

# **UTTARAKHAND ELECTRICITY REGULATORY COMMISSION**

**Vidyut Niyamak Bhawan, Near I.S.B.T., P.O.-Majra, Dehradun-248171**

## **Notification**

**Dated: 13 January, 2015**

### **UERC (Terms and Conditions of Intra-State Open Access) Regulations, 2015**

No. UERC/F(9)RG/UERC/2015/1883: In exercise of the powers conferred by section 181, read with sections 39, 40, 42 and 86 of the Electricity Act, 2003 (36 of 2003), and all other powers enabling it in this behalf, the Uttarakhand Electricity Regulatory Commission hereby proposes to make the following Regulations, namely:-

## **CHAPTER 1**

### **PRELIMINARY**

#### **1. Short Title, Extent and Commencement**

- (1) These regulations shall be called the Uttarakhand Electricity Regulatory Commission (Terms and Conditions of Intra-State Open Access) Regulations, 2015.
- (2) These regulations shall come into force from the date of their publication in the Government Gazette replacing the existing Uttarakhand Electricity Regulatory Commission (Terms and Conditions of Intra-State Open Access) Regulations, 2010 with effect from the aforesaid date.

#### **2. Scope**

These regulations shall apply to open access customers using intra-State transmission system and distribution systems of the State, including when such system is used in conjunction with inter-State transmission system.

#### **3. Definitions**

In these regulations, unless the context otherwise requires:

- (1) "Act" means the Electricity Act, 2003 (36 of 2003);

- (2) "Approved Capacity" means capacity in MW approved by NLDC/RLDC/SLDC for bilateral/collective transactions at the point(s) of injection for open access customers.
- (3) "Applicant" means a consumer, trader, distribution licensee or a Generating company who has applied for seeking connectivity or open access as the case may be;
- (4) "CEA Connectivity Regulations" means Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007 and as amended from time to time;
- (5) "Commission" means the Uttarakhand Electricity Regulatory Commission referred to in Section 82 of the Act;
- (6) The word "consumer" shall carry the same meaning as in the Act, but shall be restricted to such consumers within the State of Uttarakhand to whom these regulations apply;
- (7) "Contracted load" means the load in kVA (Kilo Volt Ampere) which the distribution licensee has agreed to supply from time to time subject to the governing terms and conditions and is different from the connected load;
- (8) "Day" means a period starting at 00.00 hours and ending at 24.00 hours;
- (9) "Distribution licensee" means a licensee authorised to operate and maintain a distribution system for supplying electricity to the consumers in the State of Uttarakhand;
- (10) "Embedded open access consumer" means consumer who has a supply agreement with the distribution licensee in whose area of supply the consumer is located and avails the option of drawing part or full of its demand from any other person under open access, in any one or more time slots during a day or more in any month or more during the year, without ceasing to be a consumer of the said distribution licensee and continues to pay monthly demand charges and other charges as per rate schedule applicable to relevant category;

- (11) "Force Majeure Event" for the purpose of these regulations shall mean the events or circumstances or a combination of events and/or circumstances stated below:
- a. Act of God including lightning, drought, fire and explosion, earthquake, volcanic eruption, landslide, flood, cyclone, typhoon, tornado, geological surprises, or exceptionally adverse weather conditions which are in excess of the statistical measures for the last hundred years; or
  - b. Any act of war, invasion, armed conflict or act of public enemy, blockade, embargo, revolution, riot, insurrection, terrorist or military action; or
  - c. Fire, explosion, radioactive contamination and toxic dangerous chemical contamination;
- (12) "IEGC" means Indian Electricity Grid Code Specified by Central Electricity Regulatory Commission under clause (h) of sub-section (1) of section 79 of the Act, and as amended from time to time;
- (13) "Imbalance" in a time block for a generating station means its Actual Generation in MW minus its Approved Capacity (in MW) and for a consumer or buyer means its Actual Recorded Energy minus its Scheduled Energy at consumer premises;
- (14) "Long-term Access" means the Open Access in the intra-State transmission system or distribution system for a period exceeding 12 years but not exceeding 25 years;
- (15) "Medium-term Open Access" means the Open Access in the intra-State transmission system or distribution system for a period exceeding three months but not exceeding three years;
- (16) "Month" means a calendar month as per the Gregorian calendar;
- (17) "Nodal Agency" means the Nodal Agency defined in Regulation 12(3) of these regulations;
- (18) "Open access customer (in short customer)" means a consumer, trader, distribution licensee or a generating company who has been granted open access under these regulations;

- (19) "Short-term Open Access" means open access for a period up to one month at a time;
- (20) "State" means State of Uttarakhand;
- (21) "State Grid Code" means the State Grid Code specified by the Commission under clause (h) of sub-section (1) of section 86 of the Act, applicable on the date of commencement of these regulations and as amended from time to time;
- (22) "Stranded Transmission/distribution capacity" means the transmission/distribution capacity which is likely to remain unutilized due to relinquishment of access rights by a long-term open access customer;
- (23) "State Transmission Utility" means the Government company specified by the Government of Uttarakhand under sub-section (1) of section 39 of the Electricity Act, 2003;
- (24) "Transmission licensee" means a licensee authorised to establish and operate transmission lines in the State of Uttarakhand;
- (25) All words and expressions used and not defined in these regulations but defined in the Act or IEGC or the State Grid Code, Distribution code shall have the meaning assigned to them under the Act or the IEGC or the State Grid Code, Distribution Code as the case may be;
- (26) The General Clauses Act, 1897(10 of 1897), and as amended from time to time shall apply for the interpretation of these regulations as it applies for interpretation of an Act of Parliament.



## CHAPTER 2

### CONNECTIVITY

#### 4. Connectivity

Open Access customers shall be eligible to obtain connectivity, unless already connected, at the voltage levels specified in UERC (Release of New HT& EHT Connections, Enhancement and Reduction of Loads) Regulations, 2008 and as amended from time to time.

Provided RE generators shall be granted connectivity at voltage levels, unless already connected, as per the provisions of the UERC ( Tariff and Other Terms for Supply of Electricity from Renewable Energy Sources and non-fossil fuel based Co-generating Stations) Regulations,2013 and as amended from time to time.

#### 5. Application procedure for Connectivity at Intra-State transmission System

- (1) Applicant shall apply to the STU for connectivity in the Form prescribed in the detailed procedure to be laid down by the STU
- (2) The Application shall be accompanied by a non-refundable fee of **Rs. five lakh** through demand draft in favour of Power Transmission Corporation of Uttarakhand (PTCUL) payable at Dehradun.
- (3) The Application for connectivity shall contain details such as, proposed geographical location of the Applicant, quantum of power to be interchanged that is the quantum of power to be injected in the case of a generating station including a captive generating plant and quantum of power to be drawn in the case of consumer, with the intra-State transmission system and such other details as may be laid down by the State Transmission Utility in the aforesaid detailed procedure.

Provided that in cases where once an application has been filed and thereafter there has been any material change in the location of the Applicant or change by more than 10 percent in the quantum of power to be interchanged with the intra-State transmission system, the Applicant shall make a fresh application, which shall be considered in accordance with these regulations.

## **6. Processing of Application for Connectivity and Grant thereof by STU**

- (1) On receipt of the application, the STU shall process the application and carry out the necessary interconnection study as specified in CEA Connectivity Regulations.
- (2) The State Transmission Utility shall, within thirty (30) days, from the receipt of an application under sub-regulation (1) above and after considering all suggestions and comments received from State Load Despatch Centre:
  - (a) accept the application with such modifications or such conditions as may be specified by SLDC;
  - (b) reject the application for reasons to be recorded in writing, if such application is not in accordance with the provisions of these Regulations.
- (3) In case of acceptance of an application as per clause (a) of sub-regulation (2) above, the State Transmission Utility shall make a formal offer to the Applicant.
- (4) The STU shall upon compliance of the required conditions by the Applicant notify the concerned Applicant that it can be connected to the intra-State transmission system.
- (5) The STU shall sign a Connection Agreement with Applicant and shall provide a copy of the same to the State Load Despatch Center.
- (6) While granting connectivity, the STU shall specify the name of the sub-station or pooling station or switchyard where connectivity is to be granted. In case connectivity is to be granted by looping-in and looping-out of an existing or proposed line, the STU shall specify the point of connection and name of the line at which connectivity is to be granted. The STU shall indicate the broad design features of customer's facilities/equipments such as switchyard, interconnection equipments upto the point of injection/drawal on the sub-station of the STU and the timeframe for completion of the same. The cost of creation of these facilities shall be borne by the open access customer. In cases where connectivity is given at STU sub-station, the open access customer shall also bear the cost of bay, breaker

etc. in the STU sub-station and equipments required for transmission of real time data to SLDC.

Provided that for works, other than those to be carried out in STU substation, the open access customer shall have option to carry out these works under the supervision of STU.

- (7) The STU and the Applicant shall comply with the provisions of CEA Connectivity Regulations. The grant of connectivity shall not entitle an Applicant to interchange any power with the grid unless it obtains long-term access, medium-term open access or short-term open access in accordance with the provisions of these regulations.
- (8) A generating station, including captive generating plant which has been granted connectivity to the grid shall be allowed to undertake testing including full load testing by injecting its infirm power into the grid before that generating station being put into commercial operation, even before availing any type of open access, after obtaining permission of the State Load Despatch Centre, which shall keep grid security in view while granting such permission. Commercial treatment of such infirm power from a generating station or a unit thereof, whose tariff is to be determined by the Commission, will be governed by the applicable regulations on Terms and Conditions of Tariff for such generators. The infirm power injected into the grid from other generating stations whose tariff is not to be determined by Commission shall be charged at the UI rates, as determined by the Central Commission, till such time rates of imbalance are determined by the Commission.

#### **7. Application procedure for Connectivity to distribution system by Open Access customer**

- (1) All eligible open access customers, seeking connectivity to the distribution system, shall apply to the distribution licensee for connectivity in the Form prescribed in the detailed procedure to be laid down by the Distribution Licensee.
- (2) The Application shall be accompanied by a non-refundable fee of **Rs. three lakh** through demand draft in favour of UPCL payable at Dehradun.

- (3) The application for connectivity shall contain details such as, address of the open access customer, quantum of power to be injected/drawal and such other details as may be laid down by the distribution licensee in the procedure.

Provided that in cases where once an application has been filed and thereafter there has been any material change in the location of the Applicant or change by more than 10 percent in the quantum of power to be interchanged with the distribution system, the Applicant shall make a fresh application, which shall be considered in accordance with these regulations.

**8. Processing of Application and Grant of connectivity in distribution system to a open access customer, by the distribution licensee**

- (1) On receipt of the application, the distribution licensee shall, in consultation and through coordination with STU, process the application and carry out the necessary inter-connection study as specified in CEA Connectivity Regulations.
- (2) The distribution licensee shall, within thirty (30) days, from the receipt of an application under sub-regulation (1) above:
- (a) accept the application;
  - (b) reject the application for reasons to be recorded in writing, if such application is not in accordance with the provisions of these Regulations.
- (3) In case of acceptance of an application as per clause (a) of sub-regulation (2) above, the distribution licensee shall make a formal offer to the Applicant.
- (4) The distribution licensee shall upon compliance of the required conditions by the Applicant notify the concerned Applicant that it can be connected to the distribution system.
- (5) The distribution licensee shall sign a Connection Agreement with Applicant and shall provide a copy of the same to the State Load Despatch Center.
- (6) While granting connectivity, the distribution licensee shall specify the name of the sub-station or pooling station or switchyard where connectivity is to be allowed. In case connectivity is to be given by looping-in and looping-out of an existing or

proposed line, the distribution licensee shall specify the point of connection and name of such line.

- (7) The Distribution licensee shall indicate the broad design features of customer's facilities/equipments such as switchyard, interconnection equipments upto the point of injection/drawal in the sub-station of the Distribution licensee and the timeframe for completion of the same. The cost of creation of these facilities shall be borne by the open access customer. In cases where connectivity is given at Distribution licensee's sub-station, the open access customer shall also bear the cost of bay, breakers etc. in the Distribution licensee's sub-station and equipments required for transmission of real time data to SLDC. The Applicant and the distribution licensee shall comply with the provisions of CEA Connectivity Regulations.

Provided that for works other than those to be carried out in the Distribution licensee's sub-station, the open access customer shall have option to carry out these works under the supervision of distribution licensee.

- (8) The grant of connectivity shall not entitle an Applicant to interchange any power with the grid unless it obtains long-term access, medium-term open access or short-term open access in accordance with the provisions of these regulations.
- (9) If the Customer is a generating company, including captive generating plant which has been granted connectivity to the distribution system shall be allowed to undertake testing including full load testing by injecting its infirm power into the grid before being put into commercial operation, even before availing any type of open access, after obtaining permission of the State Load Despatch Centre and the distribution licensee, who shall keep grid security in view while granting such permission. Commercial treatment of such infirm power from a generating station or a unit thereof, whose tariff is to be determined by the Commission, will be governed by the applicable regulations on Terms and Conditions of Tariff for such generators. The infirm power injected into the grid from other generating stations whose tariff is not to be determined by Commission shall be charged at the UI

rates, as determined by the Central Commission from time to time, till such time UI rates under intra-State ABT mechanism are determined by the Commission.

**9. Application procedure for Connectivity in distribution system to a Consumer of the distribution licensee seeking open access**

Connectivity in distribution system to a consumer shall be governed in accordance with procedure laid down in UERC (Release of new HT & EHT connections, Enhancement and Reduction of Loads) Regulations, 2008 and the applicable provisions of these Regulations for such customers.

## CHAPTER 3

### GENERAL PROVISIONS FOR OPEN ACCESS

#### 10. Eligibility for Open Access and conditions to be satisfied

- (1) Subject to the provisions of these regulations, the licensees, generating companies, captive generating plants and consumers shall be eligible for open access to the intra-State transmission system of the State transmission licensee on payment of transmission and other charges as may be determined by the Commission in accordance with Chapter 5 of these regulations.
- (2) Subject to the provisions of these regulations, the licensees, generating stations, captive generating plants and consumers shall be eligible for open access to distribution system of a distribution licensee on payment of the wheeling and other charges as may be determined by the Commission in accordance with Chapter 5 of these regulations.
- (3) Subject to the provisions of these regulations, open access shall be permissible to the consumers, located within the area of the distribution licensee of the State having a contracted load of 100 kVA and above and connected to the distribution system of licensee at 11 kV or above, and are connected through an independent feeder emanating from a substation of licensee or industrial feeder.

Provided that when the consumer is connected to a industrial feeder, open access shall be allowed only if all the consumers on such industrial feeder opt for open access and are having simultaneous schedule of drawl under such open access.

Provided that when two or more consumers connected to industrial feeder are availing continuous supply option then they need not have simultaneous schedule of drawal under open access.

Provided that the consumers who are not on independent feeders, shall be allowed open access subject to the condition that they agree to rostering restrictions imposed by utility on the feeders serving them.

Provided further that duties of the distribution licensee with respect to such open

access customer shall be of a common carrier providing non-discriminatory open access as per Section 42(3) of the Act.

- (4) A person having been declared insolvent or bankrupt or having outstanding dues against him of more than two months billing of distribution/transmission licensee at the time of application shall not be eligible for open access.

**11. Criteria for granting long-term access or medium-term or short-term open access**

- (1) Before awarding long-term access, the STU/distribution licensee shall have due regard to the augmentation required for their respective intra-State transmission/distribution system.
- (2) Medium-term open access or short-term open access to any applicant shall be granted if the resultant power flow on account of such open access transaction can be accommodated in the existing/expected transmission/distribution system or the transmission/distribution system under execution after duly taking into consideration the existing power flow vis-à-vis capacity of the aforesaid systems.

Provided that no augmentation shall be carried out of the transmission/distribution system for the sole purpose of granting medium-term open access or short-term open access.

Provided further that construction of a dedicated transmission/distribution line shall not be construed as augmentation of the transmission/distribution system for the purpose of this regulation.



## CHAPTER 4

### APPLICATION PROCEDURE AND APPROVAL FOR OPEN ACCESS

#### 12. Application procedure for Open Access

- (1) All applications for open access shall be made in the prescribed Form and submitted to the Nodal Agency in accordance with these regulations. In case an Applicant is connected to the distribution licensee, the copy of the application shall also be sent to the distribution licensee for information.

Provided that in case an applicant is a consumer of distribution licensee, then alongwith other documents he shall submit a copy of last paid bill alongwith the application.

- (2) All Applicants seeking open access shall submit an affidavit of not having entered into power purchase agreement (PPA) or any other bilateral agreement for the capacity (quantum of power) for which open access is sought.
- (3) The Nodal Agency, Application fee, Documents to accompany the application and time frame for disposal of application shall be as specified in the following Table:

| S. No. | Period                 | Inter-se location of drawal and injection point                                                    | Nodal Agency          | Application fee (Rs.) | Documents to accompany the Application                                                                                                                                                   | Time frame for disposal of Application (days from the receipt of Application)                                                                                      |
|--------|------------------------|----------------------------------------------------------------------------------------------------|-----------------------|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.     | Short term Open Access | Drawal and injection point in the distribution system                                              | Distribution Licensee | 2000                  | <ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• Copy of last paid bill in case the applicant is a consumer of distribution licensee.</li> </ul> | <ul style="list-style-type: none"> <li>• 7 working days in case STOA applied for first time.</li> <li>• 3 working days on subsequent STOA applications.</li> </ul> |
| 2.     |                        | Drawal point in the distribution system and injection point in the intra-State transmission system | SLDC                  | 5000                  | <ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• Copy of last paid bill in case the applicant is a consumer of distribution licensee</li> </ul>  | -do-                                                                                                                                                               |
| 3.     |                        | Drawal point in intra-State transmission system and injection point in distribution system         | SLDC                  | 5000                  | <ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• Copy of last paid bill in case the applicant is a consumer of distribution. licensee</li> </ul> | -do-                                                                                                                                                               |
| 4.     |                        | Drawal and injection point in the intra-State                                                      | SLDC                  | 5000                  | <ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• Copy of last paid bill in</li> </ul>                                                            | -do-                                                                                                                                                               |

| S. No. | Period                  | Inter-se location of drawal and injection point                                                    | Nodal Agency                                 | Application fee (Rs.)  | Documents to accompany the Application                                                                                                                                                                                                                                                                              | Time frame for disposal of Application (days from the receipt of Application) |
|--------|-------------------------|----------------------------------------------------------------------------------------------------|----------------------------------------------|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
|        |                         | transmission system                                                                                |                                              |                        | case the applicant is a consumer of distribution licensee.                                                                                                                                                                                                                                                          |                                                                               |
| 5.     |                         | Drawal and injection point in different States                                                     | RLDC of the region where consumer is located | As per CERC Regulation | <ul style="list-style-type: none"> <li>Consent from concerned SLDCs as applicable.</li> <li>Proof of payment of Application fee.</li> <li>Copy of last paid bill in case the applicant is a consumer of distribution licensee.</li> </ul>                                                                           | As per CERC Regulation                                                        |
| 1.     | Medium term Open Access | Drawal and injection point in the distribution system                                              | Distribution Licensee                        | 50000                  | <ul style="list-style-type: none"> <li>Proof of payment of Application fee.</li> <li>PPA or Sale-purchase agreement of power.</li> <li>In case of generating station not already connected to grid, documentary evidence showing that the connectivity shall be completed before intending date of MTOA.</li> </ul> | 20 days                                                                       |
| 2.     |                         | Drawal point in the distribution system and injection point in the intra-State transmission system | STU                                          | 100000                 | <ul style="list-style-type: none"> <li>Proof of payment of Application fee.</li> <li>PPA or Sale-purchase agreement of power.</li> <li>In case of generating station not already connected to grid, documentary evidence showing that the connectivity shall be completed before intending date of MTOA.</li> </ul> | 40 days                                                                       |
| 3.     |                         | Drawal point in intra-State transmission system and injection point in distribution system         | STU                                          | 100000                 | <ul style="list-style-type: none"> <li>Proof of payment of Application fee.</li> <li>PPA or Sale-purchase agreement of power.</li> <li>In case of generating station not already connected to grid, documentary evidence showing that the connectivity shall be completed before intending date of MTOA.</li> </ul> | 40 days                                                                       |
| 4.     |                         | Drawal and injection point in the intra-State transmission system                                  | STU                                          | 100000                 | <ul style="list-style-type: none"> <li>Proof of payment of Application fee.</li> <li>PPA or Sale-purchase agreement of power.</li> <li>In case of generating station or consumer not already connected to grid, documentary evidence</li> </ul>                                                                     | 20 days                                                                       |

| S. No. | Period                | Inter-se location of drawal and injection point                                                    | Nodal Agency          | Application fee (Rs.)  | Documents to accompany the Application                                                                                                                                                                                                                                                                                                                                                       | Time frame for disposal of Application (days from the receipt of Application)                                                                                                                                                                                                               |
|--------|-----------------------|----------------------------------------------------------------------------------------------------|-----------------------|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                       |                                                                                                    |                       |                        | showing that the connectivity shall be completed before intending date of MTOA                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                             |
| 5.     |                       | Drawal and injection point in different States                                                     | CTU                   | As per CERC Regulation | <ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• PPA or Sale-purchase agreement of power.</li> <li>• In case of generating station or consumer not already connected to grid, documentary evidence showing that the connectivity shall be completed before intending date of MTOA.</li> <li>• Consent from concerned SLDCs as applicable.</li> </ul> | As per CERC Regulation                                                                                                                                                                                                                                                                      |
| 1.     |                       | Drawal and injection point in the distribution system                                              | Distribution Licensee | 50000                  | <ul style="list-style-type: none"> <li>• Proof of payment of Application fee</li> <li>• PPA or Sale-purchase agreement of power.</li> <li>• In case of generating station not already connected to grid, documentary evidence showing that the connectivity shall be completed before intending date of LTA</li> </ul>                                                                       | 20 days                                                                                                                                                                                                                                                                                     |
| 2.     | Long term Open Access | Drawal point in the distribution system and injection point in the intra-State transmission system | STU                   | 200000                 | <ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• PPA or Sale-purchase agreement of power.</li> <li>• In case of generating station not already connected to grid, documentary evidence showing that the connectivity shall be completed before intending date of LTA.</li> </ul>                                                                     | <ul style="list-style-type: none"> <li>• 120 days where augmentation of transmission/distribution system is not required.</li> <li>• 270 days, where augmentation of transmission system is required.</li> <li>• 180 days where augmentation of distribution system is required.</li> </ul> |
| 3.     |                       | Drawal point in intra-State transmission system and injection point in distribution system         | STU                   | 200000                 | <ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• Bank Guarantee.</li> <li>• PPA or Sale-purchase agreement of power.</li> <li>• In case of generating station or consumer not already connected to grid, documentary evidence showing that the connectivity shall be completed before</li> </ul>                                                     | -do-                                                                                                                                                                                                                                                                                        |

| S. No. | Period | Inter-se location of drawal and injection point                   | Nodal Agency | Application fee (Rs.)  | Documents to accompany the Application                                                                                                                                                                                                                                                                                                                                                                                     | Time frame for disposal of Application (days from the receipt of Application) |
|--------|--------|-------------------------------------------------------------------|--------------|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
|        |        |                                                                   |              |                        | intending date of LTA.                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                               |
| 4.     |        | Drawal and injection point in the intra-State transmission system | STU          | 200000                 | <ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• Bank Guarantee.</li> <li>• PPA or Sale-purchase agreement of power.</li> <li>• In case of generating station or consumer not already connected to grid, documentary evidence showing that the connectivity shall be completed before intending date of LTA</li> </ul>                                                             | -do-                                                                          |
| 5.     |        | Drawal and injection point in different States                    | CTU          | As per CERC Regulation | <ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• Bank Guarantee.</li> <li>• PPA or Sale-purchase agreement of power.</li> <li>• In case of generating station or consumer not already connected to grid, documentary evidence showing that the connectivity shall be completed before intending date of LTA,</li> <li>• Consent from concerned SLDC, STU as applicable.</li> </ul> | As per CERC Regulation                                                        |

### 13. Procedure for Long Term Access

#### (1) Involving inter-State transmission system

Notwithstanding anything contained in sub-regulation (2) and (3) herein below, procedure for inter-State long-term Access shall be as per Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 and as amended from time to time:

#### (2) Without Involving inter-State transmission system

Subject to the provisions of sub-regulation (1) herein above, intra-State long-term Access involving intra-State transmission/distribution system shall be in accordance with the provisions of clause (a) to (j) herein below.

