apparatus within the limits specified in IS 1448 (Part I) (P.20) (P.21) was applicable and for the time being in force.
- (4) A certificate granted under this rule shall be valid for a period of three years.

192. Register of Certificates

A register of all certificates granted under rule 191 shall be maintained in form V by the officer appointed under sub-section (1) of section 15 of the Act.

193. Method of test

- (1) The testing officer shall test the samples in the manner laid down in the Indian Standard Specification No. IS-1448 (Part I): (P 20) or (P 21) as applicable and for the time being in force.
- (2) In all cases at least three samples shall be separately tested, the average of the three readings being corrected for the thermometer correction, if any, and for the barometric correction in case of dispute.
- (3) If the average flash point is not lower than 230C, the whole of the petroleum represented by the samples shall be deemed to be Petroleum Class B or Petroleum Class C according to the average flash point determined by the test.
- (4) If the petroleum to be tested is viscous or solid or contains sediments or thickening ingredients, such petroleum shall be tested in accordance with the methods specified in the Fifth Schedule.

194. Procedure when tests show want of uniformity

- (1) If the testing officer after testing samples taken from an imported cargo, considers further testing necessary to satisfy himself that none of the petroleum is petroleum class A, he shall report to the Commissioner of Customs accordingly.
- (2) On receipt of a report under sub-rule (1),
 - (a) when the consignment is imported in cases or casks or drums, the Commissioner of Customs shall cause the petroleum in question to be landed and stacked in lots of not more than 1500 cases or casks or drums each, or to be discharged into boats each containing not more than 1500 cases, casks or

drums, and the sampling officer shall select and deliver to the testing officer one sample from each lot.

- (b) when the consignment is imported in bulk, the sampling officer shall forward a second sample and Commissioner of Customs may, until the receipt of the testing Officer's further report, prevent the landing of any portion of the contents of the tank in question or may permit it to be landed as provided under rule 21.
- (c) if the petroleum has already been landed and stored under rule 21,
 - (i) if it is otherwise in bulk, it shall be divided into lots, and samples of each lot shall be selected as provided in clause (a);
 - (ii) if it is in bulk, samples shall be drawn from each separate storage tank containing the petroleum.

195. Certificate of tests

- (1) The testing officer shall, as soon as practicable, and ordinarily within twenty-four hours after receipt of samples make out a certificate in Form VI and shall forward it in the case of samples, of petroleum taken on board a ship or a vehicle by which petroleum is imported to the Commissioner of Customs and in the case of other samples to the officer submitting the sample.
- (2) The testing officer shall, at the request of any person concerned, furnish him with a certified copy of the certificate in form VI on payment of a fee of rupees two hundred.

196. Fee for inspection and comparison

- (1) The fee for each inspection of the standard test apparatus shall be rupees one hundred.
- (2) The fee for comparing a privately-owned test apparatus with the standard test apparatus shall be as follows:
(in Rupees) Test apparatus 500, Barometer 200, Thermometer 100

197. Fee for testing

- (1) The fee for testing each sample of petroleum shall be rupees five hundred:
Provided that the aggregate fees chargeable under this sub-rule shall not, in the case of any single consignment of petroleum in any one ship, other vessel, train or place, exceed rupees one thousand.
- (2) The fee for re-testing each sample under section 20 of the Act shall be rupees one thousand. It shall be refunded if the original test is proved to be erroneous.

198. Power to enter, inspect, search and seize

- (1) Any, officer, specified in column (1) of the table below, may within the jurisdiction specified in the corresponding entry in column 2 of the said table:

- (a) enter, inspect and search any place where he has reason to believe that any petroleum is being imported, transported, stored, produced, refined or blended or is under transport and inspect all receptacles, plants and appliances used in connection therewith in order to ascertain if they are in accordance with provisions of the Act and of these rules;
- (b) search for petroleum therein;
- (c) take samples for testing of any petroleum found therein and make payments by cash for value of samples taken; and
- (d) seize, detain and remove any petroleum or any material suspected to be petroleum or any equipment or appliances used therein together with connected documents thereof in respect of which he has reasons to believe that any of the provisions of the act or of these rules have been contravened.

