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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ W.P.(C) 8891/2025 & CM APPL. 37974/2025

PETRONET LNG LIMITED AND ANR .....Petitioners

Through: Mr. Parag Tripathi, Sr. Advocate alongwith Mr. Saurav Agrawal, Mr. Trinath Tadakamalla, Ms. Nisha Bhatia, Ms. Jewer Bhateja, Mr. Anshuman Chaudhry, Ms. Prachi Dubey, Mr. Shivam and Ms. Astha Gaur, Advocates.

versus

PETROLEUM AND NATURAL GAS REGULATORY BOARD AND ANR .....Respondents

Through: Mr. K.M. Nataraj, ASGI alongwith Mr. Sanyat Lodha, Ms. Sanskriti Bhardwaj, Mr. Suyash Gaur, Ms. Harshita Tomar, Mr. Vinayak and Ms. Yashika Bhardwaj, Advocates for PNGRB/R-1.

Mr. Rakesh Kumar, CGSC alongwith Mr. Sunil, Advocate and Mr. Vedansh Anand, G.P. for UOI/R-2.

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ANISH DAYAL

O R D E R

% 03.07.2025

CM APPL. 37975/2025

1. Exemption allowed subject to all just exceptions.

2. Application stands disposed of.

W.P.(C) 8891/2025 & CM APPL. 37974/2025

3. Issue notice to the respondents.

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4. Mr. K.M. Natraj, learned ASG appears on behalf of respondent no.1 whereas on behalf of respondent no.2 Mr. Rakesh Kumar, learned CGSC appears and accept notice.

5. Let counter affidavit on behalf of respondents be filed within a period of four weeks. Two weeks, thereafter, shall be available to the petitioners to file rejoinder.

6. Mr. Parag Tripathi, learned Senior Counsel representing the petitioners, has prayed for grant of interim order stating that, in fact, the petitioners are not covered by Section 15 of the Petroleum and Natural Gas Regulatory Board Act, 2006, and therefore, their registration is not statutorily mandated. He further states that though the impugned regulations *viz.* Petroleum and Natural Gas Regulatory Board [Registration for Establishing and Operating the Liquefied Natural Gas (LNG) Terminals] Regulations, 2025 appears to have been framed for the purposes of prescribing conditions for entities seeking registration under Section 15, however, the petitioners are not required to be registered in terms of what has been provided in the proviso appended to sub-section 1 of Section 15. He has further stated that since the petitioners have either established or operating Liquefied Natural Gas terminals before the '*appointed day*' therefore, the proviso appended to Section 15(1) exempts the petitioners from seeking registration. He has further argued that certain information being sought to be collected at the time of registration, by the Board, are not only confidential but if such information is divulged, the same may result in prejudice to the petitioners. He has further stated that, in law, certain information could not have been sought by framing regulations by the Petroleum and Natural Gas Regulatory Board.

7. Petitioner no.1 has been operating LNG terminals since 2004 whereas

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petitioner no.2 was establishing the LNG terminals in 2007. Section 15(1) of the 2006 Act requires registration of entities desirous of undertaking certain activities given in Section 15(1) itself and such registration requires fulfilment of certain eligibility conditions as may be prescribed. It appears that the impugned regulations dated 08.01.2025 have been published in the Official Gazette on 13.02.2025, prescribe the eligibility conditions for entities seeking registration under Section 15(1) of the 2006 Act, whereby for seeking registration, the entities have been required to furnish certain information. As to whether the information sought is confidential and could not be asked for by the Board by framing the impugned regulations is the issue which needs consideration.

8. We may, however, notice at this juncture that the proviso of Section 15(1) clearly says that no registration shall be required for any entity carrying on the activities, mentioned in Section 15(1) itself, immediately before the '*appointed day*'. The only requirement in terms of the proviso is that such entities shall inform the Board about such activities within six months from the '*appointed day*'. The '*appointed day*' under 2006 Act has been defined in Section 2(c) which means the date on which the Board is established under Section 3(1). We have been informed that the Board under Section 3(1) of 2006 Act was established w.e.f. 25.06.2007 and accordingly, we are of the *prima facie* opinion that the petitioners' entities are not required to seek any registration in terms of what has been prescribed in the proviso to Section 15(1).

9. We thus, direct as an interim measure, that in case the petitioners do not seek registration in terms of the requirement of the impugned regulations, the same will not entail any coercive measures against them.

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10. Mr. Nataraj, learned ASG appearing for the Board, however, has stated that the exemption from registration as contemplated in the proviso appended to Section 15(1) will have no application in case an entity established or operating from before the appointed day intends to expand any of the activities given in sub clauses (a), (b) or (c) of Section 51 subsequently.

11. List on 09.10.2025.

DEVENDRA KUMAR UPADHYAYA, CJ

ANISH DAYAL, J

JULY 3, 2025
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