(a) The application for grant of long-term access shall contain details such as

name of the entity or entities from whom electricity is proposed to be procured along with the quantum of power and such other details as may be laid down by the Nodal Agency in the detailed procedure.

Provided that in case augmentation of transmission/distribution system is required, the Applicant shall also have to bear the transmission/wheeling charges for the same as per 3<sup>rd</sup> proviso of sub-regulation (1) and 4<sup>th</sup> proviso of sub-regulation (2) of Regulation 20 contained in Chapter 5 of these regulations.

Provided further that in cases where there is any material change in location of the Applicant or change by more than 10 percent in the quantum of power to be interchanged using the intra-State transmission/distribution system, a fresh application shall be made, which shall be considered in accordance with these regulations.

- (b) The Applicant shall submit any other information sought by the Nodal Agency including the basis for assessment of power to be interchanged using the intra-State transmission/distribution system and power to be transmitted to or from various entities or regions to enable the Nodal Agency to plan the intra-State transmission/distribution system in a holistic manner.
- (c) The application shall be accompanied by a bank guarantee of Rs 10,000/- (ten thousand) per MW of the total power to be transmitted. The bank guarantee shall be in favour of the Nodal Agency, in the manner laid down under the detailed procedure.
- (d) The bank guarantee of Rs. 10,000/- (ten thousand) per MW shall be kept valid and subsisting till the execution of the long-term access agreement. Thereafter the bank guarantee shall stand discharged.

Provided that in case augmentation of transmission/distribution system is required the applicant shall submit another bank guarantee to the STU for the construction phase, in accordance with the provisions in the detailed procedure.

- (e) The bank guarantee may be encashed by the Nodal Agency, if the application is withdrawn by the Applicant or the long-term access is relinquished prior to its operationalisation when augmentation of transmission system is not required.
- (f) On receipt of the application, the Nodal Agency shall, in consultation with the distribution licensee carry out the necessary system studies as expeditiously as possible so as to ensure that the decision to grant long-term access is arrived at within the timeframe specified in sub-regulation (3) of Regulation 12 above.

Provided that in case the Nodal Agency faces any difficulty in the process of consultation or coordination, it may approach the Commission for appropriate directions.

- (g) Based on the system studies, the Nodal Agency shall specify the intra- State transmission/distribution system that would be required to give long-term access. In case augmentation of the existing intra-State transmission/distribution system is required, the same will be intimated to the Applicant.

While granting long-term access, the Nodal Agency shall communicate to the Applicant, the date from which such long-term access shall be granted and an estimate of the transmission/wheeling charges including additional transmission/wheeling charges, if any, for works pertaining to augmentation of transmission/distribution system as per 1<sup>st</sup> proviso of sub-regulation (a) above, likely to be payable based on the prevailing costs, prices and methodology of sharing of transmission/wheeling charges specified by the Commission subject to approval by the Commission in accordance with 3<sup>rd</sup> proviso of sub-regulation (1) and 4<sup>th</sup> proviso of sub-regulation (2) of Regulation 20 contained in Chapter 5 of these regulations.

- (h) The Applicant shall sign an agreement for long-term access with the STU in case the drawal point and injection point are located in the intra-state transmission system in accordance with the provision as may be provided in

the detailed procedure. However, in case the applicant is connected to the distribution system of the distribution licensee (either drawal point or injection point is at the distribution system) the Applicant shall sign a tripartite agreement with STU and distribution licensee. The long-term access agreement shall contain the date of commencement of long-term access, the point of injection of power into the grid and point of drawl from the grid and the details of dedicated transmission/distribution lines, if any, required. In case augmentation of transmission/distribution system is required, the long-term access agreement shall contain the time line for construction of the facilities of the Applicant and the transmission/distribution licensee, the bank guarantee required to be given by the Applicant and other details in accordance with the detailed procedure.

- (i) Immediately after grant of long-term access, the Nodal Agency shall inform the State Load Despatch Centre so that it can consider the same while processing requests for grant of short-term open access, received under these regulations.
- (j) On the expiry of the period of long-term access, the same shall stand extended on a written request by the consumer, to the Nodal Agency submitted at least six months prior to such expiry, mentioning the period for which extension is required.

Provided that in case no written request is received from the customer within the timeline specified above, the said long-term access shall stand terminated on the date up to which it was initially granted.

**(3) Involving only the distribution system**

In cases of long-term access where the point of injection and the point of drawal are located in the distribution system, the Nodal Agency shall be distribution licensee and the procedure specified in sub-regulation (2) above shall apply mutatis mutandis.

#### **14. Procedure for medium-term open access**

##### **(1) Involving inter-State transmission system**

Notwithstanding anything contained in sub-regulation (2) and (3) herein below, procedure for inter-State medium-term open access shall be as per Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 and as amended from time to time.

##### **(2) Without Involving inter-State transmission system**

Subject to the provisions of sub-regulation (1) herein above, intra-State medium-term open access involving intra-State transmission/distribution system shall be in accordance with the provisions of sub-regulation (a) to (g) herein below:

- (a) The application for grant of medium-term open access shall contain such details as may be laid down by the Nodal Agency under the detailed procedure and shall, in particular, include the point of injection into the grid, point of drawl from the grid and the quantum of power for which medium-term open access has been applied for.
- (b) The start date of the medium-term open access shall not be earlier than 5 months and not later than 1 year from the last day of the month in which application has been made.
- (c) On receipt of the application, the Nodal Agency shall, in consultation with the distribution licensee process the application and carry out the necessary system studies as expeditiously as possible so as to ensure that the decision to grant or refuse medium-term open access is made within the timeframe specified in sub-regulation (3) of Regulation 12 herein above:

Provided that in case the Nodal Agency faces any difficulty in the process of consultation or coordination, it may approach the Commission for appropriate directions.

- (d) On being satisfied that the requirements, with respect to criteria for granting medium-term open access specified under sub-regulation (2) of Regulation 11



are met, the Nodal Agency shall grant medium-term open access for the period stated in the application.

Provided that for reasons to be recorded in writing, the Nodal Agency may grant medium-term open access for a period less than that sought for by the Applicant.

- (e) The Applicant shall sign an agreement for medium term open access with the STU in case the drawal point and injection point are located in the intra-state transmission system, in accordance with the provision as may be provided in the detailed procedure. However, in case the Applicant is connected to the distribution system of the distribution licensee (either drawal point or injection point is at the distribution system) the Applicant shall sign a tripartite agreement with STU and distribution licensee. The medium-term open access agreement shall contain the date of commencement and end of medium-term open access, the point of injection of power into the grid and point of drawl from the grid, the details of dedicated transmission/distribution lines required, if any, the bank guarantee required to be given by the Applicant and other details in accordance with the detailed procedure.
- (f) Immediately after grant of medium-term open access, the Nodal Agency shall inform the State Load Despatch Centre so that it can consider the same while processing requests for short- term open access received under these regulations.
- (g) On expiry of the period of the medium-term open access, the medium-term customer shall not be entitled to any overriding preference for renewal of the term.

**(3) Involving only the distribution system**

In cases of medium-term open access where the point of injection and the point of drawal are located in the distribution system, the Nodal Agency shall be distribution licensee and the procedure specified in sub-regulation (2) above shall apply mutatis mutandis.

## **15. Procedure for short term Open Access**

### **(1) Involving inter-State transmission system**

Notwithstanding anything contained in sub-regulation (2) to (3) herein below, procedure for inter-State short- term Open Access shall be as per Central Electricity Regulatory Commission (Open Access in inter-State Transmission) Regulations, 2008, and as amended from time to time.

### **(2) Without involving inter-State transmission system**

Subject to the provisions of sub-regulation (1) herein above, intra-State short-term Open Access shall be in accordance with the provisions of clause (a) to (g) herein below:

#### **(a) Open Access in advance**

- (i) Application may be submitted to the Nodal Agency seeking short-term open access upto the fourth month, considering the month in which an application is made being the first month.

Provided that separate application shall be made for each month and for each transaction.

- (ii) The application to the Nodal Agency shall be on the prescribed format [FORMAT ST-1] containing such details as capacity needed, generation planned or power purchase contracted, point of injection, point of drawl, duration of availing open access, peak load, average load and such other additional information as may be required by the Nodal Agency. The application shall be accompanied by a non-refundable application fee in cash or by demand draft in favour of the officer so notified by Nodal Agency or any other mode acceptable to the Nodal Agency involved.
- (iii) An application for grant of open access commencing in any month may be submitted in a cover marked "Application for Short-Term Open Access – in advance" up to 15<sup>th</sup> day of the preceding month.

For example, application for grant of open access commencing in the

month of July shall be received up to 15<sup>th</sup> day of June.

- (iv) Nodal Agency shall acknowledge receipt of the application by indicating time and date on “ACKNOWLEDGEMENT” to the Applicant.
- (v) A consumer of distribution licensee intending to avail open access shall also furnish a copy of his application to the distribution licensee.
- (vi) Based on the type of transactions, Nodal Agency shall take a decision on the applications for short-term open access in the manner provided herein below.
- (vii) All applications received under sub-clause (iii) above shall be taken up for consideration together and processed as per allotment priority criteria specified under Regulation 18 of these regulations.
- (viii) Nodal Agency shall check transaction for congestion of any element (line and transformer) of transmission and distribution system involved in transaction.
- (ix) Nodal Agency shall convey grant of open access or otherwise in format [FORMAT-ST2] along with schedule of payments to the customer latest by 19<sup>th</sup> day of such preceding month.
- (x) Nodal Agency shall assign specific reasons if open access is denied under sub clause (ix).

**(b) Bidding Procedure for open access in advance**

- (i) If the capacity sought by the customers for open access in Advance for the following month is more than the available capacity or SLDC perceives congestion of any element of transmission and distribution system involved in the transaction, the allocation shall be made through electronic bidding procedure.
- (ii) The decision of SLDC in respect of an expected congestion shall be final and binding.

- (iii) SLDC shall convey information of congestion and decision for invitation of bidding indicating floor price on format [FORMAT-ST3] to the Applicants.
- (iv) SLDC shall also display bidding information on its website.
- (v) The floor price of transmission and wheeling charges determined on the basis of relevant order of the Commission shall be indicated in FORMAT-ST3.
- (vi) The Bids shall be accepted on format [FORMAT-ST4] up to the “bid closing time” as indicated in bidding invitation FORMAT-ST3. Modification/amendment to a bid, once submitted shall not be entertained.
- (vii) If any customer does not participate in bidding process, his application shall be deemed to have been withdrawn and shall not be processed.
- (viii) SLDC shall not entertain any request for extension of time/date for submission of bids.
- (ix) The bidders shall quote price (rounded-off to whole number) in denomination in which floor price has been determined.
- (x) The quoted price shall be arranged in descending order and allocation of available capacities shall be accorded in such descending order until the available capacity is exhausted.
- (xi) In case of equal price quoted by two or more customers, the allocation from the residual available capacity at any stage under sub-clause (x) above shall be made in proportion to capacity being sought by such customers.
- (xii) All customers, in favour of whom full capacities have been allotted, shall pay the highest price obtained from bids.
- (xiii) The customers, who are allotted less capacity, shall pay the price as quoted by them.

- (xiv) SLDC shall reject bid which are incomplete, vague in any manner or not found in conformity with bidding procedure.
- (xv) The successful bidder, in favour of whom the capacities have been allocated, shall pay transmission charges, wheeling charges, as the case may be, determined by bidding under sub clause (xii) or (xiii) of this clause.

**(c) Day-Ahead Open Access**

- (i) An application for grant of day ahead open access may be received by Nodal Agency within three days prior to the date of scheduling but not later than 1300 Hours of the day immediately preceding the day of scheduling for day-ahead transaction.
- (ii) For example, application for day-ahead transaction on 25<sup>th</sup> day of July shall be received on 22<sup>nd</sup> day or 23<sup>rd</sup> day or up to 1300 hours on 24<sup>th</sup> day of that month.
- (iii) Nodal Agency shall check for congestion and convey grant of approval or otherwise in the same format [FORMAT-ST2] as provided in sub-clause (ix) of clause (a) above. All other provisions of application for short-term open access shall apply.

**(d) Procedure for scheduling transaction in a contingency**

In the event of a contingency, the open access customer may locate a source of power to meet short-term contingency requirement even after the cut-off time of 1300 hrs of the preceding day and apply to the Nodal Agency for open access and scheduling and in that event, the Nodal Agency shall endeavour to accommodate such request as soon as and to the extent practically feasible, in accordance with the detailed procedure.

- (e) The approved capacity by a short-term open access customer is not transferable to others.
- (f) The capacity available as a result of surrender or reduction or cancellation of the approved capacity by the State Load Dispatch Centre, may be reserved for

any other short-term open access customer in accordance with these regulations.

(g) On expiry of the period of the short-term open access, the short-term customer shall not be entitled to any overriding preference for renewal of the term.

**(3) Involving only the distribution system**

In cases of short-term open access where the point of injection and the point of drawal are located in the distribution system, the Nodal Agency shall be distribution licensee and the procedure specified in sub-regulation (2) above shall apply mutatis mutandis.

**16. Consent by STU/ SLDC for Open Access**

**(1) Involving inter-State transmission system**

STU, in the case of application for grant of long-term access and medium term open access and SLDC in the case of grant of short-term open access shall convey its consent or otherwise as per the provisions respectively of Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 and Central Electricity Regulatory Commission (Open Access in inter-State Transmission) Regulations, 2008, and as amended from time to time.

**(2) Without involving Inter-State transmission system**

(a) While processing the application seeking consent for intra-State open access, the Nodal Agency shall verify the following, namely:

- (i) Existence of infrastructure necessary for time-block-wise energy metering and accounting in accordance with the provisions of the State Grid Code in force.
- (ii) Availability of capacity in the transmission and/or distribution network, and
- (iii) Availability of RTU and communication facility to transmit real time data to SLDC.

- (b) Where existence of necessary infrastructure and availability of capacity in the transmission and/or distribution network has been established, the Nodal Agency shall convey its consent to the Applicant by e-mail or fax or by any other usually recognised mode of communication, within the time periods specified in Table of Regulation 12 for long term access, medium and short term open access.
- (c) In case the Nodal Agency finds that the application for consent is incomplete or defective in any respect, it shall communicate the deficiency or defect to the Applicant by e-mail or fax or by any other usually recognised mode of communication, within two (2) working days of receipt of the application for short term open access and 7 working days for long term access and medium term open access.
- (d) In case the application has been found to be in order but the Nodal Agency refuses to give consent on the grounds of non-existence of necessary infrastructure or unavailability of surplus capacity in the distribution/transmission network, such refusal shall be communicated to the Applicant by e-mail or fax or by any other usually recognized mode of communication, within the time periods specified in Table of Regulation 12 for long term access, medium and short term open access alongwith reasons for such refusal.
- (e) Where the Nodal Agency has not communicated any deficiency or defect in the application within two (2) working days of receipt of the application for short term open access and 7 working days for long term access and medium term open access or refusal or consent within the time period specified in Table of Regulation 12 the consent shall be deemed to have been granted.

**(3) Involving only the distribution system**

The procedure specified in sub-regulation (2) above, mutatis mutandis, shall apply to the applicant seeking consent for intra-State open access when the point of injection and the point of drawal are located in the same distribution system.

## **17. Consideration of applications from defaulters**

Notwithstanding anything contained in these regulations, the Nodal Agency shall be at liberty to summarily reject an application for Open Access on the ground of non-compliance of the provisions of these regulations, more specifically the provisions relating to timely payment of the charges leviable hereunder.

## **18. Allotment Priority**

- (1) The priority for allotment of open access in intra-State transmission system shall be decided on the following criteria:
  - (a) A distribution Licensee shall have the highest priority in allotment of open access capacity irrespective of whether the open access request is for long-term, medium-term or short-term.
  - (b) The long-term access Applicants shall have the priority next to the distribution licensee.
  - (c) The medium-term open access Applicants shall have the priority next to the long-term open access Applicants.
  - (d) The short-term open access Applicants shall have the priority next to the medium-term open access Applicants.
  - (e) Allotment priority for short-term open access Applicants shall be decided subject to capacity availability.
  - (f) An existing open access customer shall have the priority higher than new open access Applicant under respective category provided the former applies for its renewal thirty days prior to the expiry of existing term of open access.
  - (g) When the requirement projected by an Applicant is more than the available capacity and the said Applicant is not able to limit his requirement to the available capacity, the request of Applicant having next lower priority shall be taken up for consideration.



## CHAPTER 5

### OPEN ACCESS CHARGES

#### 19. Settlement of energy at drawal point in respect of Embedded OA consumers

- (1) The Scheduled Drawal (in MW) for any 15 minute time block shall be worked out on the basis of Approved Capacity (in MW) for that block after adjusting the transmission and distribution losses as determined by the Commission in the Tariff Order for the relevant year.
- (2) The minimum of Actual Recorded Energy (in kVAh) and Scheduled Energy (in kVAh) calculated on the basis of Scheduled Drawal worked out in sub-regulation (1) above shall be considered as the quantum of energy drawn under open access. Such quantum of energy drawn under open access shall be adjusted from the monthly consumption of energy recorded in the meter for each Time of the Day block for the billing purpose.

#### 20. Transmission Charges & Wheeling Charges

##### (1) Transmission Charges

Open Access customer using transmission system shall pay the charges as stated hereunder:

- (a) For use of inter-State transmission system—As specified by the Central Commission from time to time.
- (b) For use of intra-State transmission system—Transmission charges payable by an open access customer to STU for usage of its system shall be determined as under:

$$\text{Transmission Charges} = \text{ATC}/(\text{PLS}_T \times 365) \text{ (Rs./MW/day)}$$

Where,

**ATC** = Annual Transmission Charges determined by the Commission for the State transmission system for the relevant year.

**PLS<sub>T</sub>** = Peak load served by the State transmission system in the previous year.

Provided that transmission charges shall be payable on the basis of Approved Capacity.

Provided for Open Access, for part of the day, the transmission charges shall be levied as under:

- (i) Upto 6 hours in a day :  $\frac{1}{2}$  of the transmission charges as determined in sub-regulation (1) (b) above.
- (ii) Above 6 hours in a day : equal to the transmission charges determined in sub-regulation (1) (b) above.

Provided further that where augmentation of transmission system including construction of dedicated transmission system used for open access has been done for exclusive use of or being used exclusively by an open access customer, the transmission charges for such augmentation including dedicated system shall be worked out by STU for its system and got approved by the Commission and shall be borne entirely by such open access customer till such time the surplus capacity is allotted and used for by other open access customers, where after the cost of the above system will be shared on pro-rata basis depending upon open access capacity allotted to them.

**(2) Wheeling Charges**

Wheeling charges payable to distribution licensee, by an open access customer for usage of its system shall be as determined as under:

$$\text{Wheeling Charges} = (\text{ARR} - \text{PPC} - \text{TC}) / (\text{PLS}_D \times 365) \text{ (Rs./MW/Day)}$$

Where,

**ARR**=Annual Revenue Requirement of the distribution licensee for the relevant year.

**PPC**= Total Power Purchase Cost of distribution licensee for the relevant year.

**TC** = Total transmission charges paid by distribution licensee for State and Inter-State transmission system for the relevant year.

**PLS<sub>D</sub>**=Total Peak load served by the concerned distribution system for the

previous year.

["Provided where Open Access is allowed up to contracted load, embedded open access consumer shall pay wheeling charges as determined by the Commission in the following manner:

WC Embedded consumer = WC – [FC\*0.85\*12\*1000/365] (in Rs./MW/day)]<sup>1</sup>

Where,

WC Embedded consumer = Net wheeling charges for embedded consumers

WC= Wheeling charges as determined by the Commission in accordance with the methodology specified in Regulation 20(2) contained in Chapter 5 of these regulations.

FC= Fixed/demand charges in Rs/kVA/month as per rate schedule approved in the Tariff Order for the relevant year. For the purpose of conversion of kVA into kW power factor of 0.85 has been taken.

Note: In case Wheeling Charges for Embedded consumer worked out as above becomes negative, such charge shall be zero.

Provided that wheeling charges shall be payable on the basis of Approved Capacity.

Provided for Open Access, for part of the day, the Wheeling Charges shall be levied as under:

- (i) Upto 6 hours in a day : ½ of the applicable wheeling charges as determined in sub-regulation (2) above.
- (ii) Above 6 hours in a day : Equal to the applicable wheeling charges as determined in sub-regulation (2) above.

<sup>1</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

[Provided where open access is allowed beyond the contracted load, embedded open access consumer shall pay wheeling charges for the excess load as determined by the Commission in the following manner:

W.C. For excess load allowed= $(ARR-PPC-TC)/(PLSDX365)$ ( Rs./MW/Day).]<sup>2</sup>

Provided further that where a dedicated distribution system used for open access has been constructed for exclusive use of an open access customer, the wheeling charges for such dedicated system shall be worked out by distribution licensee for its respective system and got approved by the Commission and shall be borne entirely by such open access customer till such time the surplus capacity is allotted and used for by other open access customers, where after the cost of the above system will be shared on pro-rata basis depending upon open access capacity allotted to them.

Provided further that wheeling charges shall not be levied on the open access customers connected to the transmission system at 132 kV and above voltage levels.

## **21. SLDC and System Operation Charges**

SLDC and System Operation charges shall be payable by the Open Access customers at the following rates:

### **(1) Transactions involving inter-State transmission system**

#### **(a) Long-term access and Medium-term open access**

- (i) Regional Load Despatch Centre fees and charges including charges for the Unified Load Despatch and Communication Scheme as specified by the Central Commission under section 28(4) of the Act.
- (ii) State Load Despatch Centre charges as specified by the Commission under sub-section (3) of Section 32 of the Act.

<sup>2</sup> Ins. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

**(b) Short-term open access**

Regional Load Despatch Centre and State load dispatch centre system operation charges as specified by the Central Commission.

**(2) Transactions not involving inter-State transmission system**

**(a) Long-term access and medium-term open access**

Long-term access and medium-term open access customers shall be liable to pay SLDC charges determined by the Commission under sub-section (3) of section 32 of the Act.

