

Views/Comments received on Amendments in PNGRB (Procedure for development of Technical Standards and Specifications including Safety Standards) Regulations, 2009

Sr. No.	Clause No.	Existing Clause	Proposed Clause	Views/ Comments
1	6 (1)	(1) Any interested party may submit a proposal to the Board for formulation of a standard or updating or amending or cancelling an existing standard in activities relating to petroleum, petroleum products and natural gas including the construction and operation of pipeline and infrastructure projects related to downstream petroleum and natural gas sector in the form of Annexure – II along with an application fee as specified under the Petroleum and Natural Gas Regulatory Board (Levy of Fees and Other Charges) Regulations, 2007 as amended from time to time.	(1) Any interested party may submit a proposal to the Board for formulation of a standard or updating or amending or cancelling an existing standard in activities relating to petroleum, petroleum products and natural gas including the construction and operation of pipeline and infrastructure projects related to downstream petroleum and natural gas sector in the form of Annexure – II along with an application fee as specified under the Petroleum and Natural Gas Regulatory Board (Levy of Fees and Other Charges) Regulations, 2007.	
2	6 (2)	(2) Notwithstanding anything in sub-regulation (1), the Board on its own may also decide to develop, update, amend or cancel an established standard.	(2) Notwithstanding anything in sub-regulation (1), the Board on its own may also decide to develop, update, amend or cancel an established standard. Thereafter, the work of formulation of new standards and modification and revision of existing standards on any specific subject shall be undertaken by the Board itself or through technical committee.	GSPL: Clause 2(2) to 2(4) detail the process of doing the work of modification/ revision of standards by technical committee. We request the Board to elaborate the process of amendment of Standards when the Board decides to amend the standards by itself. The Board is also requested to mention the criteria under which such modifications may or may not be referred to Technical committee for modification.
3	6 (3)	(3) If the Board on examining any existing standards is satisfied that such standards have been developed by an SDO following the international best practices and such SDO has been credited for development of substantial number of standards, the Board may refer or adopt such standards.		
4	6 (4)	(4) The intent to formulate, update, amend or cancel any standard by the Board shall be published for a period of thirty days on the website of the Board or publicized by any other means for inviting views from the stakeholders.	Deleted	
5	6 (5)	(5) The views received shall be considered by the Board itself or by referring them to SDO for comments and the final decision in this regard shall lie with the Board.	Deleted	

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6	6 (6)	(6) The work of formulation of new standards and modification and revision of existing standards on any specific subject shall be undertaken when the Board is satisfied that the necessity for formulation, modification or revision, as the case may be, of a standard has been established.	Deleted	
7	6 (7)	(7) A preliminary draft standard shall be prepared by the SDO, either by engaging any consultant, experts, specialized organization or by the technical committee.	Deleted	
8	6 (8)	(8) The draft standard so prepared shall be put up to the technical committee for deliberation.	Deleted	
9	6 (9)	(9) After deliberations, technical committee shall prepare a final draft and shall submit the same to the Board and the Board shall consider and approve the final draft standard and put it on its website for public consultation for sixty days.	(4) After deliberations, technical committee shall prepare a draft standard or amendment and shall submit the same to the Board and the Board shall consider and approve the draft standard or amendment with or without modification and put it on its website for public consultation for a minimum period of twenty one days.	
10	6 (10)	(10) In cases where the final draft is modified by the board, it may refer it back to the technical committee for its comments on the modifications and the technical committee shall give its comments within a period of forty five days to the Board for its consideration and the Board shall consider the comments of the technical committee and finalize the final draft and put it on its website for public consultation for a period of sixty days.	Deleted	
11	6 (11)	(11) The technical committee shall take into account the comments received during the period for public consultation and shall thereafter finalize the draft standard which shall be submitted to the Board for adoption through SDO, if any.	(5) The Board may forward the comments received during public consultation to finalize its views on the comments received which shall be submitted to the Board.	<p><u>GSPL:</u></p> <p>Clause 2(5) mentions that The Board may forward the comments received during public consultation to finalise its views on comments received. The Board is requested to elaborate as to whom the comments will be forwarded and when the same will be forwarded</p>

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12	6 (12) & (13)	<p>(12) The draft standard after deliberation of the board with the changes, if any, incorporated at appropriate places shall be hosted in the website of the Board for thirty days for comments of stakeholders and the general public.</p> <p>(13) The comments received shall be forwarded to the technical committee for deliberations and the final draft standard after deliberations with or without modifications shall be submitted to the Board for its adoption and if no comments have been received, then the Board may adopt the final draft standard placed on its website for public consultation.</p>	<p>(6) The draft standard and the comments received during public consultation and views of the technical committee, if applicable on same shall be hosted on the website of the Board for the period as decided by Board before conducting Open House for discussions on the comments received during public consultation.</p>	
13		New Clause added	<p>(7) The Board may adopt the standard after taking decision on the comments or views of the Open House. Alternatively, the Board may seek views of technical committee on the comments received before its adoption.</p>	<p>GSPL:</p> <p>Clause 2(7) states that Board may adopt the comments or views of Open House on its own or alternatively refer the comments to technical committee. If the comments are referred to the Technical Committee, then as per clause 2(9), technical committee will prepare and finalize the draft standards for further adoption. Similarly it is requested to also include the process of finalizing the draft standards in case Board decides to adopt the standards after taking decision on the comments or views of Open House.</p>
14	6 (14)	<p>(14) In case the finalized standard draws assistance or reproduces text form any other standard where some other person has intellectual property right, the responsibility for seeking concurrence of such person shall lie with the SDO, if any, preparing the draft standard.</p>	<p>(8) In case the finalized standard draws assistance or reproduces text form any other standard where some other person has intellectual property right, the responsibility for seeking concurrence of such person shall lie with the technical committee or SDO, if any, preparing the draft standard.</p>	
15	6 (15)	<p>(15) Technical committee shall finalize the draft by consensus in the committee and if consensus is not reached, the standard shall be finalized by voting and acceptance by two-third majority of members and the detailed reasons for lack of consensus, if any, shall be conveyed to the Board for its consideration while adopting the standard.</p>	<p>(9) Technical committee shall finalize the draft by consensus in the committee and if consensus is not reached, the standard shall be finalized by voting and acceptance by two-third majority of members and the detailed reasons for lack of consensus, if any, shall be conveyed to the Board for its consideration while adopting the standard.</p>	

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16	6 (16)	(16) All standards so developed shall be reviewed periodically at least once in five years, and revised, reaffirmed or withdrawn, as considered necessary by the Board.	(10) All standards so developed shall be reviewed periodically at least once in five years, and revised, reaffirmed or withdrawn, as considered necessary by the Board.	
17	6 (17)	(17) Proposals for revising or amending published standards shall be considered by the technical committee concerned in a manner similar to proposals for development of new standards with the final decision resting with the Board.	(11) Proposals for revising or amending published standards shall be considered by the technical committee concerned in a manner similar to proposals for development of new standards with the final decision resting with the Board.	<p><u>GSPL:</u></p> <p>Previously the work of modification/ revision of standards was done by Technical Committee or SDO and then ratified by Technical Committee. Now as per proposed amendments, Board may refer the work of amending the specifications to Technical Committee or Board may do on its own. Accordingly Clause 2(11) may please by appropriately modified.</p>