

Annexure-I

PETROLEUM AND NATURAL GAS REGULATORY BOARD

NOTIFICATION

New Delhi, the June,2019

F.No. PNGRB/M(C)/31 (Vol.III)-In exercise of the powers conferred by section 61 of the Petroleum and Natural Gas Regulatory Board Act, 2006 (19 of 2006), the Petroleum and Natural Gas Regulatory Board hereby makes the following regulations, namely:-

(1) These regulations may be called the Petroleum and Natural Gas Regulatory Board (Access Code for Common Carrier or Contract Carrier Natural Gas Pipelines) Amendment Regulations, 2019.

(2) They shall come into force on the date of their publication in the Official Gazette.

(3) In sub-regulation (10) of regulation 13 of the Petroleum and Natural Gas Regulatory Board (Access Code for Common Carrier or Contract Carrier Natural Gas Pipelines) Regulations, 2008 the following sub-regulation shall be substituted, namely:-

“(10) (i) There shall be established an escrow account to be maintained by the Board from the date these regulations coming into force, which shall be credited with all charges received by the transporter on account of imbalances and overruns.

(ii) The transporter shall raise a separate invoice towards imbalance and overrun charges, including applicable taxes and levies. The transporter shall deposit the taxes and levies with the concerned authorities.

(iii) The transporter shall submit the details of invoice or debit note or any other document sent by it to the shipper raising a claim on account of imbalances or overruns charges within a period of fifteen days from the date of sending such invoice, debit note or any other document to the shipper.

(iv) The transporter shall make all reasonable efforts for recovering the said imbalances or overruns charges from the shipper within the period it allows shipper to pay its transportation charges.

(v) The transporter shall deposit the amounts received by him from the shipper on account of such charges (excluding taxes and levies) into the escrow account maintained by the Board within a period of fifteen days from the end of the calendar quarter during which such amounts were received by it along with such details thereof as the Board may require from time to time.

(vi) The transporter shall submit to the Board pipeline-wise shipper-wise details of such charges recoverable from each shipper, amounts received from the shippers and the amounts due from shippers annually within a period of sixty days from the end of each financial year along with a certificate from a Chartered Accountant certifying such details.

(vii) The transporter may claim from the escrow account the amounts incurred by it towards its contractual obligations with

reference to supply or pay and extra efforts to compress gas in case of negative imbalance and system management of the pipeline system due to such imbalances created by the shippers. However, such claim shall not exceed the amount deposited by him in the escrow account.

(viii) Such claim may be submitted annually by the transporter to the Board within 60 days of the end of each financial year with details such as details of amounts incurred by it, its bank account details, Permanent Account Number and detailed rationale of such claim, along with a certificate from a Chartered Accountant certifying such details.

(ix) Board shall consider such claims on merits and may seek such further information as it may deem fit. Board shall order release of admissible payment to the entity within 60 days from receipt of complete information.

(x) The accumulated amounts lying in the escrow account established by the transporter along with interest and any other earnings thereon shall be deposited by the transporter into the escrow account established by Board within thirty days of this regulation coming into force. Transporter shall submit year-wise, pipeline-wise, shipper-wise details of accumulation of such charges in the escrow account, details of withdrawal from the escrow account and details of interest or any other earnings from such escrow account along with a certificate from a Chartered Accountant certifying these details within thirty days of these regulations coming into force.

(xi) Board may issue such interim order as it thinks fit, either on application of transporter or on its own, to remove any difficulty in implementing the provisions of clause (x) where the accumulations are invested by transporter in deposits maturing beyond thirty days from the date when these regulations come into force.

[F. No.]
Secretary

Foot Note: Principal regulations were notified vide GSR 541(E) dated 17/07/2008 and amended vide GSR 274(E) dated 21/04/2009, F.No. PNGRB/M(C)/48 dated 17/02/2014 and F.No. L-MISC/VI/I/2007 dated 01.01.2015.