**(b) Short-term open access**

System Operation charge per day or for part of the day shall be payable by a short-term open access customer for each transaction to SLDC as determined by the Commission from time to time.

[Explanation: System Operation charge includes fee for scheduling and system operation, energy accounting, fee for affecting revisions in schedule on bonafide grounds and collection and disbursement of charges.]

**22. [Cross subsidy surcharge**

- (1) If open access facility is availed by any consumer, then such consumer, in addition to transmission and/or wheeling charges, shall pay cross subsidy surcharge determined by the Commission. Cross subsidy surcharge determined on Per Unit basis shall be payable, each month, by such consumer based on the actual energy drawn during the month through open access. The amount of surcharge shall be paid to the distribution licensee.
- (2) The consumers availing Open Access through dedicated lines even without involving licensee's Transmission and/or Distribution System shall be liable to pay same surcharge as determined under this Regulation.
- (3) The consumers availing Open Access exclusively on interstate transmission system shall also pay the same surcharge as determined under this Regulation.

Provided that no cross subsidy surcharge shall be levied on energy drawn by such consumers, through open access, during the period of power cut imposed by the distribution licensee.

Provided further that such surcharge shall not be levied on a person who has established a captive generation plant for carrying the electricity to the destination of his own use.

Provided also that in case power supply position or the load of such consumers, seeking open access, changes substantially, the Commission may review the Cross Subsidy Surcharge as and when required.

The cross subsidy surcharge for open access consumers shall be determined in accordance with the following formula.

Surcharge formula:  $S = T - C$

Where,

S is the cross subsidy surcharge;

T is the retail tariff payable by the relevant category of such consumers;

C is the average cost of supply of distribution licensee.]<sup>3</sup>

### **23. Additional Surcharge**

- (1) Any consumer, receiving supply of electricity from a person other than the distribution licensee of his area of supply, shall pay to the distribution licensee an additional surcharge on the charges of wheeling, in addition to wheeling charges and cross-subsidy surcharge, to meet out the fixed cost of such distribution licensee arising out of his obligation to supply as provided under sub-section (4) of Section 42 of the Act.
- (2) This additional surcharge shall become applicable only if the obligation of the licensee in terms of power purchase commitments has been and continues to be stranded or there is an unavoidable obligation and incidence to bear fixed costs

---

<sup>3</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (Second Amendment) Regulations, 2018 notified vide No. UERC/F(9)-II/RG/UERC/2018/421 (w.e.f. 01.04.2018).

consequent to such a contract. However, the fixed costs related to network assets would be recovered through wheeling charges.

- (3) The distribution licensee shall submit to the Commission, on six monthly basis, a detailed calculation statement of fixed cost which the licensee is incurring towards his obligation to supply.

The Commission shall scrutinize the statement of calculation of fixed cost submitted by the distribution licensee and obtain objections, if any, and determine the amount of additional surcharge.

Provided that any additional surcharge so determined by the Commission shall be applicable on prospective basis on all open access consumers.

- (4) Additional surcharge determined on Per Unit basis shall be payable, on monthly basis, by the open access consumers based on the actual energy drawn during the month through open access.

Provided that such additional surcharge shall not be levied in case distribution access is provided to a person who has established a captive generation plant for carrying the electricity to the destination of his own use.

#### **24. Standby charges for drawal of power by open access customer from distribution licensee**

- (1) In case of outages of generator supplying power under open access to open access customer who is not a consumer of the licensee, standby arrangements shall be provided by the distribution licensee subject to the load shedding as applicable to consumers of the licensee and the licensee shall be entitled to collect tariff under temporary rate of charge for that category of consumer in the prevailing rate schedule.

Provided that in case such customer is a consumer of the distribution licensee, the licensee shall be entitled to collect tariff under rate of charge for that category of consumer in the prevailing rate schedule.

Provided further that if a generator connected to the distribution system injecting power through open access requires startup power, the rate of such power shall be the same as that of infirm power provided in regulation 6(8) above of these Regulations.

Provided also that open access customer would have the option to arrange standby power from any other source.

## **25. Other Charges**

The congestion charges and any other charges, whenever imposed by Central Commission and/or State Commission shall be payable by all the open access customers.



## CHAPTER 6

### SCHEDULING, METERING, REVISION AND LOSSES

#### 26. Scheduling:

- (1) Notwithstanding anything contained in the succeeding sub-regulation of this regulation, scheduling of inter-State open access transactions shall be in accordance with the Regulations specified by the Central Commission.
- (2) Subject to the foregoing clause, intra-State open access transactions in respect of all customers and generating stations irrespective of the capacity shall be scheduled by SLDC in accordance with the provisions of the State Grid Code.
- (3) [“The open access customer shall abide by the Indian Electricity Grid Code, the State Grid Code as applicable from time to time and instructions given by State Transmission Utility and State Load Dispatch Centre.
- (4) The open access customer shall also comply with the requirements of the CEA (Technical Standards for Connectivity to the Grid) Regulations, 2007 as amended from time to time.
- (5) The embedded open access consumer shall schedule for each time block in such a manner that the sum of its total schedule and drawal thereof from all sources including through open access and from Distribution Licensee does not exceed its contracted load with the Distribution Licensee.

Provided further that long term open access may be allowed over and above the contracted load to the extent of sanctioned open access capacity.

Provided also that short term and medium term open access may be allowed over and above the contracted load to the extent of sanctioned open access capacity subject to the condition that it does not require any change in the voltage system, metering system etc., at the interconnection point of the existing consumer and that the resultant power flow on account of such open access can be accommodated in the existing/expected transmission/distribution network in accordance with the provisions of Regulation 11(2) above.

- (6) The embedded open access consumer shall be levied fixed charges/demand charges based on the maximum demand recorded in the ABT meter as per tariff applicable from time to time.

Provided that if the sanction of open access is allowed over and above the contracted load in terms of proviso to sub-regulation (5) above, the maximum demand for the purpose of charging of fixed charges/demand charges shall be only in respect of energy supplied by the distribution licensee, i.e. only upto contracted capacity as per the provisions of the Tariff Order.

This maximum demand shall be computed as follows:

$$\frac{\text{Total Maximum Demand Recorded X Energy Recorded as supplied by the distribution licensee}}{\text{Total Energy Recorded}}$$

- (7) The open access customer and embedded open access consumer shall provide the injection/drawal Schedule, as applicable, every day to the SLDC and the Distribution Licensee before 10:00 AM of the day proceeding the day of such drawal/injection.
- (8) Annual maintenance outage, other maintenance outage and forced outage shall be subject to the provisions of the State Grid Code as applicable from time to time. Intimation of the forced outage shall be sent to SLDC and to the Distribution Licensees, within 30 minutes of the outage and shall incorporate the estimated outage/rectification time. Restoration of unit under outage shall be conveyed to SLDC at least 30 minutes prior to its synchronization with the State Grid.”<sup>4</sup>

## 27. Metering:

- (1) All open access customers, existing as well as new including generating stations irrespective of their capacity, shall be provided with ABT compatible Special

<sup>4</sup> Ins. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

Energy Meters by the distribution licensee for and at the cost of the open access customers.

- (2) The distribution licensee shall provide Check Meter of the same specifications as Main Meter at its own cost.

[Provided that the distribution licensee shall install these Meters within one month from the date on which complete open access application was submitted by the open access customer to the nodal agency with a copy to the distribution licensee.]<sup>5</sup>

Provided that open access shall be allowed at the existing metering arrangement for a period of upto three months from the date of notification of these Regulations. Thereafter, the above provisions with regard to ABT compliant Main and Check meters shall become mandatory.

- (3) Special Energy Meters installed shall be capable of time-differentiated measurements for time-block-wise active energy and voltage differentiated measurement of reactive energy in accordance with the State Grid Code.
- (4) Special Energy Meters shall always be maintained in good condition.
- (5) Special Energy Meters shall be open for inspection by any person authorised by the STU/distribution licensee/State Load Despatch Centre.
- (6) All the open access customers shall abide by the metering standards of CEA.

## **28. [Revision of Scheduled Energy and Contract Demand]<sup>6</sup>:**

- (1) Revision of scheduled energy shall be permitted in accordance with the provisions of IEGC or the State Grid Code as the case may be.
- (2) [The revision (reduction/enhancement) of contract demand of an embedded open access consumer availing long/medium/short open access shall be governed by the provisions of the UERC (Release of New HT/EHT Connections, Enhancement

---

<sup>5</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

<sup>6</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

and Reduction of Loads) Regulations, 2008 and the orders issued under these regulations.

Provided that a consumer availing short term open access shall not be eligible to revise his contract demand with the distribution licensee during the tenure of the short term open access but may apply for revision of contract demand at the time of applying for open access in accordance with the regulations mentioned hereinabove.

Provided further that overall drawal by the embedded open access consumer during the open access period shall not be less than 80% of the overall drawal by such consumer during non open access periods for each day.]<sup>7</sup>

**29. Losses:**

- (1) **Transmission losses:** System transmission losses shall be payable in kind by all open access customers.

**(a) Inter-State transmission**

- (i) Long-term access and medium-term open access:

The buyers shall bear apportioned energy losses in the transmission system in accordance with the provisions of the Regulations specified by the Central Commission.

- (ii) Short-term Open Access

The buyers and sellers shall bear apportioned energy losses in the transmission system in accordance with the provisions of the Regulations specified by the Central Commission.

**(b) Intra-State transmission**

- (i) The transmission losses for the intra- State system determined by the Commission in its tariff orders for the relevant year, shall be payable in

---

<sup>7</sup> Ins. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

kind by the open access customers.

- (2) **Distribution losses:** System distribution losses, as determined by the Commission in its tariff order for the relevant year, shall be payable in kind by the open access customers.

## CHAPTER 7

### [DEVIATION SETTLEMENT]<sup>8</sup>

#### 30. [Deviation charge ]<sup>9</sup>

(1) Scheduling of all transactions pursuant to grant of long-term access or medium term open access or short-term open access shall be carried out on day-ahead basis in accordance with the relevant provisions of IEGC for inter-State transactions and in accordance with State Grid Code for intra-State transactions.

(2) Actual Recorded Energy and Scheduled Energy shall be recorded/accounted for in each 15 minutes time block. In case of difference between these two following shall apply:

(a) When open access consumer is not a consumer of the distribution licensee:

(i) In case of over-drawal by such consumer

The [deviation charges]<sup>10</sup> payable by such consumer to the distribution licensee shall be equivalent to the average billing rate of HT industry consumers approved by the Commission in its Tariff Order for the relevant year.

(ii) In case of under-drawal by the consumer due to non-availability of the distribution system and/or transmission system.

The [deviation charges]<sup>11</sup> payable by the distribution licensee to such consumer shall equal the average power purchase cost of the distribution licensee as projected in the Tariff Order of the relevant year.

(b) When open access consumer is a consumer of the distribution licensee.

---

<sup>8</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

<sup>9</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

<sup>10</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

<sup>11</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

- (i) In case of over-drawal subject to maximum demand within the Contracted load.

[Deviation charges]<sup>12</sup> payable by such consumer to the distribution licensee shall equal the applicable tariff rates as determined by the Commission in the Tariff Order of the relevant year.

- (ii) In case of over-drawal subject to maximum demand more than the contracted load.

[Deviation charges]<sup>13</sup> payable by such consumer to the distribution licensee shall be equal to the applicable tariff rates alongwith excess demand charges, as approved by the Commission, for such categories of consumers in its Tariff Order for the relevant year.

[Provided that in case of open access over and above its contracted load in accordance with the proviso to Regulation 26 (5) above, the maximum demand mentioned in clause (i) & (ii) above shall be the maximum demand calculated in accordance with proviso to Regulation 26 (6) above.]<sup>14</sup>

- (iii) In case of under drawal due to non-availability of the distribution system and/or intra-State transmission system.

In case of under-drawal is caused by non-availability of the distribution system and/or intra-State transmission system the such consumer shall be compensated by the distribution licensee at the average power purchase cost of the distribution licensee as projected in the Tariff Order for the relevant year.

[For the purpose of this Regulation Actual Recorded Energy and Schedule Energy shall have the same meaning as in Regulations 19(2) above]

---

<sup>12</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

<sup>13</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

<sup>14</sup> Inst. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

(c) When open access customer is a generator

- (i) In case of under injection by generator due to reasons attributable to the generator.

[Deviation charges]<sup>15</sup> payable by the generator to the distribution licensee shall be charged at average power purchase cost of the distribution licensee as projected in the tariff order for the relevant year.

- (ii) In case of under injection by the generator due to non-availability of distribution system and/or transmission system.

Imbalance charges payable by the distribution licensee to the generator shall be charged at average power purchase cost of the distribution licensee as projected in the tariff order for the relevant year.

- (iii) In case of over injection by the generator.

[Deviation charges]<sup>16</sup> payable by the distribution licensee to the generator shall be charged at average power purchase cost of the distribution licensee as projected in the tariff order for the relevant year.

Provided that in case of non availability of distribution system and/or transmission system due to force majeure events then distribution licensee shall not be liable to pay any imbalance charges to the open access customers specified in clause a(ii), b(iii) & c(ii) above of this sub-regulation (2).

[Provided further that the above deviation charges covered in this sub-Regulation (2) is an interim arrangement and shall be applicable till intra-State ABT mechanism is operational in the State where after the Deviation shall be settled based on the Deviation Settlement Account prepared by

---

<sup>15</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

<sup>16</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).



SLDC in accordance with the Deviation Settlement and related matters Regulations as and when notified by the Commission.]]<sup>17</sup>

- (3) SLDC shall be the Nodal Agency to ascertain the reasons for non-availability of transmission/distribution system and for fixing the responsibility thereupon.
- (4) Payment of imbalance charges shall have a high priority and the concerned constituents (including the licensees or the open access customers as the case may be) shall pay the indicated amounts within 10 (ten) days of the issue of the statement, into a State Pool Account operated and maintained by the SLDC. The person who has to receive the money on account of imbalance charges would then be paid out from the State Pool Account, within three (3) working days.
- (5) If payments against the above imbalance charges are delayed by more than two days, i.e. beyond twelve (12) days from the date of issue of statement, the defaulting party shall have to pay simple interest @ 0.04% for each day of delay. The interest so collected shall be paid to the person who had to receive the amount, payment of which got delayed. Persistent payment defaults, if any, shall be reported by the SLDC to the Commission, for initiating remedial action.

### **31. Reactive Energy Charge**

In respect of open access customer (except embedded open access consumers), the payment for the reactive energy charges by such open access customers shall be in accordance with provisions stipulated in the Indian Electricity Grid Code (IEGC) and State Grid Code.

[Provided further that after ABT mechanism is operational in the State the reactive energy charges shall be settled based on the State Reactive Energy Account prepared by SLDC in accordance with the State Grid Code and the orders of the Commission issued from time to time.]]<sup>18</sup>

---

<sup>17</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

<sup>18</sup> Subs. by UERC (Terms and Conditions of Intra-State Open Access) (First Amendment) Regulations, 2016 notified vide No. UERC/F(9)-I/RG/UERC/2016/1424 (w.e.f. 19.12.2016).

## **CHAPTER 8**

### **COMMERCIAL MATTERS**

#### **32. Billing, Collection and Disbursement**

Billing in respect of the charges payable under these regulations shall be made as per the following procedure:

**(1) Inter-State transactions:**

**(a) Short-term Open Access**

- (i) Collection and disbursement of transmission charges for use of CTU and STU systems and operating charges payable to RLDCs and SLDCs towards short-term open access shall be done by the nodal RLDC, in accordance with the procedure specified by the Central Commission and thereafter, it shall disburse the respective amounts to the CTU, STU and SLDC.
- (ii) The short-term open access customer connected to distribution system of a distribution licensee shall pay to such distribution licensee, the wheeling charges payable to the distribution licensee within 3 days from the grant of the short-term open access by the Nodal Agency.

**(b) Long-term access and medium- term open access**

- (i) Fee and charges payable to CTU and RLDC including charges for the Unified Load Despatch and Communication Scheme shall be in accordance with the procedure specified by the Central Commission.
- (ii) Bills towards the charges payable to STU and SLDC shall be raised by the STU and SLDC directly to the open access customer connected to STU before the 3<sup>rd</sup> working day of the succeeding calendar month. Such open access customer shall pay the bills to STU and SLDC within 5 working days of the receipt of the bills.

Provided that in case such open access customer is connected to distribution system, such bills shall be raised by STU and SLDC to the

distribution licensee before the 3<sup>rd</sup> working day of the succeeding calendar month. Distribution licensee shall raise the bill with the open access customer connected to it within 3 days of receipt of bill from STU and SLDC. Open access customer shall pay the charges within five days of receipt of bill from distribution licensee. Thereafter, the distribution licensee shall disburse the amount payable to STU and SLDC on a monthly basis.

**(2) Intra-State transactions:**

**(a) Short-term Open Access**

- (i) The short-term open access customer shall deposit with SLDC the transmission charges and operating charges within 3 working days of grant of the short-term open access by SLDC.
- (ii) In addition to the above, the short-term open access customer connected to distribution system of a distribution licensee shall also pay to SLDC, the wheeling charges payable to the distribution licensee within 3 days from the grant of the short-term open access by the Nodal Agency. Such charges would be disbursed to the distribution licensee on a weekly basis by SLDC.

**(b) Long-term and Medium-Term open access**

- (i) SLDC, transmission licensee and distribution licensee, where applicable, shall communicate to STU the details of the bills due to them by the 3<sup>rd</sup> day of the succeeding calendar month. STU shall separately indicate the above charges and raise the bill with the open access customer, together with the charges receivable by it, if any, before the 5<sup>th</sup> day of the above month. The open access customer shall pay the charges within 7 days from the date of receipt of the bill. STU shall disburse the charges payable to SLDC, transmission licensee and distribution licensee on a monthly basis.

### **33. Late payment surcharge**

In case the payment of any bill for charges payable under these regulations is delayed by an open access customer beyond the due date, without prejudice to any action under the Act or any other regulation thereunder, a late payment surcharge at the rate of 1.25% per month shall be levied.

### **34. Default in payment**

Non-payment of any charge or sum of money payable by the open access customer under these regulations shall be considered as non-compliance of these regulations. The STU and/or distribution licensee may discontinue open access after giving customer an advance notice of fifteen days without prejudice to its right to recover such charges by suit.

In case of default in payment of charges due to RLDC and/or SLDC, the concerned Load Despatch Centre may refuse to schedule power of the defaulting open access customer and direct the licensee concerned to disconnect such customer from the grid.

### **35. Payment Security Mechanism**

In case of long-term access and medium-term open access, the Applicant for open access will open an unconditional, revolving and irrevocable Letter of Credit (L/C) equivalent to the estimated amount of applicable open access charges for a period of two months in favour of the agency responsible for collection of such charges. The L/C shall be opened in a scheduled Bank at Dehradun.

## CHAPTER 9

### INFORMATION SYSTEM

#### 36. Information system

The State Load Dispatch Centre shall post following information on its website in a separate web page titled “Open access information” and also issue a monthly and annual report containing such information.

- (1) A status report on long-term/medium term/short term open access by customers indicating:
  - (a) Name of the customer;
  - (b) Period of open access granted (date of commencement and date of termination);
  - (c) Schedule of power from distribution licensee/UPCL for each day.*(applicable to embedded open access consumers)*
  - (d) Schedule of power through open access period for each day. *(applicable to embedded open access consumers)*
  - (e) Point of injection;
  - (f) Point of drawal;
  - (g) Transmission system/distribution system used, and
  - (h) Open access capacity used.
- (2) Peak load flows and capacity available including the reserve capacity on all EHV lines and HV lines emanating from EHV sub-stations.
- (3) The information regarding average loss in transmission and distribution system as determined by respective licensees.

## CHAPTER 10

### MISCELLANEOUS

#### 37. Detailed Procedure

STU/Distribution licensee shall lay down their respective detailed procedures including time lines for implementation of various activities as required under these Regulations and submit the same for approval of the Commission within 3 months of the notification of these Regulations.

#### 38. Under-utilisation or Non-utilisation of open access capacity in intra-State transmission and distribution system

(1) **Long-term Access** : A long-term customer may relinquish the long-term access rights fully or partly before the expiry of the full term of long-term access, by making payment of compensation for stranded capacity as follows:-

**(a) Long-term customer who has availed access rights for at least 12 years.**

- (i) Notice of one (1) year - If such a customer submits an application to the Nodal Agency at least 1 (one) year prior to the date from which such customer desires to relinquish the access rights, there shall be no charges.
- (ii) Notice of less than one (1) year - If such a customer submits an application to the Nodal Agency at any time lesser than a period of 1 (one) year prior to the date from which such customer desires to relinquish the access rights, such customer shall pay an amount equal to 66% of the estimated open access charges (net present value) for the stranded transmission and/or distribution capacity for the period falling short of a notice period of one (1) year.

**(b) Long-term customer who has not availed access rights for at least 12 (twelve) years.**

Such customer shall pay an amount equal to 66% of the estimated open access charges (net present value) for the stranded transmission and/or distribution capacity for the period falling short of 12 (twelve) years of access rights:

Provided that such a customer shall submit an application to the Nodal Agency at least 1 (one) year prior to the date from which such customer desires to relinquish the access rights:

Provided further that in case a customer submits an application for relinquishment of long-term access rights at any time at a notice period of less than one year, then such customer shall pay an amount equal to 66% of the estimated open access charges (net present value) for the period falling short of a notice period of one (1) year, in addition to 66% of the estimated open access charges (net present value) for the stranded transmission and/or distribution capacity for the period falling short of 12 (twelve) years of access rights.

- (c) The discount rate that shall be applicable for computing the net present value as referred to in clause (a) & (b) of sub-regulation (1) above shall be the discount rate to be used for bid evaluation in the Central Commission's Notification issued from time to time in accordance with the Guidelines for Determination of Tariff by Bidding Process for Procurement of Power by distribution Licensees issued by the Ministry of Power.
- (d) The compensation paid by the long-term customer for the stranded transmission and/or distribution capacity shall be used for reducing transmission and/or wheeling charges payable by other long-term customers and medium-term customers in the year in which such compensation payment is due in the ratio of open access charges payable for that year by such long-term customers and medium-term customers.

**(2) Medium-term Open Access customers**

A medium-term open access customer may relinquish rights, fully or partly, by giving at least 30 days prior notice to the Nodal Agency:

Provided that the medium-term open access customer relinquishing its rights shall pay applicable open access charges for the period of relinquishment or 30 days whichever is lesser.

**(3) Short-term open access customer**

- (a) The short-term open access schedules accepted by the Nodal Agency in advance may be cancelled or revised downwards on an application to that effect made to the Nodal Agency by the short-term open access customer.-

Provided that such cancellation or downward revision of the short-term open access schedules shall not be effective before expiry of a minimum period of two (2) days.

Provided further that the day on which notice for cancellation or downward revision of schedule is served on the Nodal Agency and the day from which such cancellation or downward revision is to be implemented, shall be excluded for computing the period of two (2) days.