TABLE

Designation of the Officer Limit of Jurisdiction

- (1) Chief Controller and Controller Whole of India All District Magistrates , Their respective Districts All Magistrates sub-ordinate to Their respective Jurisdiction District Magistrate Police Officer not below the area over which their Rank of an Inspector authority extends.
- (2) Whenever any officer other than the Chief Controller, seizes, detains or removes any petroleum or any material connected therewith or any connected documents thereof under this rule, he shall forthwith report the fact by telegram to the Chief Controller and Controller having jurisdiction over the place where seizure etc. has taken place and whenever any officer not being the District Authority seizes, detains or removes any petroleum or any material connected therewith or any connected documents thereof under this rule, he shall intimate the facts of the case to the Chief Controller or the Controller having jurisdiction.
- (3) Whenever any samples are taken in accordance with this rule, they shall be tested in accordance with the relevant provisions of Chapter X of these rules.
- (4) Whenever any petroleum is seized under this rule, it shall be stored, under adequate guard until examination by Chief Controller or Controller and receipt of instructions from him as to its disposal.
- (5) Whenever searches are made under this rule the same shall be carried out in accordance with the provisions of the Code of Criminal Procedure, 1973 (2 of 1974). All officers of the police and district authorities shall assist the Chief Controller in the execution under the Act and rules.
- (6) Whenever any person by himself or by any person in his employment voluntarily obstructs or offers any resistance to or otherwise interferes with or refuses or fails to give or wilfully gives false or misleading information to the officer duly appointed under this rule who is acting in accordance with his duty thereunder such person shall be deemed to have committed an offence under the Act.

199. Destruction of petroleum

The Chief Controller or Controller may destroy any petroleum or any material or equipment connected in respect of which the Chief Controller or Controller has reason to believe that any of the provisions of the Act or of these rules have been contravened or which in his opinion is not longer fit for storage, transport or use. The petroleum shall be destroyed at the expenses of the licensee or the occupier of the premises, as the case may be.

CHAPTER XI**NOTICE OF ACCIDENT****200. Notice of Accident**

- (1) The notice of an accident required to be given under section 27 of the Act shall be given forthwith,
 - (a) to the Chief Controller by telephone/fax and also by telegram [telegraphic address- 'Explosive Nagpur'] followed within 24 hours by a letter giving particulars of the occurrence; and
 - (b) to the officer-in-charge of the nearest police station by the quickest means of communication.
- (2) Pending the visit of the Chief Controller or his representative, or until instruction is received from the Chief Controller that he does not wish any further investigation or inquiry to be made, all wreckage and debris shall be left untouched except in so far as its removal may be necessary for the rescue of persons injured and recovery of the bodies of any persons killed by the accident or in the case of Railways for the restoration through communication.

CHAPTER XII**EXEMPTION****201. Power to exempt**

The Central Government may, on the recommendation of the Chief Controller, in exceptional cases, by order exempt any class or classes of petroleum from all or any of the provisions of these rules, on such conditions, if any, as may be specified in the order.

202. Repeal and savings

- (1) The Petroleum Rules, 1976, are hereby repealed.
- (2) Notwithstanding such repeal,
 - (i) all licences or duplicates granted or renewed under the said rules and all fees imposed or levied shall be deemed to have been granted, renewed or imposed or levied, as the case may be under the corresponding provisions of these rules, and

- (ii) all approvals given and all powers conferred by or under any notification or rule shall, so far as they are consistent with the Act and these rules be deemed to have been given or conferred by or under these rules.

¹ Inserted by C.S.R. 61(E), dated 2-2-2007 (w.e.f. 2-2-2007).