- (b) The person seeking cancellation or downward revision of short-term open access schedule shall pay the transmission/wheeling charges except open access charges for the first two (2) days of the period for which the cancellation or downward revision of schedule, as the case may be, has been sought, in accordance with the schedule originally approved by the Nodal Agency, and thereafter in accordance with the revised schedule prepared by the Nodal Agency during the period of such cancellation or downward revision.
- (c) Any person seeking downward revision of short term open access schedule (including revision to zero schedule) shall pay, scheduling and system operation charges specified in clause (b) of sub Regulation (2) of Regulation 21 contained in Chapter 5 of these Regulations corresponding to the number of days for which power has been scheduled and incase of cancellation, operating charges shall be payable in addition for two (2) days or the period of cancellation in days, whichever is less.

**39. Computation of capacity availability for open access**

- (1) The capacity available for the open access shall be computed for each transmission segment and for every sub-station by the STU following the methodology given



below:

- (a) Available open access capacity of a transmission system segment: =  $(DC-SD-AC)+NC$  where, DC=Designed capacity of the transmission segment in MW, SD = Sustained demand in MW recorded in the segment, AC = Already allotted capacity, but not availed in MW and NC = New capacity in MW expected to be added.
  - (b) Available open access capacity of a sub-station: =  $(TC-SP-AC)+NC$  where, TC= Transformer capacity of the sub-station in MVA, SP= Sub-station peak in MVA, AC= Already allotted capacity but not availed in MVA and New transformer capacity in MVA expected to be added.
  - (c) The STU shall update these values on monthly basis on the first calendar day of the month and publish it in their website.
- (2) The distribution licensee shall determine the available capacity for allotment for the portion of the distribution system over which open access has been requested for.

#### **40. Curtailment Priority**

When, because of constraints or otherwise, it becomes necessary to curtail the open access service of the customers, subject to the requirements of State Grid Code, the open access to a distribution licensee shall be the last to be curtailed. Among others, short-term open access customers shall be curtailed first, followed by the medium-term open access customers followed by long-term open access customers. In case of inter-state transactions, curtailment of open access customers shall be governed in accordance with CERC Regulations. However, in case of intra-state transactions curtailment shall be done by SLDC in accordance with the guidelines frame by it for curtailment of open access customers.

#### **41. Powers to Remove Difficulties**

If any difficulty arises in giving effect to any of the provisions of these regulations, the Commission may by general or special order, direct the State Transmission Utility, State Load Dispatch Centre, distribution licensee and the open access customer, to take such

action, as may appear to the Commission to be necessary or expedient for the purpose of removing difficulties.

By Order of the Commission

(Neeraj Sati)  
Secretary  
Uttarakhand Electricity Regulatory Commission

**FORMATS for Short-Term****FORMAT- ST1****APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS***(to be submitted by the customer to SLDC)***To: Dy. General Manager (SLDC),**

|   |                          |                                                                              |      |  |
|---|--------------------------|------------------------------------------------------------------------------|------|--|
| 1 | Customer Application No. |                                                                              | Date |  |
| 2 | Period of Transaction    |                                                                              |      |  |
| 3 | Nature of Customer*      | < seller/buyer/captive user/trader(on behalf of seller/buyer/captive user) > |      |  |

&lt;\* In terms of power transfer&gt;

|   |                   |  |             |  |
|---|-------------------|--|-------------|--|
| 4 | Customer Name     |  |             |  |
| 5 | Registration Code |  | Valid up to |  |

&lt; Registration code shall be as provided by SLDC &gt;

|   |                                        |                  |               |  |
|---|----------------------------------------|------------------|---------------|--|
| 6 | Details of Transaction Party's to Grid |                  |               |  |
|   |                                        | Injecting Entity | Drawee Entity |  |
|   | Name of Entity                         |                  |               |  |
|   | Status of Entity*                      |                  |               |  |
|   | Utility in which it is Embedded        |                  |               |  |

&lt; \* In terms of ownership- State Utility/CPP/IPP/ ISGS/Discom/Consumer/specify, if any other &gt;

|   |                                                                  |              |                  |               |
|---|------------------------------------------------------------------|--------------|------------------|---------------|
| 7 | Details of Injecting/Drawee Connectivity with intra-State System |              |                  |               |
|   |                                                                  |              | Injecting Entity | Drawee Entity |
|   | Name of Sub-station                                              | Transmission |                  |               |
|   |                                                                  | Distribution |                  |               |
|   | Voltage Level                                                    | Transmission |                  |               |
|   |                                                                  | Distribution |                  |               |
|   | Name of Licensee (Owner of S/S)                                  |              |                  |               |
|   | Intervening intra-State Licensee                                 |              |                  |               |
|   | Intervening inter-State Licensee                                 |              |                  |               |

|   |                                                               |    |       |    |
|---|---------------------------------------------------------------|----|-------|----|
| 8 | Open Access Sought for ( Period from date ____ to date ____ ) |    |       |    |
|   | Date                                                          |    | Hours |    |
|   | From                                                          | To | From  | To |
|   |                                                               |    |       |    |
|   |                                                               |    |       |    |
|   |                                                               |    |       |    |
|   |                                                               |    |       |    |

|   |                           |       |                     |                 |        |
|---|---------------------------|-------|---------------------|-----------------|--------|
| 9 | Details of PPA/PSA/MoU    |       |                     |                 |        |
|   | Name & Address of Parties |       | Date of PPA/PSA/MoU | Validity Period |        |
|   | Seller                    | Buyer |                     | Commencement    | Expiry |
|   |                           |       |                     |                 |        |
|   |                           |       |                     |                 |        |

|    |                                                |                    |                |      |             |
|----|------------------------------------------------|--------------------|----------------|------|-------------|
| 10 | Details of Non-Refundable Application Fee Made |                    |                |      |             |
|    | Bank Details                                   | Instrument Details |                |      | Amount(Rs.) |
|    |                                                | Type(Draft/Cash)   | Instrument No. | Date |             |
|    |                                                |                    |                |      |             |

FORMAT-ST1: APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS (Page -1 of 3)

**FORMATS for Short-Term**

|    |                                                                                                                                                                                     |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11 | I hereby authorize SLDC to process said application, in case open access capacity allotted, for day-ahead scheduling in accordance with the provisions of the relevant regulations. |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|    |                                                                                                                                                                                                                                                             |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12 | <b><u>Declaration</u></b>                                                                                                                                                                                                                                   |
|    | All Entities/Utilities to transaction shall abide by provisions of the Electricity Act, 2003(the Act), UERC (Terms and Conditions for Intra State Open Access) Regulations,2015 and any other relevant regulation/order/ code as amended from time to time. |

Place

Date

Signature (with stamp)

Name & Designation

**Enclosures**

- (1) Non-refundable application fee by Demand draft or cash receipt or any other mode acceptable to the Nodal Agency.
- (2) Self-certified copy of PPA/PSA/MoU entered between the parties (buyer and seller) of transaction stating contracted power, period of transaction, drawal pattern, point(s) of injection and drawal etc.
- (3) If any other.

**Copy to along with relevant enclosures [except (1) & (2) above]:**

- (1) Managing Director of transmission licensee.
- (2) Managing Director of distribution licensee.
- (3) Officer in charge of transmission substation involved in transaction.
- (4) Officer in charge of distribution substation involved in transaction.
- (5) Any other concerned.

| For use of SLDC (with Reference to Enrolment of Application) |                 |
|--------------------------------------------------------------|-----------------|
| SLDC Reference ID No.                                        |                 |
| Nodal SLDC Approval No.                                      | < if approved > |
| Or Reason of Refusal*<br>(If Refused)                        |                 |

< \* SLDC may also enclose supporting documents for the reasons of refusal duly signed on each page >

FORMAT-ST1: APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS (Page -2 of 3)

**FORMATS for Short-Term****ACKNOWLEDGEMENT***(for office use only)***APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS****(A) < to be filled by the customer >**

|   |                          |                                                                              |      |  |
|---|--------------------------|------------------------------------------------------------------------------|------|--|
| 1 | Customer Application No. |                                                                              | Date |  |
| 2 | Period of Transaction    |                                                                              |      |  |
| 3 | Nature of Customer*      | < seller/buyer/captive user/trader(on behalf of seller/buyer/captive user) > |      |  |

&lt;\* In terms of power transfer&gt;

|   |                   |  |             |  |
|---|-------------------|--|-------------|--|
| 4 | Customer Name     |  |             |  |
| 5 | Registration Code |  | Valid up to |  |

&lt; Registration code shall be as provided by SLDC &gt;

**(B) < to be filled by SLDC >**

|                                         |  |
|-----------------------------------------|--|
| Date and Time of Receipt of Application |  |
|-----------------------------------------|--|

Place

Date

Signature (with stamp)

Name &amp; Designation

FORMAT- ST1: APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS (Page -3 of 3)

.....✂.....✂.....

**ACKNOWLEDGEMENT***(to be issued by SLDC/ to the customer immediately on receipt of application duly filled in)***APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS****(A) < to be filled by the customer >**

|   |                          |                                                                              |      |  |
|---|--------------------------|------------------------------------------------------------------------------|------|--|
| 1 | Customer Application No. |                                                                              | Date |  |
| 2 | Period of Transaction    |                                                                              |      |  |
| 3 | Nature of Customer*      | < seller/buyer/captive user/trader(on behalf of seller/buyer/captive user) > |      |  |

&lt;\* In terms of power transfer&gt;

|   |                   |  |             |  |
|---|-------------------|--|-------------|--|
| 4 | Customer Name     |  |             |  |
| 5 | Registration Code |  | Valid up to |  |

&lt; Registration code shall be as provided by SLDC &gt;

**(B) < to be filled by SLDC >**

|                                         |  |
|-----------------------------------------|--|
| Date and Time of Receipt of Application |  |
|-----------------------------------------|--|

Place

Date

Signature (with stamp)

Name &amp; Designation

**N.B.: This counterfoil may be scored out and issued to the customer.**

FORMAT-ST1: APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS (Page -3 of 3)

**FORMATS for Short-Term**

**FORMAT- ST2**

**APPROVAL FOR SHORT-TERM OPEN ACCESS**

(to be issued by SLDC)

|  |                                |  |             |  |
|--|--------------------------------|--|-------------|--|
|  | <b>Nodal SLDC Approval No.</b> |  | <b>Date</b> |  |
|--|--------------------------------|--|-------------|--|

|          |                                 |                                                                                           |             |  |
|----------|---------------------------------|-------------------------------------------------------------------------------------------|-------------|--|
| <b>1</b> | <b>Customer Application No.</b> | <b>&lt;as provided on FORMAT-ST1&gt;</b>                                                  | <b>Date</b> |  |
| <b>2</b> | <b>Period of Transaction</b>    |                                                                                           |             |  |
| <b>3</b> | <b>Nature of Customer*</b>      | <b>&lt; seller/buyer/captive user/trader(on behalf of seller/buyer/captive user) &gt;</b> |             |  |

*< \* In terms of power transfer>*

|          |                          |  |                    |  |
|----------|--------------------------|--|--------------------|--|
| <b>4</b> | <b>Customer Name</b>     |  |                    |  |
| <b>5</b> | <b>Registration Code</b> |  | <b>Valid up to</b> |  |

|          |                                               |                         |                      |  |
|----------|-----------------------------------------------|-------------------------|----------------------|--|
| <b>6</b> | <b>Details of Transaction Party's to Grid</b> |                         |                      |  |
|          |                                               | <b>Injecting Entity</b> | <b>Drawee Entity</b> |  |
|          | <b>Name of Entity</b>                         |                         |                      |  |
|          | <b>Status of Entity*</b>                      |                         |                      |  |
|          | <b>Utility in which it is embedded</b>        |                         |                      |  |

*< \* In terms of ownership- State Utility/CPP/IPP/ ISGS/Discom/Consumer/specify, if any other >*

|          |                                                                         |                         |                      |  |
|----------|-------------------------------------------------------------------------|-------------------------|----------------------|--|
| <b>7</b> | <b>Details of Injecting/Drawee Connectivity with intra-State System</b> |                         |                      |  |
|          |                                                                         | <b>Injecting Entity</b> | <b>Drawee Entity</b> |  |
|          | <b>Name of Sub-station</b>                                              | <b>Transmission</b>     |                      |  |
|          |                                                                         | <b>Distribution</b>     |                      |  |
|          | <b>Voltage level</b>                                                    | <b>Transmission</b>     |                      |  |
|          |                                                                         | <b>Distribution</b>     |                      |  |
|          | <b>Name of Licensee (Owner of S/S)</b>                                  |                         |                      |  |
|          | <b>Intervening intra-State Licensee</b>                                 |                         |                      |  |
|          | <b>Intervening inter-State Licensee</b>                                 |                         |                      |  |

|          |                                                                          |             |           |              |           |                      |                 |
|----------|--------------------------------------------------------------------------|-------------|-----------|--------------|-----------|----------------------|-----------------|
| <b>8</b> | <b>Open Access Approved for ( Period from date _____ to date _____ )</b> |             |           |              |           | <b>Revision No.</b>  |                 |
|          | <b>Month</b>                                                             | <b>Date</b> |           | <b>Hours</b> |           | <b>Capacity (MW)</b> |                 |
|          |                                                                          | <b>From</b> | <b>To</b> | <b>From</b>  | <b>To</b> | <b>Applied</b>       | <b>Allotted</b> |
|          |                                                                          |             |           |              |           |                      |                 |
|          |                                                                          |             |           |              |           |                      |                 |
|          |                                                                          |             |           |              |           |                      |                 |
|          |                                                                          |             |           |              |           |                      |                 |
|          |                                                                          |             |           |              |           | <b>Total MWh</b>     |                 |

|          |                                                             |             |           |              |           |                                  |
|----------|-------------------------------------------------------------|-------------|-----------|--------------|-----------|----------------------------------|
| <b>9</b> | <b>Details of Bidding &lt; only in case of Bidding &gt;</b> |             |           |              |           |                                  |
|          | <b>Details of Intra-State System</b>                        | <b>Date</b> |           | <b>Hours</b> |           | <b>Applicable Rate (Rs./kWh)</b> |
|          |                                                             | <b>From</b> | <b>To</b> | <b>From</b>  | <b>To</b> |                                  |
|          | <b>Transmission System</b>                                  |             |           |              |           |                                  |
|          | <b>Distribution System</b>                                  |             |           |              |           |                                  |

FORMAT-ST2: APPROVAL FOR SHORT-TERM OPEN ACCESS (Page -1 of 3)

**FORMATS for Short-Term**

10. The approval is subject to provisions of UERC (Terms and Conditions for Intra-State Open Access) Regulations, 2015 and any other relevant regulation/order/code as amended and applicable from time to time.     *< only in case of approval >*

11. No approval is being granted on account of                             *<only in case of rejection>*

*< SLDC shall convey specific reasons if open access is denied and may also enclose supporting documents to support the same duly signed on each page >*

---

Place

Date

Signature (with stamp)

Name & Designation

**Enclosures**

- (1) Schedule of payments                             *< only in case of approval >*  
(2) If any other

**Copy to along with enclosures**

- (1) Customer  
(2) Managing Director of transmission licensee.  
(3) Managing Director of distribution licensee.  
(4) Officer in charge of transmission substation involved in transaction.  
(5) Officer in charge of distribution substation involved in transaction.  
(6) Any other concerned.

**FORMATS for Short-Term****ENCLOSURE to FORMAT- ST2****SCHEDULE OF PAYMENTS**

(to be enclosed for each month by SLDC along with FORMAT-ST2)

|  |                                |  |             |  |
|--|--------------------------------|--|-------------|--|
|  | <b>Nodal SLDC Approval No.</b> |  | <b>Date</b> |  |
|--|--------------------------------|--|-------------|--|

|          |                                 |                                                                                           |             |  |
|----------|---------------------------------|-------------------------------------------------------------------------------------------|-------------|--|
| <b>1</b> | <b>Customer Application No.</b> | <i>&lt;as provided on FORMAT-ST1&gt;</i>                                                  | <b>Date</b> |  |
| <b>2</b> | <b>Period of Transaction</b>    |                                                                                           |             |  |
| <b>3</b> | <b>Nature of Customer*</b>      | <i>&lt; seller/buyer/captive user/trader(on behalf of seller/buyer/captive user) &gt;</i> |             |  |

*<\* In terms of power transfer>*

|          |                          |  |                    |  |
|----------|--------------------------|--|--------------------|--|
| <b>4</b> | <b>Customer Name</b>     |  |                    |  |
| <b>5</b> | <b>Registration Code</b> |  | <b>Valid up to</b> |  |

| <b>6</b> | <b>Tentative* Monthly Payment Schedule for Short-Term Open Access Charges<br/>( Period: date ____ to date ____)</b> |                       |            | <b>Month</b>       |  |
|----------|---------------------------------------------------------------------------------------------------------------------|-----------------------|------------|--------------------|--|
|          | <b>Payment Chargeable for</b>                                                                                       | <b>Rate (Rs./kWh)</b> | <b>MWh</b> | <b>Total (Rs.)</b> |  |
|          | <b>(1) Intra-State Network</b>                                                                                      |                       |            |                    |  |
|          | <b>(a) Transmission Charges</b>                                                                                     |                       |            |                    |  |
|          | <b>Intervening intra-State Licensee(if any)</b>                                                                     |                       |            |                    |  |
|          |                                                                                                                     |                       |            |                    |  |
|          | <b>(b) Wheeling Charges</b>                                                                                         |                       |            |                    |  |
|          | <b>Distribution Licensee</b>                                                                                        |                       |            |                    |  |
|          | <b>Intervening intra-State Licensee(if any)</b>                                                                     |                       |            |                    |  |
|          |                                                                                                                     |                       |            |                    |  |
|          | <b>(c) Surcharge</b>                                                                                                |                       |            |                    |  |
|          | <b>Distribution Licensee</b>                                                                                        |                       |            |                    |  |
|          |                                                                                                                     |                       |            |                    |  |
|          | <b>(d) Additional Surcharge</b>                                                                                     |                       |            |                    |  |
|          | <b>Distribution Licensee</b>                                                                                        |                       |            |                    |  |
|          |                                                                                                                     |                       |            |                    |  |
|          | <b>(e) SLDC Charges</b>                                                                                             |                       |            |                    |  |
|          | <b>SLDC</b>                                                                                                         |                       |            |                    |  |
|          |                                                                                                                     |                       |            |                    |  |
|          | <b>(2) Inter-State Network</b>                                                                                      |                       |            |                    |  |
|          | <b>Transmission Charges</b>                                                                                         |                       |            |                    |  |
|          | <b>Intervening inter-State Licensee(if any)</b>                                                                     |                       |            |                    |  |
|          |                                                                                                                     |                       |            |                    |  |
|          | <b>Total Monthly Payment Amount (Rs.)</b>                                                                           |                       |            |                    |  |

Place  
DateSignature (with stamp)  
Name & Designation

\* Tentative on the basis of MWh mentioned in application which may vary on actual operation.



**FORMATS for Short-Term**

**FORMAT- ST3**

**CONGESTION INFORMATION AND INVITATION OF BIDDING**  
(to be invited by SLDC)

SLDC Bidding Invitation No. \_\_\_\_\_

Date \_\_\_\_\_

|   |                          |                                                                              |      |  |
|---|--------------------------|------------------------------------------------------------------------------|------|--|
| 1 | Customer Application No. | <as on FORMAT-ST1>                                                           | Date |  |
| 2 | Period of Transaction    |                                                                              |      |  |
| 3 | Nature of Customer*      | < seller/buyer/captive user/trader(on behalf of seller/buyer/captive user) > |      |  |

<\* In terms of power transfer>

|   |                   |  |             |  |
|---|-------------------|--|-------------|--|
| 4 | Customer Name     |  |             |  |
| 5 | Registration Code |  | Valid up to |  |

6. The anticipated congestion (transformer and electric line/link) is as follow:

| Network Corridor                               |                                        | Congestion Period |    |       |    | Margin/<br>Capacity<br>Available | Total Capacity<br>Applied by all the<br>Customers |
|------------------------------------------------|----------------------------------------|-------------------|----|-------|----|----------------------------------|---------------------------------------------------|
| Sub-station with<br>Transformation<br>Capacity | Electric<br>Line/Link<br>with Capacity | Date              |    | Hours |    |                                  |                                                   |
|                                                |                                        | From              | To | From  | To | MW                               | MW                                                |
| Intra-State Transmission System                |                                        |                   |    |       |    |                                  |                                                   |
|                                                |                                        |                   |    |       |    |                                  |                                                   |
|                                                |                                        |                   |    |       |    |                                  |                                                   |
| Intra-State Distribution System                |                                        |                   |    |       |    |                                  |                                                   |
|                                                |                                        |                   |    |       |    |                                  |                                                   |
|                                                |                                        |                   |    |       |    |                                  |                                                   |
| Inter-State Transmission System                |                                        |                   |    |       |    |                                  |                                                   |
|                                                |                                        |                   |    |       |    |                                  |                                                   |
|                                                |                                        |                   |    |       |    |                                  |                                                   |

7. In view of above please submit bid on format [FORMAT-ST4]. The details for bidding are hereunder:

|                              |                    |                   |    |                                       |             |       |        |
|------------------------------|--------------------|-------------------|----|---------------------------------------|-------------|-------|--------|
| (a) Bid Invitation Date      |                    | Time              |    |                                       |             |       |        |
| (b) Bid Submission Date      |                    | Time              |    |                                       |             |       |        |
| (c) Bid Opening Date         |                    | Time              |    |                                       |             |       |        |
| (d) Bids Invited for         |                    |                   |    |                                       |             |       |        |
| Intra-State Network Corridor |                    | Congestion Period |    | Margin/Capacity Available for Bidding | Floor Price |       |        |
| Sub-station                  | Electric Line/Link | Date              |    |                                       |             | Hours |        |
|                              |                    | From              | To | From                                  | To          | MW    | Rs/kWh |
| Name of Transmission System  |                    |                   |    |                                       |             |       |        |
|                              |                    |                   |    |                                       |             |       |        |
|                              |                    |                   |    |                                       |             |       |        |
| Name of Distribution System  |                    |                   |    |                                       |             |       |        |
|                              |                    |                   |    |                                       |             |       |        |
|                              |                    |                   |    |                                       |             |       |        |

8. In case of non submission of bid, application shall be deemed to have been withdrawn and shall not be processed.

Place

Signature (with stamp)

Date

Name & Designation

To: Customers with their reference's < as provided by customers at sl.no. 1 on FORMAT-ST1 >

FORMAT-ST3: CONGESTION INFORMATION AND INVITATION OF BIDS (Page -1 of 1)

**FORMATS for Short-Term****FORMAT- ST4****BID PROPOSAL***(to be submitted by the customer to SLDC)*

Ref: SLDC Bidding Invitation No. \_\_\_\_\_

Date \_\_\_\_\_

To: Dy. General Manager (SLDC),

|   |                          |                                                                              |      |  |
|---|--------------------------|------------------------------------------------------------------------------|------|--|
| 1 | Customer Application No. | <as provided on FORMAT-ST1>                                                  | Date |  |
| 2 | Period of Transaction    |                                                                              |      |  |
| 3 | Nature of Customer*      | < seller/buyer/captive user/trader(on behalf of seller/buyer/captive user) > |      |  |

&lt;\* In terms of power transfer&gt;

|   |                   |  |             |  |
|---|-------------------|--|-------------|--|
| 4 | Customer Name     |  |             |  |
| 5 | Registration Code |  | Valid up to |  |

6. In reference to above bidding invitation, I hereby submit my bid as follows:

| Bidding Details as provided by SLDC |                       |                   |    |       |    |                                             |               | Bid Price<br>to be<br>Quoted by<br>Bidder |
|-------------------------------------|-----------------------|-------------------|----|-------|----|---------------------------------------------|---------------|-------------------------------------------|
| Intra-State Network Corridor        |                       | Congestion Period |    |       |    | Margin/Capacity<br>Available<br>for Bidding | Floor Price   |                                           |
| Sub-station                         | Electric<br>Line/Link | Date              |    | Hours |    |                                             |               |                                           |
|                                     |                       | From              | To | From  | To | MW                                          | Paise/<br>kWh | Paise/kWh*                                |
| Name of Transmission System         |                       |                   |    |       |    |                                             |               |                                           |
|                                     |                       |                   |    |       |    |                                             |               |                                           |
|                                     |                       |                   |    |       |    |                                             |               |                                           |
| Name of Distribution System         |                       |                   |    |       |    |                                             |               |                                           |
|                                     |                       |                   |    |       |    |                                             |               |                                           |
|                                     |                       |                   |    |       |    |                                             |               |                                           |

&lt; \* Bidder shall quote price (rounded-off to whole number) in denotation of floor price &gt;

7. I do hereby agree that determined bid price(s) shall be transmission and/or wheeling charges.

Place  
DateSignature (with stamp)  
Name & Designation



# सरकारी गजट, उत्तराखण्ड

उत्तराखण्ड सरकार द्वारा प्रकाशित

रुड़की, शनिवार, दिनांक 04 नवम्बर, 2023 ई0 (कार्तिक 13, 1945 शक सम्वत्)

भाग 1-क

नियम, कार्य-विधियां, आज्ञाएं, विज्ञप्तियां इत्यादि जिनको उत्तराखण्ड के राज्यपाल महोदय, विभिन्न विभागों के अध्यक्ष तथा राजस्व परिषद् ने जारी किया

UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

NOTIFICATION

18<sup>th</sup> October, 2023

Uttarakhand Electricity Regulatory Commission (Green Energy Open Access) Regulations, 2023

No. F-9 (35)/RG/UERC/2023/779 - In exercise of the powers conferred by Section 181, read with section 39, 40, 42 and 86 of the Electricity Act, 2003 (36 of 2003), and all other powers enabling it in this behalf, the Uttarakhand Electricity Regulatory Commission hereby proposes to make the following Regulations, namely:

**1. Short Title, Commencement and Interpretation:**

- (1) These Regulations shall be called Uttarakhand Electricity Regulatory Commission (Green Energy Open Access) Regulations, 2023.
- (2) These Regulations shall come into force from the date of their publication in the Government Gazette.

## 2. Definitions and Interpretation:

1. In these regulations, unless the context otherwise, requires:

- (a) "Act" means the Electricity Act, 2003 (36 of 2003);
- (b) "Banking" means the surplus green energy injected in the grid and credited with the distribution licensee by the Green Energy Open Access consumer and that shall be drawn by such consumer along with charges to compensate additional costs if any;
- (c) "Billing Cycle" means the period as approved by the Commission for which regular electricity bills are to be prepared by the Licensee for different categories of consumers;
- (d) "Central Nodal Agency" means the nodal agency as specified by the Central Government as per the rules;
- (e) "CERC" means the Central Electricity Regulatory Commission;
- (f) "Commission" means the Uttarakhand Electricity Regulatory Commission;
- (g) "Day Ahead Market (DAM)" means a market where Day Ahead Contracts are transacted on the Power Exchange(s);
- (h) "DSM Regulations" means the UERC (Deviation Settlement Mechanism & Related Matters) Regulations, 2017 and any subsequent amendments thereafter;
- (i) "Forum of Regulators (FOR)" means the forum as referred to in sub-section (2) of section 166 of the Act;
- (j) "Fossil Fuel" means fuels such as coal, lignite, gas, liquid fuel or a combination of these as its primary source of energy, which are used in thermal generating stations for generating electricity;
- (k) "GOAR Portal" means the Green Open Access Registry Portal, which is a single window portal to register and apply for the Green Energy Open Access;
- (l) "Green energy" means the electrical energy from renewable sources of energy including hydro and storage (if the storage uses renewable energy) energy from non-fossil fuel-based Waste-to-Energy plant or any other technology as may be notified by the Central Government from time to time

and shall also include any mechanism that utilizes green energy to replace fossil fuels including production of green hydrogen or green ammonia as may be determined by the Central Government;

- (m) "Green Energy Open Access customer (in short "customer")" means a consumer, trader, distribution licensee or a generating company who has been granted Green Energy Open Access under these regulations;
- (n) "IEGC" means the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2023 and any subsequent amendments thereafter;
- (o) "Non-Peak Hours" means hours other than Peak hours as may be decided by the Commission from time to time.
- (p) "Rules" means the Electricity (Promoting Renewable Energy Through Green Energy Open Access) Rules, 2022 and any subsequent amendments thereafter;
- (q) "Standby Charges" means the charges applicable to green energy open-access customer against the standby arrangement provided by the distribution licensee, in case such green energy open access customer is unable to procure/schedule power from the generating sources with whom they have the agreements to procure power due to outages of generator, transmission systems and the like;
- (r) "State Grid Code" means the Uttarakhand Electricity Regulatory Commission (State Grid Code) Regulations, 2016 and any subsequent amendments thereafter;
- (s) "Supply Code" means the Uttarakhand Electricity Regulatory Commission (The Electricity Supply Code, Release of New Connection & Related Matters) Regulations, 2020 and any subsequent amendments thereafter;
- (t) "Time Block" means a time block of 15 minutes for which specified electrical parameters and quantities are recorded by special energy meter, with first time block starting at 00.00 hrs;

Words and expressions used in these regulations and not defined, but defined in the Act or the other Regulations issued by the Commission shall have the same

meaning assigned to them respectively in the Act or such Regulations issued by the Commission.

### 3. Scope:

These Regulations shall be applicable for allowing connectivity and open access to green energy open access customers for use of Intra-state transmission system (IaSTS) or Distribution system or both including when such system is used in conjunction with inter-State transmission system.

Provided that a generating station, including a captive generating plant, or a consumer shall not be eligible to apply for long-term or medium-term or short-term open access unless he has the connectivity or he applies for connectivity to the intra-State transmission or distribution system as the case may be.

Provided further that a person may apply for connectivity as well as long term or medium term or short-term open access simultaneously.

Provided also that other conditions of grant of connectivity and open access in respect of green energy generation, purchase and consumption, to which no express provision has been made in these regulations, shall be in accordance with the provisions of Uttarakhand Electricity Regulatory Commission (Terms and Conditions of Intra-State Open Access) Regulations, 2015, UERC (Tariff and Other Terms for Supply of Electricity from Renewable Energy Sources and non-fossil fuel based Co-generating Stations) Regulations, 2018 and Uttarakhand Electricity Regulatory Commission (Deviation Settlement Mechanism and Related Matters) Regulations, 2017, and any subsequent amendments thereafter.

### 4. Eligibility criteria for Green Energy Open Access:

The consumer who has contracted demand or sanctioned load of 100 kW or more, either through a single connection or through multiple connections in the name of same consumer aggregating 100 kW or more located in the same electricity division of a distribution licensee, shall be eligible to take power through Green Energy Open Access and there shall be no limit for other customers including Captive consumers, RE generators etc., drawing/supplying power under Green Energy Open Access.

Provided that the customer shall compulsorily maintain the approved capacity/schedule for atleast 12 time blocks in a day.



Provided further that any deviation from approved capacity/schedule shall be subject to charges as per UERC DSM Regulations.

**5. Nodal Agency:**

State Load Despatch Centre (SLDC) Uttarakhand shall be the Nodal Agency for grant of Green Energy Open Access for short-term (upto one month) and the State Transmission Utility (STU) shall be the Nodal Agency for grant of Green Energy Open Access for Medium-term (a period exceeding three months but not exceeding three years) and long-term (a period exceeding 12 years but not exceeding 25 years).

**6. Procedure for grant of Green Energy Open Access:**

- (1) A detailed procedure for the grant of connectivity for Green Energy Open Access including the application format and applicable Bank Guarantees/Fee/Charges etc. shall be prepared by the Nodal agency within a period of 30 days from the date of notification of these regulations and submit the same to the Commission for approval.
- (2) All the applications for registration of the Green Energy Open Access complete in all respects, shall be submitted on the portal setup by the Central Nodal Agency and these applications shall get routed to SLDC.
- (3) SLDC shall process and recommend the applications for registration of the Green Energy Open Access within 5 working days for new applications and within 2 working days for renewal of registration through the GOAR Portal.

Provided that after the receipt of the application for registration, SLDC, shall conduct a preliminary scrutiny to ensure application is complete in all respects. In case of any discrepancy/shortcoming/ requirement of any further information, SLDC shall intimate the applicant through the portal for rectification of the deficiency within a period of 2 working days. In case the applicant does not respond within a period of 2 working days with the required details to SLDC, the registration request shall be disposed of.

- (4) An application for availing Green Energy Open Access can be made through the GOAR portal only by the registered customers.

- (5) The concerned Nodal Agency shall approve the application for availing Green Energy Open Access of the registered customers within a period of 15 working days from the date of application, failing which it shall be deemed to have been approved.

Provided that the order of processing of such applications for Green Energy Open Access shall be first in first out.

- (6) Short-term and Medium-term open access shall be allowed if there is sufficient spare capacity available in the transmission system without any augmentation whereas for Long-term open access, the transmission system may be augmented if required.

Provided that priority shall be given to long-term access in the existing system if spare capacity is available and further, open access for non-fossil fuel sources shall be given priority over the open access from the fossil fuel.

- (7) No application for open access shall be denied unless the applicant has been given an opportunity of being heard in the matter by the Nodal Agency and all orders denying open access shall be speaking orders.
- (8) Appeals against an order of the Nodal Agency, shall lie before the Commission, within a period of thirty days from the date of receipt of an order under sub-Regulation (7) above.
- (9) The Commission shall dispose of the appeal within a period of three months and the order issued by it shall be binding on the parties.

#### 7. Metering:

Green Energy Open Access customers shall comply with the metering requirements laid down in the CEA (Installation and Operation of Meters) Regulations, 2006 as amended from time to time and also included in State Metering Communication & Data Acquisition Requirements (MCDAR) specified under State Grid Code.

#### 8. Green Energy Open Access Charges:

- (1) The charges to be levied on Green Energy Open Access customers shall be as follows:
- a) Transmission charges;



- b) Wheeling charges;
- c) Cross subsidy Surcharge;
- d) Standby charges wherever applicable;
- e) Banking charges; and
- f) Application fees/SLDC fees/Charges, scheduling charges, deviation settlement charges and reactive energy charges.

The methodology for calculation of Transmission, Wheeling and Cross subsidy Surcharge charges shall be as specified in the Uttarakhand Electricity Regulatory Commission (Terms & Conditions of Intra-State Open Access) Regulations, 2015 as amended from time to time.

Further, Scheduling and Deviation Mechanism shall be governed by State Grid Code and DSM Regulations as amended from time to time.

Provided that the cross-subsidy surcharge for Green Energy Open Access Consumers purchasing green energy, from a generating plant using renewable energy sources, shall not be increased, during twelve years from the date of operating of the generating plant (using renewable energy sources), by more than fifty percent of the surcharge fixed for the year in which open access is granted.

Provided further that such cross subsidy surcharge shall not be levied in case distribution access is provided to a person who has been availing green power from the plant established as a captive generation plant for his own use.

Provided also that no additional surcharge shall be applicable on embedded consumers of distribution licensee who opt for Green Energy Open Access.

Provided also that cross subsidy surcharge and additional surcharge shall not be applicable in case power produced from a non-fossil fuel-based Waste-to-Energy plant is supplied to the Open Access Consumer.

Provided also that cross subsidy surcharge and additional surcharge shall not be applicable if green energy is utilized for production of green hydrogen and green ammonia.

Provided also that additional surcharge shall not be applicable in case electricity is produced from offshore wind projects, which are commissioned upto December, 2032 and supplied to the Open Access Consumers.

Provided also that levy of Open Access Charges shall be governed by the relevant provisions of the Act and the Policies issued by Central/State Government from time to time.

- (2) The "Standby Charges" shall be as specified in the Uttarakhand Electricity Regulatory Commission (Terms & Conditions of Intra-State Open Access) Regulations, 2015 as amended from time to time and such charges shall not be applicable if the Green Energy Open Access Customer has given notice in writing, in advance at least a day in advance before closure time of the Day Ahead Market on 'D-1' day; 'D' being the day of delivery of power for standby arrangement to the distribution licensee.
- (3) **Reactive Energy Charges:** The Green Energy Open Access customer shall pay for the reactive energy in accordance with provisions of the State Grid Code notified by the Commission.
- (4) **Collection of Charges:** The Charges in respect of Green Energy Open Access customers shall be payable directly to the Nodal Agency and Distribution licensee in accordance with the terms and conditions of payment specified by the Nodal Agency.

#### 9. Banking Facility and Charges:

- (1) Banking facility shall be provided to the consumer availing Green Energy Open Access. The surplus energy from a Green Energy generating station after setoff shall be banked with the Distribution Licensee.
- (2) The banking facility including injection of surplus energy and drawal of banked energy shall be subject to scheduling.
- (3) The Banking Charges shall be adjusted in kind @ 8% of the energy banked.
- (4) The permitted quantum of banked energy by Green Energy Open Access consumer shall be atleast 30% of its total monthly consumption of electricity from the Distribution Licensee.

- (5) The Banking of energy shall be permitted only for the billing cycle:

Provided that the credit for banked energy shall not be permitted to be carried forward to subsequent billing cycles and the credit for energy banked shall be adjusted during the same billing cycle.

Provided further that, the energy banked during peak hours (TOD slots) shall be permitted to be drawn during peak as well as non-peak hours (TOD slots) by paying banking charges as specified in sub-Regulation (3) above.

Provided also that, the energy banked during non-peak hours (TOD slots) shall be permitted to be drawn during non-peak hours (TOD slots) by only paying the banking charges and from non-peak hours (TOD slot) to peak hours (TOD slot) by paying charges in kind @ equivalent to % of difference between the Peak hours energy charge rate and Normal hours energy charge rate (as defined in the respective Tariff Orders issued by the Commission) of the energy banked in addition to the above banking charges as specified in sub-Regulation (3) above.

- (6) The un-utilized surplus banked energy shall be considered as lapsed at the end of each billing cycle. However, the RE Generating Station would be entitled to Renewable Energy Certificates to that extent.
- (7) The Distribution licensee shall prepare a detailed procedure for banking along with model banking agreement within a period of 30 days of the notification of these regulations. The energy accounts of all banking transactions shall be maintained by Distribution Licensee and shall be submitted to SLDC on weekly basis.

#### 10. Energy Losses:

Energy losses of the transmission and distribution system shall be applicable to the Green Energy Open Access customers as specified by the Commission from time to time.

#### 11. Compliance with State Grid Code/Supply Code:

Green Energy Open Access customers shall abide by the State Grid Code, Supply Code and all other Codes and Standards, DSM Regulations as applicable from time to time.

**12. Curtailment Priority:**

In case due to constraints in the transmission system or distribution system, the curtailment priority shall be as follows:

- (a) Short-term open-access customers other than Green Energy Open Access customers shall be curtailed first followed by Green Energy Open Access customers.
- (b) Next, Medium-term open-access customers other than Green Energy Open Access customers shall be curtailed first followed by Green Energy Open Access customers.
- (c) Next, Long-term open-access customers other than Green Energy Open Access customers shall be curtailed first followed by Green Energy Open Access customers.

Provided that within a category, the Green Energy Open Access consumers shall have equal curtailment priority and shall be curtailed on pro-rata basis.

Provided further that distribution licensees shall be curtailed as last resort.

**13. Power to relax:**

The Commission may by general or special order, for reasons to be recorded in writing and after giving an opportunity of hearing to the parties likely to be affected may relax any of the provisions of these Regulations on its own motion or on an application made before it by an interested person.

**14. Power to amend:**

The Commission may from time to time add, vary, alter, suspend, modify, amend, or repeal any provisions of these Regulations.

**15. Power to remove difficulties:**

If any difficulty arises in giving effect to the provisions of these Regulations, the Commission may, by an order, make such provisions, not inconsistent to the provisions of the Act and these Regulations, as may appear to be necessary for removing the difficulty.

By Order of the Commission,

**NEERAJ SATI,**

Secretary,

Uttarakhand Electricity Regulatory Commission.

# UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

‘Vidyut Niyamak Bhawan’, Near I.S.B.T., P.O.-Majra, Dehradun-248171

## Notification

June 20, 2024

**No. F-9(34)(i)/RG/UERC/2024/410:** In exercise of powers conferred under section 181 read with Section 86(1)(e) of the Electricity Act, 2003, and all other powers enabling it in this behalf, and after previous publication, the Uttarakhand Electricity Regulatory Commission hereby makes the following amendments in the UERC (Tariff and Other Terms for Supply of Electricity from Renewable Energy Sources and non-fossil fuel based Co-generating Stations) Regulations, 2023 (Principal Regulations) and subsequent amendment made in the same, if any, namely:

### 1. Short Title, Commencement and Interpretation:

- (1) These Regulations may be called the UERC (Tariff and Other Terms for Supply of Electricity from Renewable Energy Sources and non-fossil fuel based Co-generating Stations) (First Amendment) Regulations, 2024.
- (2) These Regulations shall come into force from the date of notification and unless reviewed earlier or extended by the Commission, shall remain in force for a period of 5 years from the date of commencement of Principal Regulations.

### 2. Amendment in Regulation 10 of the Principal Regulations:

The amended Regulation shall come into force with effect from 01.04.2024 and shall be read as under:

***“10. Minimum Quantum of electricity to be purchased by distribution licensees from ‘non-fossil fuel based co-generation and generation of electricity from renewable energy sources’***

- (1) *In line with the provisions of the Act, National Electricity Policy, the Tariff Policy to promote development of renewable and non-conventional sources of energy, all existing and future distribution licensees, captive users and open access customers, hereinafter referred to as “Obligated Entity”, in the State shall be obliged to procure minimum percentage of their total electricity requirement for own consumption, as indicated below, from eligible renewable energy sources as defined under Regulation     The same shall be called the Renewable Purchase Obligation (RPO) of the Obligated Entities*

| Year    | Ind RPO | Hydro Purchase Obligation ( % PO) | Distributed RPO | Other RPO | Total RPO |
|---------|---------|-----------------------------------|-----------------|-----------|-----------|
| 2021-22 | 0       | 0.3                               | 0.5             | 2.10      | 2.1       |
| 2022-23 | 1.5     | 1.22                              | 1.05            | 2.2       | 33.01     |
| 2023-24 | 1       | 1.3                               | 1.35            | 31.2      | 35.5      |
| 2024-25 | 2.5     | 1.2                               | 1.5             | 33.2      | 38.1      |
| 2025-26 | 2.5     | 1.2                               | 1.5             | 35.05     | 40.3      |
| 2026-27 | 3       | 1.33                              | 2.25            | 3.2       | 40.33     |

(a) Ind RPO shall be met only by energy produced from Ind Power Projects (IPPs), commissioned after 31<sup>st</sup> March 2022

(b) HPO shall be met only by energy purchased from HPPs (including PSPs and Small Hydro Projects (SHPs)), commissioned after 01<sup>st</sup> March 2011

Provided that HPO obligation of the Distribution licensee may also be met out of the free power being provided to the State from HPPs (including PSPs and SHPs), commissioned after 01<sup>st</sup> March 2011

Provided further that the hydro renewable energy component may also be met from Hydro Power Projects located outside India as approved by the Central Government on a case to case basis

(c) Distributed renewable energy component shall be met only from the energy generated from renewable energy projects that are less than 10 MW in size and shall include solar installations under all configuration (net metering, gross metering, virtual net metering, group net metering, behind the meter installation and any other configuration) notified by the Central Government

Provided that the compliance against distributed renewable energy shall ordinarily be considered in terms of energy ( kWh/ day)

Provided further that in case the obligated entity is unable to provide generation data against distributed renewable energy installations, the reported capacity shall be transformed into distributed renewable energy generation in terms of energy by a multiplier of 3.5 units per kWh/day

(d) Other RPO shall be met by energy produced from any RE power project not mentioned in (a), (b) and (c) above and shall comprise energy from all Ind Power Projects, HPPs (including PSPs and SHPs) including free power

Percentage RPO as stipulated above denotes Minimum quantum of purchase from non-fossil fuel based co-generation and generation of electricity from renewable energy sources' as a percentage of total energy purchased from all sources/generated by the Obligated Entity during the year for own consumption

here, total energy purchased for different obligated entities shall be as under:



- a For Discoms, total energy purchased from all sources during the year for own consumption and
- b For Open Access consumers, total energy purchase through Open Access shall be metered consumption recorded at drawl/consumption point during the year for own consumption
- c For Captive users, total energy purchased shall be metered consumption recorded at drawl/consumption point during the year for own consumption

Provided that any shortfall in achievement of 'Wind RPO' in a particular year can be met with excess energy consumed from Hydro Power Projects or and vice-versa and the balance excess energy consumption under Wind RPO or HPO in a particular year, can be set off against the shortfall in achievement of 'Other RPO'.

Provided that any excess energy consumption under 'Other RPO' category in a particular year can be utilised to meet the shortfall in achievement of specified Wind RPO or Hydro RPO

Provided that obligated entities which are open access consumers or consumers with Captive Power Plants shall fulfil their obligation as per the specified total renewable energy target irrespective of the non-fossil fuel source

- (2) For the purpose of this RPO framework, for every obligated entity, own consumption would mean gross energy consumed or purchased by the obligated entity from all sources for its own use or for the purpose of supply to its consumers within its area of supply, including any inter-se sale of electricity amongst the Licensees or outside consumers
- (3) Distribution licensee shall be eligible to utilise the gross Solar energy generated from the RPV/ SPV/ Group Net Metering/Virtual Net Metering of non-obligated entities for meeting its 'Solar RPO' compliance based on the gross energy generated meter reading of such GRPV/GSPV.
- ( ) The following percentage of total energy consumed shall be solar/wind energy alongwith/through storage

| <b>Financial year</b> | <b>Storage (on energy basis)</b> |
|-----------------------|----------------------------------|
| 2022-25               | 15                               |
| 2025-2                | 20                               |
| 2022-2                | 25                               |
| 2022-2                | 30                               |
| 2022-2                | 35                               |
| 2022-30               | 0                                |

- (5) The Energy Storage Obligation shall be calculated in energy terms as a percentage of total consumption of electricity and shall be treated as fulfilled only when and at least 5% of the total energy storage in the Energy Storage System (ESS), on an annual basis, is procured from renewable energy sources

- ( ) The Energy Storage Obligation to the extent of energy stored from RE sources shall be considered as a part of fulfilment of the total RPO as mentioned under sub-regulation (1) of this regulation
- ( ) UREDA will maintain the data related to compliance of RPO Obligation."

### 3. Amendment in Regulation 37 of the Principal Regulations:

The amended Regulation shall be read as under:

#### ***"37. Grid Interactive Roof-top Solar PV Plants (GRP )/Grid Interactive Small Solar PV Plants (GSP )***

- (1) The technology specific parameters for determination of generic tariff for RPV/ SPV commissioned or to be commissioned on or after 01 0 2023 shall be as below:

| <b><i>Project Size</i></b>     | <b><i>Capital Cost</i></b> | <b><i>OM expenses for year of commissioning</i></b> | <b><i>Capacity Utilization Factor</i></b> |
|--------------------------------|----------------------------|-----------------------------------------------------|-------------------------------------------|
|                                | <b><i>(Rs./ )</i></b>      | <b><i>(Rs./ )</i></b>                               |                                           |
| <b><i>Upto 10</i></b>          | <b><i>1</i></b>            | <b><i>21</i></b>                                    | <b><i>1</i></b>                           |
| <b><i>10 upto 100</i></b>      | <b><i>3 53</i></b>         | <b><i>1 12</i></b>                                  |                                           |
| <b><i>100 upto 500</i></b>     | <b><i>12</i></b>           | <b><i>1 35</i></b>                                  |                                           |
| <b><i>500 and upto 1 M</i></b> | <b><i>00</i></b>           | <b><i>1 2</i></b>                                   |                                           |

- (2) RPV/ SPV can be installed for injecting power into the distribution system of a licensee by any Eligible consumer:

*Provided that the maximum GRPV/GSPV installed capacity at any Eligible Consumer's premises shall be upto a maximum of 100% of consumer's sanctioned load/contract demand;*

*Provided that in case of Domestic Consumer, such installed capacity of RPV/ SPV shall be irrespective of consumer's sanctioned load/contract demand;*

*Provided, the maximum installed capacity of RPV/ SPV at the premises of eligible consumer shall not be more than 1 M*

- (3) Injection from RPV/ SPV owned by the Eligible consumer or by third party shall be settled on Net Energy basis at the end of each billing period

- ( ) The tariff, as per tariff orders of the Commission, in respect of the supply of electricity to the consumers by the distribution licensee shall be applicable for the Net Energy supplied by the licensee in a billing period if the supplied energy by the licensee is more than the energy injected by the SPV/ SPV of the consumer or by third party:

*Provided that such eligible consumer shall be exempted from payment of monthly minimum charges/monthly minimum consumption guarantee charges, if any, equivalent to the capacity of RPV/ SPV installed at the premises*



*Provided further that no open access charges including surcharges shall be leviable on such eligible consumers for the captive use of power*

- (5) *If in a billing period the supplied energy by the licensee is less than the energy injected by the RPV/ SPV of the consumer/prosumer or the third party, subject to provisions in sub-Regulation (3) above, the licensee would pay to such prosumer at the generic tariff as may be specified by the Commission or at the rate discovered through tariff based bidding process whichever is lower for such Net Energy supplied to it*
- ( ) *Provisions of Deemed generation shall not be applicable on RPV/ SPV*
- ( ) *The cumulative capacity of RPV/ SPV which can be connected to a single transformer shall not exceed the capacity of such transformer*
- ( ) *In case any augmentation is required for the purpose of connecting RPV/ SPV, Distribution Licensee shall facilitate and bear the capital expenditure on account of such system strengthening/augmentation upto the interconnection point from nearest sub-station*
- ( ) *Virtual Net Metering Framework shall be applicable for consumers under domestic category, offices of Government /Local Authorities*
- (10) *Timeline for key activities shall be governed by the time specified under the Electricity (Rights of Consumers) Rules, 2020 as amended from time to time*
- (11) *The applications for RPV/ SPV upto 10 capacity, complete in all respects may be deemed to have been accepted without requiring technical feasibility study and any commensurate enhancement of the sanctioned load of the consumer, as may be required shall be carried out by the distribution licensee in accordance with the provisions of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020 as amended from time to time*

*Provided that the Prosumer shall be liable to pay charges towards load enhancement and security deposit for the enhanced load in accordance with the provisions of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020 as amended from time to time*

- (12) *During the time period from the feasibility study or deemed acceptance of the application till the completion of installation, in case, there is any requirement of upgradation of distribution infrastructure like augmentation of service line, distribution transformer capacity, and the liability for installation of the required capacity of roof top solar photo voltaic system, the same shall be carried out by the distribution licensee or consumer, as the case may be*

*Provided that the cost of strengthening the distribution infrastructure, including distribution transformer, as necessary, to facilitate the installation of roof top solar photovoltaic systems shall be included in the annual revenue requirement of the distribution licensee*

*(13) After installation of roof top solar photovoltaic system, the consumer shall submit the installation certificate to such distribution licensee and such distribution licensee shall complete signing of connection agreement, installation of meter and successful commissioning of the roof top solar photovoltaic system within fifteen days from the date of submission of the installation certificate."*

By the order of the Commission

(Neeraj Sati)  
Secretary

**UTTARAKHAND ELECTRICITY REGULATORY COMMISSION**  
**NOTIFICATION**

November 27, 2025

No. F-9(34)(ii)/RG/NERC/2025/1329 : In exercise of powers conferred under section 181 read with Section 86(1)(e) of the Electricity Act, 2003, and all other powers enabling it in this behalf, and after previous publication, the Uttarakhand Electricity Regulatory Commission hereby makes the following amendments in the UERC (Tariff and Other Terms for Supply of Electricity from Renewable Energy Sources and non-fossil fuel based Co-generating Stations) Regulations, 2023 (Principal Regulations) and subsequent amendment made in the same, if any, namely:

**1. Short Title, Commencement and Interpretation:**

- (1) These Regulations may be called the UERC (Tariff and Other Terms for Supply of Electricity from Renewable Energy Sources and non-fossil fuel based Co-generating Stations) (Second Amendment) Regulations, 2025.
- (2) These Regulations shall come into force from the date of notification and unless reviewed earlier or extended by the Commission, shall remain in force for a period of 5 years from the date of commencement of Principal Regulations.

**2. Amendment in Regulation 2 i.e. 'Scope and extent of application' of the Principal Regulations, 2023:**

The amended Regulation shall come into force from the date of notification and shall be read as under:

“

- (1) *These regulations shall apply in all cases where supply of electricity is being made from Renewable Energy Based Generating Stations or Battery Energy Storage System, commissioned after coming effect of these Regulations, to the distribution licensees or local rural grids within the State of Uttarakhand subject to the fulfilment of eligibility criteria specified in Regulation 4 of these Regulations.*

*Provided further that the location and benefits to be derived from BESS projects, based on a scientific study, shall be identified by the DISCOM. However, in case it is identified by any other entity, it shall be subject to acceptance of DISCOM;*

*Provided further that Regulations in Chapter 4 & 5 (except clause (B) & (C) of sub-Regulation (1) of Regulation 27) of these Regulations shall not be applicable for generating stations commissioned prior to coming into effect of these Regulations and their existing tariffs shall continue to be applicable;*

*Provided also that clause (d) of sub-Regulation (3) of Regulation 11, 2nd & 3rd proviso of sub-Regulation 7 of Regulation 15 shall be applicable to such stations commissioned prior to coming into effect of these Regulations;*

*Provided that the tariff computation norms shall be in accordance with the Regulations prevalent during the year of commissioning of those stations;*

*Provided also that normative levelised tariff of 12 paise/unit, over and above the generic tariff for solar thermal/PV generating stations and normative levelized tariff of 5 paise/unit, over and above the generic tariff for Small Hydro Plants as specified in Regulation 16(1)(c) shall be applicable to such stations commissioned prior to coming into effect of these Regulations;*

*Provided also that the Regulations other than those in Chapter 4 and 5 shall apply to other generating stations located in the State of Uttarakhand, which are based on Renewable Sources of Energy including non-fossil fuel based Co-generation and which transmit and/or supply electricity to any person other than the distribution licensee of the State utilizing State Transmission and/or Distribution System.*

- (2) *The existing projects, which are at present supplying power to third party shall have the option to switch over to supply to the distribution licensee subject to provisions of Regulation 7 of these Regulations or the local rural grid, at generic tariffs as was applicable at the time of commissioning of their project or seek determination of project specific tariff from the Commission. The option shall be for the balance life of the project and shall not be allowed to be changed once it is exercised.*
- (3) *The generic tariff specified for Wind, Battery Energy Storage System, Solar PV and Solar Thermal power projects under these Regulations shall be the maximum tariff and the distribution licensee shall, either on its own or through any other agency, invite tariff based competitive bids from generators/developers for procurement of power/BESS services from such generators/developers. The distribution licensee shall enter into a PPA with the generators/developers bidding lowest tariff.*

*Provided that implementation of Canal Bank, Canal Top and Ground mounted Solar Power Plants by the eligible government organisation through any developer shall be done by way of tariff based competitive bidding process. In such cases PPA for sale of power from these plants shall be signed with distribution licensee with the eligible Government organisation who shall get a margin of 4% of the tariff quoted by L-1 bidder towards their resources employed, however, the tariff plus a margin of 4% shall not exceed the generic tariff determined by the Commission for the year of commissioning.*

*Provided that in case of an Intermediary Agency, for implementation of Battery Energy Storage System for the discom, the trading margin shall be 5 paise per unit. The L-1 tariff plus a margin of 5 paise shall not exceed the generic tariff determined by the Commission for the year of commissioning.*

*Provided further that in no case PPA for purchase of power by the distribution licensee shall be executed at a tariff exceeding the ceiling tariff as specified by the Commission in accordance with the regulations.*

- (4) *The generating stations covered under these Regulations shall be deemed to be the generating station of a generating company and all functions, obligations & duties assigned to such generating company under the Electricity Act, 2003 shall apply to these generating stations."*

**3. Insertion of definition of 'Battery Energy Storage System' after sub-regulation (1)(iii) of Regulation 3 of Principal Regulations, 2023:**

*"(iii)(a) "Battery Energy Storage System" or "BESS" means the system that shall utilize methods and the technologies such as electrochemical batteries (Lead Acid, Li-ion, solid state batteries, flow batteries, Nickel-cadmium etc.), providing a facility that can store chemical energy and deliver the stored energy in the form of electricity, including but not limited to ancillary facilities (grid support)."*

**4. Insertion of definition of 'Charge Ramp Rate' and 'Cycle Efficiency of Energy Storage System' after sub-regulation (1)(xiii) of Regulation 3 of Principal Regulations, 2023:**

*"(xiii)(a) "Charge Ramp Rate" means how quickly electric storage resources can transition from zero state to charge to full state of charge.*

*(xiii)(b) "Cycle/Round Trip Efficiency of Energy Storage System" means, the ratio of discharge capacity of Battery Energy Storage System to charge capacity of Battery Energy Storage System in a single cycle, regardless of the self- discharge loss of the Battery Energy Storage System".*

**5. Amendment in sub-regulation (1)(xvi) of Regulations 3, i.e. 'Definitions' of Principal Regulations, 2023:**

*"(xvi) "Date of commercial operation or Commissioning (CoD)" in relation to a unit means the date declared by the generator on achieving maximum continuous rating through a successful trial run and in relation to the generating station, the date of commercial operation means the date of commercial operation of the last unit or block of generating station and expression 'commissioning' shall be construed accordingly.*

*Provided that in case of Small Hydro Plants the date of commissioning shall not be linked to achieving maximum continuous rating, nevertheless the generator will have to demonstrate the same within three years of commissioning.*

*The date of commissioning of Solar PV plant shall be considered as the date of first injection of power into the licensee's grid after completion of the project in all respect subsequent to compliance of initial two prerequisites, i.e.*

- (i) *Installation of energy meter by the distribution licensee. The Distribution licensee shall install the meter within 7 days from the receipt of application, complete in all respect;*
- (ii) *Issuance of Clearance Certificate by the Electrical Inspector.*

*Provided that minimum 75% Performance Ratio based on the rated installed capacity in kW or MW is demonstrated within ten (10) days from the date of first injection of power into licensee's grid on compliance of aforesaid two pre-requisites. The certificate to the effect to be issued by distribution licensee.*

*For a Battery Energy Storage System COD shall mean the date declared by the project developer or the implementing agency, after successful commissioning and performance testing of the system, on which the BESS is capable of providing the contracted capacity as per the agreed technical parameters and subject to the following conditions:*

- (i) *The system has been successfully commissioned and tested in accordance with applicable technical standards (such as CEA Grid Standard Regulations, IEEE/IEC standards, or utility-specific commissioning protocols) and issuance of Clearance Certificate by the Electrical Inspector;*
- (ii) *Completion of all contractual obligations related to interconnection, grid synchronization, and metering. The Distribution licensee shall install the meter within 7 days from the receipt of application, complete in all respect.*
- (iii) *Demonstration of system performance for minimum duration as per the technical specification laid down by the distribution licensee. (e.g., charging-discharging cycle, response time, etc.)."*

**6. Insertion of definition of 'Discharge Ramp Rate' after sub-regulation (1)(xix) of Regulation 3 of Principal Regulations, 2023:**

*"(xix)(a) "Discharge Ramp Rate" means how quickly electric storage resources can transition from no output to full output, similar to the Ramp-up rate of conventional generators."*

**7. Insertion of useful life of BESS after sub-regulation (1)(lxv)(vii) of Regulation 3 of Principal Regulations, 2023:**

*"(viii) Battery Energy Storage System- 12 years with an option for five years extension. However, for the extended period, the tariff shall be 50% of the original tariff.*

*However, if due to technological intervention/innovation or due to any other cause, there is an impact or change in useful life of BESS or useful life/extended period is required to be determined, the Commission may determine the same."*

**8. Insertion of the provision after sub-regulation 2(j) of Regulation 4, i.e. 'Eligibility Criteria for qualifying as Generating Station based on Non-Conventional/Renewable Energy Source' of Principal Regulations, 2023:**

*"(k) Battery Energy Storage System – The project shall qualify to be termed as a Battery Energy Storage System as defined under Regulation 3(1)(iii)(a))"*

**9. Amendment in first proviso of sub-regulation (2) of Regulation 11 'Tariffs' of Principal Regulations, 2023:**

*"Provided that the option of seeking project specific tariff shall not be available to the following:*

- (i) Any type of solar power plant;*
- (ii) Wind Energy Power Plants;*
- (iii) Battery Energy Storage System; and*
- (iv) Other RE based power projects having installed capacity upto 1 MW."*

**10. Amendment in Regulation 12 i.e. 'Control Period or Review Period' of Principal Regulations, 2023:**

*"(1) The Control Period or Review Period under these Regulations shall be of five years, of which the first year shall be the financial year 2023-24.*

*Provided that the benchmark capital cost of Solar PV, Canal Bank & Canal Top Solar PV, Solar Thermal, Municipal Solid Waste based power plants, Refuse Derived Fuel based power projects, Battery Energy Storage System and Grid interactive Roof Top and Small Solar PV projects may be reviewed annually by the Commission.*

*Provided further than the tariff determined as per these Regulations for the RE projects commissioned during the Control Period, shall continue to be applicable for the entire Tariff Period.*

*Notwithstanding anything to the contrary, the Commission, as and when required and to the extent deemed sufficient by it, may also determine separate benchmark capital cost and levelized tariff for the renewable energy based power projects based on the schemes of Central/State Government."*

**11. Amendment in sub-regulation (c) of Regulation 18 i.e. 'Depreciation' of Principal Regulations, 2023:**

*"(c) The depreciation rate for the first 15 years of the Tariff Period shall be 4.67% per annum and the remaining depreciation shall be spread over the remaining useful life of the project from 16th year onwards considering salvage value of the project as 10% of the project cost.*

*Provided that rate of 7.50% per annum shall be considered for the Useful life of the Battery Energy Storage System after considering salvage value of the project as 10% of the project cost."*

**12. Amendment in sub-regulation (1) of Regulation 20 i.e. 'Interest on Working Capital' of Principal Regulations, 2023:**

*"(1) The Working Capital requirement in respect of Wind energy projects, Small hydro power, Solar PV, Canal Bank and Canal Top Solar PV, BESS, Solar thermal and GRPV/GSPV power projects shall be computed in accordance with the following:"*

## 13. Amendment in Table under Regulation 35 of Principal Regulations, 2023:

“

| Type Solar PV Plant       | Capital Cost  | O&M Expenses for year of commissioning | Capacity utilization Factor |
|---------------------------|---------------|----------------------------------------|-----------------------------|
|                           | (Rs. Lakh/MW) | (Rs. Lakh/MW)                          |                             |
| Canal Bank Solar PV Plant | 322.00        | 16.24                                  | 19%                         |
| Canal Top Solar PV Plant  | 343.00        |                                        |                             |

”

## 14. Insertion of Regulation 39.A i.e. “Battery Energy Storage System” parameters after Regulation 39 of Principal Regulations, 2023:

## “39.A Battery Energy Storage System

1. The technology specific parameters for determination of generic tariff for Battery Energy Storage System to be commissioned after the date of notification of these regulations, shall be as below:

| Capital Cost<br>(Rs. Lakh/MWh) | O&M expenses for year of commissioning                                                            | Normative Availability in a year | Degradation                  |
|--------------------------------|---------------------------------------------------------------------------------------------------|----------------------------------|------------------------------|
| Rs. 250                        | 1.25% of Capital cost for the first year and escalation of 5.72% per annum for the tariff period. | 95%                              | 2.5% p.a. for tariff period. |

2. Annual Availability of BESS means the system availabilities all time blocks during the year in which Beneficiary has scheduled power for charging/discharging the BESS and the same will be calculated as below:

Availability in a time block = [Actual Injection or Drawal MUi (A)/Scheduled Injection or Drawal MUi (B)] X100

- i i refers to the ith time-block (15 minutes) in the year where MUi (B) ≠ 0.
- ii MUi(A)= Agreed Despatch Schedule between Licensee or Beneficiary and BESSD which shall be finally sent to SLDC for Charging/Discharging in the ith time block, in MUs
- iii MUi(B)= Despatch Schedule provided by Distribution Licensee or Beneficiary to BESS for Charging/Discharging in the ith time block, in MUs.”

3. Normative Depth of Discharge shall be 85%.
4. There will be preferably 2 number of cycles for complete charge and discharge cycles per day.
5. For optimal utilisation of BESS with respect to the cost and operational aspects of the BESS such as Cost of charging power, scheduling, charge & discharge, location etc., distribution licensee in consultation with SDLC shall prepare a detail procedure and submit the same before the Commission for approval within 3 months of notification of these regulation.”



15. Insertion of following proviso under Regulation 53, i.e. 'Power to Remove Difficulties' of the Principal Regulations, 2023:

*"Provided that for BESS projects, for the purpose of adaption and removal of any discrepancy, difficulty in implementation or requiring any clarification due to or giving effect to the Government policies issued from time to time, technological changes in the BESS technologies or any such related reasons, the Commission may also by Order provide for the same."*

16. Amendment in Table-7 i.e. 'Levelised rate of Fixed Charges (RFC) for Canal Bank Solar PV and Canal Top Solar PV Power Projects' of Annexure-I of Principal Regulations, 2023:

"

| Particular              | Canal bank<br>Solar PV<br>Power Plants | Canal top<br>Solar PV<br>Power Plants |
|-------------------------|----------------------------------------|---------------------------------------|
|                         | (Rs./kWh)                              |                                       |
| Gross Tariff            | 4.50                                   | 4.68                                  |
| Less: Acc. Dep. Benefit | 0.19                                   | 0.20                                  |
| Net Tariff              | 4.31                                   | 4.48                                  |

"

17. Insertion of Table after Table 11. Levelised rate of Fixed Charges(RFC) in Rs./kWh for Biomass Rankine Cycle Based Projects" under Annexure-I of Principal Regulations, 2023 based on the financial/technical norms fixed for BESS projects under second amendment to be read as:

*Levelled rate of Fixed Charges(RFC) in Rs./kWh for Bess Projects*

| Particular              | BESS      |
|-------------------------|-----------|
|                         | (Rs./kWh) |
| Gross Tariff            | 5.78      |
| Less: Acc. Dep. Benefit | 0.00      |
| Net Tariff              | 5.78      |

By the order of the Commission,

DEEPAK PANDEY,

Secretary(I/c)

# विद्युत अधिनियम, 2003

(2003 का अधिनियम संख्यांक 36)

[26 मई, 2003]

विद्युत के उत्पादन, पारेषण, वितरण, व्यापार और उसके उपयोग और साधारणतः  
विद्युत उद्योग के विकास, उसमें प्रतिस्पर्धा के संवर्धन, उपभोक्ताओं के हित के  
संरक्षण; और सभी क्षेत्रों में विद्युत के प्रदाय, विद्युत टैरिफ को युक्तिसंगत  
बनाने, साहायिकियों के बारे में पारदर्शी नीतियां सुनिश्चित करने,  
दक्ष और पर्यावरण के लिए हितकर नीतियों के संवर्धन, केन्द्रीय  
विद्युत प्राधिकरण, विनियामक आयोगों के गठन और अपील  
अधिकरण की स्थापना में सहायक उपाय करने, से  
संबंधित विधियों का समेकन करने और उनसे  
संबंधित या उनके आनुषंगिक  
विषयों के लिए  
अधिनियम

भारत गणराज्य के चौवनवें वर्ष में संसद् द्वारा निम्नलिखित रूप में यह अधिनियमित हो :—

## भाग 1

### प्रारंभिक

1. संक्षिप्त नाम, विस्तार और प्रारंभ—(1) इस अधिनियम का संक्षिप्त नाम विद्युत अधिनियम, 2003 है।

(2) इसका विस्तार, जम्मू-कश्मीर राज्य के सिवाय, संपूर्ण भारत पर है।

(3) यह उस तारीख को प्रवृत्त होगा जो केन्द्रीय सरकार, अधिसूचना द्वारा, नियत करे :

परन्तु इस अधिनियम के भिन्न-भिन्न उपबंधों के लिए भिन्न-भिन्न तारीखें नियत की जा सकेंगी और किसी ऐसे उपबंध में इस अधिनियम के प्रारंभ के प्रति किसी निर्देश का यह अर्थ लगाया जाएगा कि वह उस उपबंध के प्रवर्तन में आने के प्रति निर्देश है।

2. परिभाषाएं—इस अधिनियम में, जब तक कि संदर्भ से अन्यथा अपेक्षित न हो,—

(1) “अपील अधिकरण” से धारा 110 के अधीन स्थापित विद्युत अपील अधिकरण अभिप्रेत है;

(2) “नियत तारीख” से वह तारीख अभिप्रेत है जिसे केन्द्रीय सरकार, अधिसूचना द्वारा, नियत करे;

(3) “प्रदाय क्षेत्र” से वह क्षेत्र अभिप्रेत है जिसके भीतर कोई वितरण अनुज्ञप्तिधारी अपनी अनुज्ञप्ति द्वारा विद्युत का प्रदाय करने के लिए प्राधिकृत है;

(4) “समुचित आयोग” से, यथास्थिति, धारा 76 की उपधारा (1) में निर्दिष्ट केन्द्रीय विनियामक आयोग या धारा 82 में निर्दिष्ट राज्य विनियामक आयोग या धारा 83 में निर्दिष्ट संयुक्त आयोग अभिप्रेत है;

(5) “समुचित सरकार” से,—

(क) (i) ऐसी उत्पादन कंपनी के संबंध में, जो पूर्णतः या भागतः उसके स्वामित्व में हो;

(ii) विद्युत के किसी अन्तरराज्यिक उत्पादन, पारेषण, व्यापार या प्रदाय के संबंध में और किन्हीं खानों, तेल क्षेत्रों, रेलों, राष्ट्रीय राजमार्गों, विमानपत्तनों, तार, प्रसारण केन्द्रों और किसी रक्षा संकर्म, डॉक यार्ड, परमाणुशक्ति संस्थापनों के संबंध में; और

(iii) राष्ट्रीय भार प्रेषण केंद्र तथा प्रादेशिक भार प्रेषण केंद्र के संबंध में;

(iv) उसके या उसके नियंत्रणाधीन किसी संकर्म या विद्युत संस्थापन के संबंध में,

केन्द्रीय सरकार अभिप्रेत है;

(ख) किसी अन्य दशा में, इस अधिनियम के अधीन अधिकारिता रखने वाली राज्य सरकार अभिप्रेत है;

(6) “प्राधिकरण” से धारा 70 की उपधारा (1) में निर्दिष्ट केन्द्रीय विद्युत प्राधिकरण अभिप्रेत है;

(7) “बोर्ड” से इस अधिनियम के प्रारंभ के पूर्व, विद्युत (प्रदाय) अधिनियम, 1948 (1948 का 54) की धारा 5 की उपधारा (1) के अधीन गठित राज्य विद्युत बोर्ड अभिप्रेत है;

(8) “आबद्ध उत्पादन संयंत्र” से किसी व्यक्ति द्वारा प्राथमिक रूप से उसके स्वयं के उपयोग के लिए विद्युत का उत्पादन करने के लिए स्थापित विद्युत संयंत्र अभिप्रेत है और इसके अंतर्गत किसी सहकारी सोसाइटी या व्यक्ति-संगम द्वारा ऐसी सहकारी सोसाइटी या संगम के सदस्यों के उपयोग के लिए प्राथमिक रूप से विद्युत का उत्पादन करने के लिए स्थापित विद्युत संयंत्र भी है;

(9) “केन्द्रीय आयोग” से धारा 76 की उपधारा (1) में निर्दिष्ट केन्द्रीय विद्युत विनियामक आयोग अभिप्रेत है;

(10) “केन्द्रीय पारेषण उपयोगिता” से ऐसी कोई सरकारी कंपनी अभिप्रेत है, जिसे केन्द्रीय सरकार धारा 38 की उपधारा (1) के अधीन अधिसूचित करे;

(11) “अध्यक्ष” से, यथास्थिति, प्राधिकरण या समुचित आयोग या अपील अधिकरण का अध्यक्ष अभिप्रेत है;

(12) “सह उत्पादन” से ऐसी प्रक्रिया अभिप्रेत है, जो साथ-साथ दो या अधिक प्रकार की उपयोगी ऊर्जा (जिसके अन्तर्गत विद्युत भी है) उत्पादित करती है;

(13) “कंपनी” से कंपनी अधिनियम, 1956 (1956 का 1) के अधीन बनाई गई और रजिस्ट्रीकृत कंपनी अभिप्रेत है और इसके अंतर्गत केन्द्रीय, राज्य या प्रांतीय अधिनियम के अधीन कोई निगमित निकाय भी है;

(14) “संरक्षण” से विद्युत के प्रदाय और उपयोग में दक्षता में वृद्धि के परिणामस्वरूप विद्युत के उपभोग में कोई कमी अभिप्रेत है;

(15) “उपभोक्ता” से कोई ऐसा व्यक्ति अभिप्रेत है जिसे उसके स्वयं के उपयोग के लिए विद्युत का प्रदाय किसी अनुज्ञप्तिधारी या सरकार अथवा किसी ऐसे अन्य व्यक्ति द्वारा किया जाता है जो इस अधिनियम या तत्समय प्रवृत्त किसी अन्य विधि के अधीन जनता को विद्युत का प्रदाय करने के कारबार में लगा हुआ है और इसके अंतर्गत कोई ऐसा व्यक्ति भी है जिसके परिसरों को विद्युत प्राप्त करने के प्रयोजन के लिए, यथास्थिति, अनुज्ञप्तिधारी, सरकार या ऐसे अन्य व्यक्ति के संकर्म के साथ तत्समय संयोजित किया गया है;

(16) “समर्पित पारेषण लाइनों” से किसी बिंदु से बिंदु तक पारेषण के लिए कोई विद्युत प्रदाय लाइन अभिप्रेत है, जो, धारा 9 में निर्दिष्ट विद्युत लाइनों या किसी आबद्ध उत्पादन संयंत्र के विद्युत संयंत्रों या धारा 10 में निर्दिष्ट उत्पादन केन्द्र को, यथास्थिति, किन्हीं पारेषण लाइनों या उप-केन्द्रों या उत्पादन केन्द्रों या भार केन्द्रों से संयोजन के प्रयोजन के लिए अपेक्षित है;

(17) “वितरण अनुज्ञप्तिधारी” से अपने प्रदाय क्षेत्र में उपभोक्ताओं को विद्युत का प्रदाय करने के लिए वितरण प्रणाली को प्रचालित करने और उसका रखरखाव करने के लिए प्राधिकृत अनुज्ञप्तिधारी अभिप्रेत है;

(18) “वितरण मुख्य तार” से, किसी मुख्य तार का वह प्रभाग अभिप्रेत है जिसके साथ कोई सेवा लाइन तुरंत संयोजित की जाती है या होनी आशयित है;

(19) “वितरण प्रणाली” से, पारेषण लाइनों या उत्पादन केन्द्र संयोजन पर परिदान बिंदुओं और उपभोक्ताओं के संस्थापन के संयोजन बिन्दु के बीच तारों और सहयुक्त सुविधाओं की प्रणाली अभिप्रेत है;

(20) “विद्युत लाइन” से ऐसी कोई लाइन अभिप्रेत है, जिसका उपयोग किसी प्रयोजन के लिए विद्युत ले जाने के लिए किया जाता है और इसके अंतर्गत निम्नलिखित भी हैं—

(क) ऐसी किसी लाइन के लिए कोई सहारा अर्थात् कोई संरचना, टावर, खंभा या ऐसी अन्य चीज जिसमें, जिस पर, जिसके द्वारा या जिससे किसी ऐसी लाइन को सहारा मिलता है या वह ले जाई जाती है या निलंबित की जाती है अथवा सहारा मिल सकता है, वह ले जाई जा निलंबित की जा सकती है; और

(ख) विद्युत ले जाने के प्रयोजन के लिए किसी ऐसी लाइन से संयोजित कोई साधित्र;

(21) “विद्युत निरीक्षक” से धारा 162 की उपधारा (1) के अधीन समुचित सरकार द्वारा उस रूप में नियुक्त व्यक्ति अभिप्रेत है और इसके अंतर्गत मुख्य विद्युत निरीक्षक भी है;

(22) “विद्युत संयंत्र” से ऐसा कोई संयंत्र, उपस्कर, यंत्र या साधित्र अथवा उसका कोई भाग अभिप्रेत है जिसका उपयोग विद्युत के उत्पादन, पारेषण, वितरण या प्रदाय के लिए या उससे संबंधित प्रयोजनों के लिए किया जाता है, किन्तु इसके अन्तर्गत निम्नलिखित नहीं हैं—

(क) कोई विद्युत लाइन; या

(ख) किसी परिसर को प्रदाय की गई विद्युत की मात्रा अभिनिश्चित करने के लिए उपयोग किया गया कोई मीटर; या

(ग) किसी उपभोक्ता के नियंत्रणाधीन कोई विद्युत उपस्कर, यंत्र या साधित्र;

(23) “विद्युत” से,—

(क) किसी प्रयोजन के लिए उत्पादित, पारेषित, प्रदाय की गई या व्यापार की गई; या

(ख) किसी संदेश के पारेषण के सिवाय किसी प्रयोजन के लिए उपयोग की गई,

विद्युत ऊर्जा अभिप्रेत है;

(24) “विद्युत प्रदाय कोड” से धारा 50 में विनिर्दिष्ट विद्युत प्रदाय कोड अभिप्रेत है;

(25) “विद्युत प्रणाली” से, यथास्थिति, किसी उत्पादन कंपनी या अनुज्ञप्तिधारी के नियंत्रणाधीन कोई प्रणाली अभिप्रेत है और जिसके पास एक या अधिक,—

(क) उत्पादन केन्द्र; या

(ख) पारेषण लाइनें; या

(ग) विद्युत लाइनें और उप-केन्द्र हैं,

और जब इसका उपयोग किसी राज्य या संघ के संदर्भ में किया जाए तो उसके राज्यक्षेत्रों के भीतर संपूर्ण विद्युत प्रणाली अभिप्रेत है;

(26) “विद्युत व्यापारी” से ऐसा कोई व्यक्ति अभिप्रेत है जिसे धारा 12 के अधीन विद्युत का व्यापार करने के लिए कोई अनुज्ञप्ति प्रदान की गई है;

(27) “विशेषाधिकार प्राप्त” से ऐसा व्यक्ति अभिप्रेत है जिसे किसी वितरण अनुज्ञप्तिधारी द्वारा उसकी ओर से उसके प्रदाय क्षेत्र के भीतर किसी विशेष क्षेत्र में विद्युत के वितरण के लिए प्राधिकृत किया गया है;

(28) “उत्पादन कंपनी” से अभिप्रेत है कोई कंपनी या निगम निकाय या संगम या व्यष्टियों का निकाय, चाहे वह निगमित हो या नहीं, या कृत्रिम न्यायिक व्यक्ति, जो किसी उत्पादन केन्द्र का स्वामी है या उसे प्रचालित करता है या उसका रखरखाव करता है;

(29) “उत्पादन करना” से किसी परिसर को प्रदाय करने या इस प्रकार किए जाने वाले प्रदाय को समर्थ बनाने के प्रयोजन के लिए उत्पादन केन्द्र से विद्युत का उत्पादन करना अभिप्रेत है;

(30) “उत्पादन केन्द्र” या “केन्द्र” से विद्युत उत्पादन करने के लिए कोई केन्द्र अभिप्रेत है जिसके अंतर्गत उस प्रयोजन के लिए प्रयुक्त स्टेप-अप ट्रांसफार्मर स्विचगियर, स्विच यार्ड केबल या अन्य अनुलग्न उपस्कर सहित, यदि कोई हों, कोई भवन और संयंत्र तथा उनके स्थल; किसी उत्पादन केन्द्र के प्रयोग के लिए आश्रित कोई स्थल और कोई भवन जिसका उत्पादन केन्द्र के प्रचालक कर्मचारिवृन्द के आवास के लिए उपयोग किया जाता है और जहां जल शक्ति द्वारा विद्युत उत्पादित की जाती है, जिसके अंतर्गत पेनस्टॉक, आद्योपांत संकर्म, मुख्य और विनियामक जलाशय, बांध और अन्य जल विद्युत संकर्म भी हैं किन्तु किसी भी दशा में, इसके अंतर्गत कोई उप-केन्द्र नहीं है;

(31) “सरकारी कंपनी” का वही अर्थ है जो कंपनी अधिनियम, 1956 (1956 का 1) की धारा 617 में उसका है;

(32) “ग्रिड” से अंतःसहयोजित पारेषण लाइनें, उप-केन्द्र और उत्पादन संयंत्रों की उच्च वोल्ट वाली आधार प्रणाली अभिप्रेत है;

(33) “ग्रिड कोड” से धारा 79 की उपधारा (1) के खंड (ज) के अधीन केन्द्रीय आयोग द्वारा विनिर्दिष्ट ग्रिड कोड अभिप्रेत है;

(34) “ग्रिड मानक” से प्राधिकरण द्वारा धारा 73 के खंड (घ) के अधीन विनिर्दिष्ट ग्रिड मानक अभिप्रेत हैं;

(35) “उच्च वोल्टता लाइन” से किसी ऐसी अभिहित वोल्टता की विद्युत लाइन या केबल अभिप्रेत है जो समय-समय पर, प्राधिकरण द्वारा विनिर्दिष्ट की जाए;

(36) “अंतरराज्यिक पारेषण प्रणाली” के अन्तर्गत निम्नलिखित हैं—

(i) एक राज्य के राज्यक्षेत्र से दूसरे राज्य के राज्यक्षेत्र को मुख्य पारेषण लाइन के माध्यम से विद्युत के प्रवहण के लिए कोई प्रणाली;

(ii) किसी मध्यवर्ती राज्य के राज्यक्षेत्र में से होकर विद्युत का प्रवहण तथा ऐसे राज्य के भीतर प्रवहण जो विद्युत के ऐसे अंतरराज्यिक पारेषण के आनुषंगिक है;

(iii) किसी राज्य के राज्यक्षेत्र के भीतर, केन्द्रीय पारेषण उपयोगिता द्वारा निर्मित, उसके स्वामित्वाधीन, उसके द्वारा प्रचालित, अनुरक्षित या नियंत्रित प्रणाली पर विद्युत का पारेषण;

(37) “अन्तरराज्यिक पारेषण प्रणाली” से अन्तरराज्यिक पारेषण प्रणाली से भिन्न विद्युत के पारेषण के लिए कोई प्रणाली अभिप्रेत है;

(38) “अनुज्ञप्ति” से धारा 14 के अधीन प्रदान की गई अनुज्ञप्ति अभिप्रेत है;

(39) “अनुज्ञप्तिधारी” से ऐसा व्यक्ति अभिप्रेत है, जिसे धारा 14 के अधीन अनुज्ञप्ति प्रदान की गई है;

(40) “लाइन” से ऐसा कोई तार, केबल, ट्यूब, पाइप, विद्युत-रोधक, चालक या अन्य वैसी ही चीज (उसकी केंसिंग या कोटिंग सहित) अभिप्रेत है जो विद्युत ले जाने में उपयोग के लिए डिजाइन या अनुकूलित की गई है और इसके अंतर्गत ऐसी कोई लाइन भी है जो परिवेष्टित करती है या आलंब देती है या परिवेष्टित की गई है या आलंब दिया गया है अथवा उसके सामीप्य में स्थापित किया गया है या किसी ऐसी लाइन से सहारा दिया गया है या ले जाया गया है या उसके संयोजन में निलंबित किया गया है;

(41) “स्थानीय प्राधिकारी” से ऐसी कोई नगर पंचायत, नगर परिषद्, नगर निगम, ग्राम, मध्यवर्ती और जिला स्तरों पर गठित पंचायत, पत्तन आयुक्तों का निकाय या अन्य प्राधिकरण अभिप्रेत है जो किसी क्षेत्रीय या स्थानीय निधि का नियंत्रण या प्रबंध करने के लिए विधितः हकदार है या उसे संघ या किसी राज्य सरकार द्वारा ऐसा नियंत्रण या प्रबंध सौंपा जाता है;

(42) “मुख्य तार” से अभिप्रेत है कोई विद्युत प्रदाय लाइन जिसके माध्यम से विद्युत-प्रदाय किया जाता है या किया जाना आशयित है;

(43) “सदस्य” से, यथास्थिति, समुचित आयोग या प्राधिकरण या संयुक्त आयोग या अपील अधिकरण का सदस्य अभिप्रेत है और इसके अन्तर्गत ऐसे आयोग या प्राधिकरण या अपील अधिकरण का अध्यक्ष भी है;

(44) “राष्ट्रीय विद्युत योजना” से धारा 3 की उपधारा (4) के अधीन अधिसूचित राष्ट्रीय विद्युत योजना अभिप्रेत है;

(45) “राष्ट्रीय भार प्रेषण केन्द्र” से धारा 26 की उपधारा (1) के अधीन स्थापित केन्द्र अभिप्रेत है;

(46) “अधिसूचना” से राजपत्र में प्रकाशित अधिसूचना अभिप्रेत है और “अधिसूचित करना” पद का तदनुसार अर्थ लगाया जाएगा;

(47) “निर्बाध पहुंच” से पारेषण लाइनों या वितरण प्रणाली या ऐसी लाइनों या प्रणाली सहित सहयुक्त सुविधाओं के किसी अनुज्ञप्तिधारी या उपभोक्ता या समुचित आयोग द्वारा विनिर्दिष्ट विनियमों के अनुसार उत्पादन में लगे किसी व्यक्ति द्वारा उपयोग की अविभेदकारी व्यवस्था अभिप्रेत है;

(48) “शिरोपरि लाइन” से ऐसी विद्युत लाइन अभिप्रेत है जो भूमि के ऊपर और खुली वायु में लगी हुई है किन्तु संकर्षण प्रणाली की विद्युतमय रेलें इसके अंतर्गत नहीं हैं;

(49) “व्यक्ति” के अंतर्गत कोई कंपनी, या निगम निकाय या संगम या व्यष्टियों का निकाय, चाहे वह निगमित हो या नहीं, या कृत्रिम विधिक व्यक्ति आता है;

(50) “विद्युत प्रणाली” से विद्युत के उत्पादन, पारेषण, वितरण और प्रदाय के सभी पहलू अभिप्रेत हैं और इसके अंतर्गत निम्नलिखित में से एक या अधिक है—

(क) उत्पादन केन्द्र;

(ख) पारेषण या मुख्य पारेषण लाइनें;

(ग) उप-केन्द्र;

(घ) टाई लाइनें;

(ङ) भार पारेषण क्रियाकलाप;

(च) मुख्य और वितरण मुख्य लाइनें;

(छ) विद्युत प्रदाय लाइनें;

(ज) शिरोपरि लाइनें;

(झ) सेवा लाइनें;

(ञ) संकर्म;

(51) “परिसर” के अंतर्गत कोई भूमि, भवन या संरचना है;

- (52) “विहित” से इस अधिनियम के अधीन समुचित सरकार द्वारा बनाए गए नियमों द्वारा विहित अभिप्रेत है;
- (53) “सार्वजनिक लैम्प” से ऐसा विद्युत लैम्प अभिप्रेत है जिसका किसी मार्ग पर प्रकाश करने के लिए प्रयोग किया जाता है;
- (54) “वास्तविक समय प्रचालन” से उसी समय की जाने वाली कार्रवाई अभिप्रेत है जिस समय विद्युत प्रणाली के बारे में कोई सूचना संबंधित पारेषण केन्द्र को उपलब्ध कराई जाती है;
- (55) “प्रादेशिक विद्युत समिति” से ऐसी समिति अभिप्रेत है जो केन्द्रीय सरकार द्वारा, संकल्प द्वारा उस क्षेत्र में विद्युत प्रणालियों के एकीकृत प्रचालन को सुकर बनाने के लिए विनिर्दिष्ट क्षेत्र के लिए स्थापित की जाती है;
- (56) “प्रादेशिक भार प्रेषण केन्द्र” से धारा 27 की उपधारा (1) के अधीन स्थापित केन्द्र अभिप्रेत है;
- (57) “विनियम” से इस अधिनियम के अधीन बनाए गए विनियम अभिप्रेत हैं :
- (58) “निरसित विधि” से धारा 185 द्वारा निरसित भारतीय विद्युत अधिनियम, 1910 (1910 का 9), विद्युत (प्रदाय) अधिनियम, 1948 (1948 का 54) और विद्युत विनियामक आयोग अधिनियम, 1998 (1998 का 14) अभिप्रेत है;
- (59) “नियम” से इस अधिनियम के अधीन बनाए गए नियम अभिप्रेत हैं;
- (60) “अनुसूची” से, इस अधिनियम की अनुसूची अभिप्रेत है;
- (61) “सेवा लाइन” से ऐसी कोई विद्युत प्रदाय लाइन अभिप्रेत है जिसके माध्यम से विद्युत का प्रदाय—
- (क) एकल उपभोक्ता को या तो वितरण मुख्य लाइन से या सीधे वितरण अनुज्ञप्तिधारी के परिसर से, या
- (ख) उपभोक्ता समूह को मुख्य वितरण लाइन से एक ही परिसर पर, अथवा मुख्य वितरण के उसी बिन्दु से प्रदाय किए गए संलग्न परिसर पर,
- किया जाता है या किया जाना आशयित है;
- (62) “विनिर्दिष्ट” से इस अधिनियम के अधीन, यथास्थिति, समुचित आयोग या प्राधिकरण द्वारा बनाए गए विनियमों द्वारा विनिर्दिष्ट अभिप्रेत है;
- (63) “एकल आधार प्रणाली” से ऐसी विद्युत प्रणाली अभिप्रेत है जो ग्रिड से संयोजन के बिना किसी विनिर्दिष्ट क्षेत्र में विद्युत के उत्पादन और वितरण के लिए स्थापित की गई है;
- (64) “राज्य आयोग” से धारा 82 की उपधारा (1) के अधीन गठित राज्य विद्युत विनियामक आयोग अभिप्रेत है और इसके अंतर्गत धारा 83 की उपधारा (1) के अधीन गठित संयुक्त आयोग भी है;
- (65) “राज्य ग्रिड कोड” से धारा 86 की उपधारा (1) के खंड (ज) के अधीन विनिर्दिष्ट राज्य ग्रिड कोड अभिप्रेत है;
- (66) “राज्य भार प्रेषण केन्द्र” से धारा 31 की उपधारा (1) के अधीन स्थापित केन्द्र अभिप्रेत है;
- (67) “राज्य पारेषण उपयोगिता” से ऐसा बोर्ड या सरकारी कंपनी अभिप्रेत है जो धारा 39 की उपधारा (1) के अधीन राज्य सरकार द्वारा इस रूप में विनिर्दिष्ट की गई है;
- (68) “मार्ग” के अंतर्गत कोई रास्ता, सड़क, लेन, चौराहा, आंगन, गली, पगडंडी या खुला स्थान अभिप्रेत है चाहे वह आम रास्ता हो अथवा नहीं, जिस पर जनता को आने-जाने का अधिकार होता है और किसी सार्वजनिक पुल या पुलिया पर कोई सड़क या पैदल रास्ता भी है;
- (69) “उप-केन्द्र” से विद्युत के पारेषण या उसके वितरण के लिए विद्युत को रूपान्तरित या संपरिवर्तित करने के लिए केन्द्र अभिप्रेत है और इसके अंतर्गत ट्रांसफार्मर, संपरिवर्तित, स्विचगीयर, कैपेसिटर, तुल्यकालिक कन्डेन्सर, संरचनाएं, केबल और अन्य अनुलग्नक उपस्कर तथा उस प्रयोजन के लिए उपयोग किया जाने वाला कोई भवन और उसका स्थल भी है;
- (70) विद्युत के संबंध में “प्रदाय” से, किसी अनुज्ञप्तिधारी या उपभोक्ता को विद्युत का विक्रय अभिप्रेत है;
- (71) “व्यापार” से पुनर्विक्रय के लिए विद्युत का क्रय किया जाना अभिप्रेत है और “व्यापार” पद का तदनुसार अर्थ लगाया जाएगा;
- (72) “पारेषण लाइन” से अभिप्रेत है ऐसी सभी उच्च दाब केबल और शिरोपरि लाइनें (जो किसी अनुज्ञप्तिधारी की वितरण प्रणाली का आवश्यक भाग नहीं है) जो एक उत्पादन केन्द्र से दूसरे उत्पादन केन्द्र को या उप-केन्द्र को विद्युत का पारेषण करती हैं, ऐसी किन्हीं स्टेप-अप और स्टेप-डाउन ट्रांसफार्मरों, स्विचगीयरों और अन्य संकर्मों सहित जो ऐसी केबलों या शिरोपरि लाइनों के नियंत्रण के लिए आवश्यक हैं और प्रयोग किए जाते हैं तथा ऐसे भवनों या उनके भाग सहित जो ऐसे ट्रांसफार्मरों, स्विचगीयरों और अन्य संकर्मों के आवासन के लिए अपेक्षित हैं;

(73) “पारेषण अनुज्ञप्तिधारी” से ऐसा अनुज्ञप्तिधारी अभिप्रेत है जो पारेषण लाइनों को स्थापित करने या प्रचालित करने के लिए प्राधिकृत है;

(74) “पारेषण करना” से विद्युत का पारेषण लाइनों के माध्यम से प्रवहण अभिप्रेत है और “पारेषण” पद का तदनुसार अर्थ लगाया जाएगा;

(75) “उपयोगिता” से विद्युत लाइनें या विद्युत संयंत्र अभिप्रेत है और इसके अंतर्गत इस अधिनियम के उपबंधों के अधीन उत्पादक कंपनी या अनुज्ञप्तिधारी के रूप में कार्यरत किसी व्यक्ति की सभी भूमि, भवन, संकर्म और उनसे संलग्न सामग्री है;

(76) “चक्रण” से ऐसा प्रचालन अभिप्रेत है जिसके द्वारा, यथास्थिति, पारेषण अनुज्ञप्तिधारी या वितरण अनुज्ञप्तिधारी की वितरण प्रणाली और सहबद्ध सुविधाओं का उपयोग किसी अन्य व्यक्ति द्वारा ऐसे प्रभावों के संदाय पर जो धारा 62 के अधीन अवधारित किए जाने हैं, विद्युत के प्रवहण के लिए किया जाना है;

(77) “संकर्म” के अंतर्गत ऐसी विद्युत लाइनें और कोई भवन, संयंत्र, मशीनरी, साधन और किसी भी प्रकार की ऐसी कोई अन्य चीज जो जनता को विद्युत के पारेषण, वितरण या प्रदाय और इस अधिनियम या तत्समय प्रवृत्त किसी अन्य विधि के अधीन प्रदान की गई किसी अनुज्ञप्ति या मंजूरी के उद्देश्यों को प्रभावी करने के लिए अपेक्षित है।

## भाग 2

### राष्ट्रीय विद्युत नीति और योजना

**3. राष्ट्रीय विद्युत नीति और योजना—**(1) केन्द्रीय सरकार, समय-समय पर कोयला, प्राकृतिक गैस, नाभिकीय पदार्थों या सामग्री, जल जैसे संसाधनों के और ऊर्जा के नवीकरणीय स्रोतों के अधिकतम उपयोग पर आधारित विद्युत प्रणाली के विकास के लिए, राज्य सरकारों और प्राधिकरण के परामर्श से, राष्ट्रीय विद्युत नीति और टैरिफ नीति तैयार करेगी।

(2) केन्द्रीय सरकार, समय-समय पर, राष्ट्रीय विद्युत नीति और टैरिफ नीति को, प्रकाशित करेगी।

(3) केन्द्रीय सरकार, समय-समय पर राज्य सरकारों और प्राधिकरण के परामर्श से, उपधारा (1) में निर्दिष्ट राष्ट्रीय विद्युत नीति और टैरिफ नीति का पुनर्विलोकन या पुनरीक्षण कर सकेगी।

(4) प्राधिकरण, राष्ट्रीय विद्युत नीति के अनुसार राष्ट्रीय विद्युत योजना तैयार करेगा और ऐसी योजना को पांच वर्ष में एक बार अधिसूचित करेगा :

परन्तु प्राधिकरण, राष्ट्रीय विद्युत योजना को तैयार करते समय, राष्ट्रीय विद्युत योजना का प्रारूप प्रकाशित करेगा और उस पर अनुज्ञप्तिधारियों, उत्पादन कंपनियों और जनता से सुझाव और आक्षेप, ऐसे समय के भीतर जो विहित किया जाए, आमंत्रित करेगा :

परन्तु यह और कि प्राधिकरण,—

(क) केन्द्रीय सरकार का अनुमोदन अभिप्राप्त करने के पश्चात् योजना को अधिसूचित करेगा;

(ख) खंड (क) के अधीन अनुमोदन प्रदान करते समय केन्द्रीय सरकार द्वारा दिए गए निदेशों, यदि कोई हों, को उसमें सम्मिलित करते हुए उस योजना का पुनरीक्षण करेगा।

(5) प्राधिकरण, राष्ट्रीय विद्युत नीति के अनुसार राष्ट्रीय विद्युत योजना का, पुनर्विलोकन या पुनरीक्षण कर सकेगा।

**4. ग्रामीण क्षेत्रों और गैर-पारंपरिक ऊर्जा प्रणालियों के लिए एकल आधार प्रणालियों पर आधारित राष्ट्रीय नीति—**केन्द्रीय सरकार, राज्य सरकारों से परामर्श के पश्चात्, ग्रामीण क्षेत्रों के लिए, एकल आधार प्रणालियों को अनुज्ञात करते हुए, (जिनके अन्तर्गत वे भी हैं जो नवीकरणीय ऊर्जा स्रोतों और अन्य गैर-पारंपरिक ऊर्जा स्रोतों पर आधारित हैं) एक राष्ट्रीय नीति तैयार करेगी और उसे अधिसूचित करेगी।

**5. ग्रामीण क्षेत्रों में विद्युतीकरण और स्थानीय वितरण संबंधी राष्ट्रीय नीति—**केन्द्रीय सरकार, ग्रामीण विद्युतीकरण के लिए और ग्रामीण क्षेत्रों में पंचायत संस्थाओं, उपयोगकर्ता संगमों, सहकारी सोसाइटियों, गैर-सरकारी संगठनों या विशेषाधिकार प्राप्तकर्ताओं के द्वारा विद्युत के प्रपुंज क्रय और स्थानीय वितरण के प्रबंध के लिए राज्य सरकारों और राज्य आयोगों के परामर्श से, एक राष्ट्रीय नीति भी बनाएगी।

<sup>1</sup>[6. ग्रामीण विद्युतीकरण में राज्य सरकार और केन्द्रीय सरकार का संयुक्त उत्तरदायित्व—संबद्ध राज्य सरकार और केन्द्रीय सरकार, सभी क्षेत्रों तक, जिनके अन्तर्गत ग्राम और उपग्राम भी हैं, ग्रामीण विद्युत अवसंरचना और घरों के विद्युतीकरण के माध्यम से विद्युत की पहुंच उपलब्ध कराने का संयुक्त रूप से प्रयास करेंगी।]

<sup>1</sup> 2007 के अधिनियम सं० 26 की धारा 2 द्वारा प्रतिस्थापित।

## भाग 3

## विद्युत का उत्पादन

**7. उत्पादन कंपनी और उत्पादन केन्द्र की स्थापना के लिए अपेक्षा**—कोई उत्पादन कंपनी यदि वह धारा 73 के खंड (ख) में निर्दिष्ट ग्रिड से संयोजन से संबंधित तकनीकी मानकों को पूरा करती है तो इस अधिनियम के अधीन अनुज्ञप्ति प्राप्त किए बिना किसी उत्पादन केन्द्र की स्थापना, उसका प्रचालन और रखरखाव कर सकती है।

**8. जल विद्युत उत्पादन**—(1) धारा 7 में किसी बात के होते हुए भी, कोई उत्पादन कंपनी, जो जल विद्युत उत्पादन केन्द्र स्थापित करने का आशय रखती है, प्राधिकरण की सहमति के लिए, एक स्कीम तैयार और प्रस्तुत करेगी जिसमें ऐसी राशि से, जो केन्द्रीय सरकार द्वारा, समय-समय पर, अधिसूचना द्वारा नियत की जाए, अधिक पूंजी व्यय अंतर्बलित होना प्राक्कलित हो।

(2) प्राधिकरण, उपधारा (1) के अधीन उसे प्रस्तुत की गई किसी स्कीम पर सहमति देने से पूर्व इस बात पर विशेष ध्यान देगा कि उसकी राय में—

(क) प्रस्थापित नदी-संकर्म से पेय जल, सिंचाई, नौचालन, बाढ़ नियंत्रण या अन्य लोक प्रयोजनों की अपेक्षाओं से संसगत विद्युत उत्पादन के लिए उक्त नदी या उसकी सहायक नदियों के सर्वोत्तम परम विकास की संभावनाओं पर प्रतिकूल प्रभाव पड़ेगा या नहीं और इस प्रयोजन के लिए प्राधिकरण, राज्य सरकार, केन्द्रीय सरकार या ऐसे अन्य अभिकरणों से, जिन्हें वह समुचित समझे परामर्श के पश्चात् अपना यह समाधान करेगा कि बांधों और अन्य नदी-संकर्मों की अनुकूलतम अवस्थिति के संबंध में पर्याप्त अध्ययन किया गया है;

(ख) प्रस्थापित स्कीम बांध का डिजाइन और सुरक्षा संबंधित सन्नियमों के अनुसार है या नहीं।

(3) जहां किसी क्षेत्र में किसी नदी के विकास के लिए कोई बहुप्रयोजन स्कीम प्रवर्तन में है वहां राज्य सरकार और उत्पादन कंपनी अपने क्रियाकलापों का, ऐसी स्कीम के लिए उत्तरदायी व्यक्तियों के क्रियाकलापों के साथ, जहां तक वे उनसे अंतर्संबंधित हैं, समन्वय करेगी।

**9. आबद्ध उत्पादन**—(1) इस अधिनियम में किसी बात के होते भी, कोई व्यक्ति किसी आबद्ध उत्पादन संयंत्र या समर्पित पारेषण लाइनों का सन्निर्माण, अनुरक्षण या प्रचालन कर सकेगा :

परंतु ग्रिड के माध्यम से आबद्ध उत्पादन संयंत्र से विद्युत का प्रदाय किसी उत्पादन कंपनी के उत्पादन केन्द्र की भांति ही विनियमित किया जाएगा :

<sup>1</sup>[परंतु यह और कि किसी अनुज्ञप्तिधारी को, इस अधिनियम और उसके अधीन बनाए गए नियमों और विनियमों के उपबंधों के अनुसार और किसी उपभोक्ता को, धारा 42 की उपधारा (2) के अधीन बनाए गए विनियमों के अधीन रहते हुए, किसी आबद्ध उत्पादन संयंत्र से उत्पादित विद्युत के प्रदाय के लिए इस अधिनियम के अधीन कोई अनुज्ञप्ति अपेक्षित नहीं होगी।]

(2) ऐसे प्रत्येक व्यक्ति को, जिसने आबद्ध उत्पादन संयंत्र का सन्निर्माण किया है और ऐसे संयंत्र का अनुरक्षण और प्रचालन करता है, अपने आबद्ध उत्पादन संयंत्र से अपने उपयोग के गंतव्य तक विद्युत ले जाने के प्रयोजनों के लिए निर्बाध पहुंच का अधिकार होगा :

परंतु ऐसी निर्बाध पहुंच पर्याप्त पारेषण सुविधा की उपलब्धता के अधीन रहते हुए होगी और पारेषण सुविधा की ऐसी उपलब्धता का, यथास्थिति, केन्द्रीय पारेषण उपयोगिता या राज्य पारेषण उपयोगिता द्वारा अवधारण किया जाएगा :

परंतु यह और कि पारेषण सुविधा की उपलब्धता से संबंधित किसी विवाद का न्यायनिर्णयन समुचित आयोग द्वारा किया जाएगा।

**10. उत्पादन कंपनियों के कर्तव्य**—(1) इस अधिनियम के उपबंधों के अधीन रहते हुए, किसी उत्पादन कंपनी के कर्तव्य इस अधिनियम या उसके अधीन बनाए गए नियमों या विनियमों के उपबंधों के अनुसार उत्पादन केन्द्रों, जोड़-लाइनों, उप-केन्द्रों और उनसे संबद्ध समर्पित पारेषण लाइनों की स्थापना करने, उनका प्रचालन और अनुरक्षण करने होंगे।

(2) कोई उत्पादन कंपनी, इस अधिनियम और इसके अधीन बनाए गए नियमों और विनियमों के अनुसार किसी अनुज्ञप्तिधारी को विद्युत का प्रदाय कर सकेगी और धारा 42 की उपधारा (2) के अधीन बनाए गए विनियमों के अधीन रहते हुए, किसी उपभोक्ता को विद्युत का प्रदाय कर सकेगी।

(3) प्रत्येक उत्पादन कंपनी—

(क) अपने उत्पादन केन्द्रों से संबंधित तकनीकी ब्यौरे, समुचित आयोग और प्राधिकरण को प्रस्तुत करेगी;

(ख) अपने द्वारा उत्पादित विद्युत के पारेषण के लिए, यथास्थिति, केन्द्रीय पारेषण उपयोगिता या राज्य पारेषण उपयोगिता से समन्वय करेगी।

<sup>1</sup> 2007 के अधिनियम सं० 26 की धारा 3 द्वारा अंतःस्थापित।



**11. उत्पादन कंपनियों को निदेश—**(1) समुचित सरकार, यह विनिर्दिष्ट कर सकेगी कि कोई उत्पादन कंपनी, असाधारण परिस्थितियों में, उस सरकार के निदेशों के अनुसार किसी उत्पादन केन्द्र का प्रचालन और अनुरक्षण करेगी।

**स्पष्टीकरण—**इस धारा के प्रयोजन के लिए “असाधारण परिस्थिति” पद से ऐसी परिस्थितियां अभिप्रेत हैं जो राज्य की सुरक्षा, लोक व्यवस्था या किसी प्राकृतिक विपत्ति या लोकहित में उद्भूत अन्य परिस्थितियों से उत्पन्न हों।

(2) समुचित आयोग, उपधारा (1) में निर्दिष्ट निदेशों के किसी उत्पादन कंपनी पर प्रतिकूल वित्तीय प्रभाव का प्रतिकार ऐसी रीति से कर सकेगा जो वह समुचित समझे।

#### भाग 4

#### अनुज्ञापन

**12. प्राधिकृत व्यक्तियों द्वारा विद्युत का पारेषण, प्रदाय, आदि किया जाना—**(1) कोई भी व्यक्ति—

(क) विद्युत का पारेषण; या

(ख) विद्युत का वितरण; या

(ग) विद्युत में व्यापार,

तब तक नहीं करेगा जब तक कि उसे धारा 14 के अधीन जारी की गई अनुज्ञप्ति द्वारा ऐसा करने के लिए प्राधिकृत नहीं किया जाता है, या धारा 13 के अधीन छूट प्रदान नहीं कर दी जाती है।

**13. छूट देने की शक्ति—**समुचित आयोग, समुचित सरकार की सिफारिश पर, धारा 5 के अधीन विरचित राष्ट्रीय नीति के अनुसार और लोकहित में, अधिसूचना द्वारा, यह निदेश दे सकेगा कि ऐसी शर्तों और निर्बंधनों के, यदि कोई हों, अधीन रहते हुए और ऐसी अवधि या अवधियों के लिए, जो अधिसूचना में विनिर्दिष्ट की जाएं, धारा 12 के उपबंध किसी स्थानीय प्राधिकारी, पंचायत संस्था, उपयोगकर्ता संगम, सहकारी सोसाइटी, गैर-सरकारी संगठन या विशेषाधिकार प्राप्त को लागू नहीं होंगे।

**14. अनुज्ञप्ति प्रदान किया जाना—**समुचित आयोग, धारा 15 के अधीन उसको किए गए आवेदन पर किसी व्यक्ति को, किसी ऐसे क्षेत्र में, जो अनुज्ञप्ति में विनिर्दिष्ट किया जाए—

(क) पारेषण अनुज्ञप्तिधारी के रूप में विद्युत पारेषित करने के लिए; या

(ख) वितरण अनुज्ञप्तिधारी के रूप में विद्युत वितरित करने के लिए; या

(ग) विद्युत व्यापारी के रूप में विद्युत का व्यापार करने के लिए,

अनुज्ञप्ति प्रदान कर सकेगा :

परन्तु नियत तारीख को या उसके पूर्व निरसित विधियों या अनुसूची में विनिर्दिष्ट किसी अधिनियम के उपबंधों के अधीन विद्युत के पारेषण या प्रदाय के कारबार में लगे किसी व्यक्ति के बारे में यह समझा जाएगा कि वह इस अधिनियम के अधीन ऐसी अवधि के लिए, जो अनुसूची में विनिर्दिष्ट निरसित विधियों या अधिनियम के अधीन उसे अनुदत्त अनुज्ञप्ति, समाशोधन या अनुमोदन में अनुबंधित किया जाए, अनुज्ञप्तिधारी है और ऐसी अनुज्ञप्ति के संबंध में अनुसूची में विनिर्दिष्ट निरसित विधियों या ऐसे अधिनियम के उपबंध इस अधिनियम के प्रारंभ की तारीख से एक वर्ष की अवधि या ऐसी पूर्वतर अवधि के लिए, जो अनुज्ञप्तिधारी के अनुरोध पर समुचित आयोग द्वारा विनिर्दिष्ट की जाए, लागू होंगे और उसके पश्चात् इस अधिनियम के उपबंध ऐसे कारबार को लागू होंगे :

परन्तु यह और कि केन्द्रीय पारेषण उपयोगिता या राज्य पारेषण उपयोगिता को इस अधिनियम के अधीन पारेषण अनुज्ञप्तिधारी समझा जाएगा :

परन्तु यह भी कि यदि समुचित सरकार, इस अधिनियम के प्रारंभ या उसके पश्चात् विद्युत का पारेषण करती है या विद्युत का वितरण करती है या विद्युत में व्यापार करती है तो ऐसी सरकार इस अधिनियम के अधीन अनुज्ञप्तिधारी मानी जाएगी, किन्तु उससे इस अधिनियम के अधीन अनुज्ञप्ति प्राप्त करने की अपेक्षा नहीं की जाएगी :

परन्तु यह भी कि दामोदर घाटी निगम अधिनियम, 1948 (1948 का 14) की धारा 3 की उपधारा (1) के अधीन स्थापित दामोदर घाटी निगम इस अधिनियम के अधीन अनुज्ञप्तिधारी समझा जाएगा, किन्तु उससे इस अधिनियम के अधीन अनुज्ञप्ति प्राप्त करने की अपेक्षा नहीं की जाएगी और दामोदर घाटी निगम अधिनियम, 1948 के उपबंध, जहां तक वे इस अधिनियम के उपबंधों से असंगत नहीं हैं, उस निगम को लागू होते रहेंगे :

परन्तु यह भी कि सरकारी कंपनी या इस अधिनियम की धारा 131 की उपधारा (2) में निर्दिष्ट कंपनी और अनुसूची में विनिर्दिष्ट अधिनियमों के अनुसरण में सृजित कंपनी या कंपनियों को इस अधिनियम के अधीन अनुज्ञप्तिधारी समझा जाएगा :

परन्तु यह भी कि समुचित आयोग, एक ही क्षेत्र के भीतर अपनी वितरण प्रणाली के माध्यम से विद्युत के वितरण के लिए दो या अधिक व्यक्तियों को, इन शर्तों के अधीन रहते हुए अनुज्ञप्ति प्रदान कर सकेगा कि एक ही क्षेत्र के भीतर अनुज्ञप्ति प्राप्त करने के लिए

आवेदक, इस अधिनियम के अधीन ऐसी अन्य शर्तों या अपेक्षाओं पर प्रतिकूल प्रभाव डाले बिना, <sup>1</sup>[उन अतिरिक्त अपेक्षाओं (पूँजी की पर्याप्तता, उधारपात्रता या आचार-संहिता से संबंधित) को पूरा करेगा] जो केन्द्रीय सरकार द्वारा विहित की जाएं, और ऐसे किसी आवेदक को, जो अनुज्ञप्ति प्रदान करने के लिए सभी शर्तों को पूरा करता है इस आधार पर अनुज्ञप्ति प्रदान करने से इनकार नहीं किया जाएगा कि उसी प्रयोजन के लिए उसी क्षेत्र में कोई अनुज्ञप्तिधारी पहले से ही विद्यमान है :

परन्तु यह भी कि उस दशा में, जहां कोई वितरण अनुज्ञप्तिधारी अपने प्रदाय क्षेत्र के भीतर विनिर्दिष्ट क्षेत्र के लिए विद्युत का वितरण अन्य व्यक्ति के माध्यम से करने की प्रस्थापना करता है वहां ऐसे व्यक्ति से संबंधित राज्य आयोग से कोई पृथक् अनुज्ञप्ति प्राप्त करने की अपेक्षा नहीं की जाएगी और ऐसा वितरण अनुज्ञप्तिधारी, उसके प्रदाय क्षेत्र में विद्युत के वितरण के लिए उत्तरदायी होगा :

परन्तु यह भी कि जहां कोई व्यक्ति, राज्य सरकार द्वारा अधिसूचित किए जाने वाले किसी ग्रामीण क्षेत्र में विद्युत का उत्पादन और वितरण करने का आशय रखता है वहां ऐसे व्यक्ति से विद्युत के ऐसे उत्पादन और वितरण के लिए किसी अनुज्ञप्ति की अपेक्षा नहीं की जाएगी किन्तु वह ऐसे सभी उपाय करेगा जो धारा 53 के अधीन प्राधिकरण द्वारा विनिर्दिष्ट किए जाएं :

परन्तु यह भी कि वितरण अनुज्ञप्तिधारी को विद्युत में व्यापार आरंभ करने के लिए किसी अनुज्ञप्ति की अपेक्षा नहीं होगी ।

**15. अनुज्ञप्ति प्रदान करने की प्रक्रिया—**(1) धारा 14 के अधीन प्रत्येक आवेदन ऐसे प्ररूप में और ऐसी रीति से किया जाएगा जो समुचित आयोग द्वारा विनिर्दिष्ट की जाए और उसके साथ ऐसी फीस होगी जो विहित की जाए ।

(2) कोई ऐसा व्यक्ति, जिसने अनुज्ञप्ति के लिए आवेदन किया है, ऐसा आवेदन करने के पश्चात् सात दिन के भीतर ऐसी रीति में और ऐसी विशिष्टियों के साथ जो विनिर्दिष्ट की जाएं अपने आवेदन की सूचना प्रकाशित करेगा और अनुज्ञप्ति तब तक प्रदान नहीं की जाएगी—

(i) जब तक कि आवेदन के प्रकाशन के उत्तर में समुचित आयोग द्वारा प्राप्त सभी आक्षेपों पर, यदि कोई हों, उसके द्वारा विचार नहीं कर लिया गया हो :

परन्तु किसी आक्षेप पर इस प्रकार विचार तब तक नहीं किया जाएगा जब तक कि वह यथापूर्वोक्त सूचना के प्रकाशन की तारीख से तीस दिन समाप्त होने के पूर्व प्राप्त नहीं हो जाता; और

(ii) जब तक कि किसी ऐसे क्षेत्र के लिए, जिसके अंतर्गत किसी छावनी, हवाई अड्डे, दुर्ग, आयुधशाला, डाकघर या कैप या रक्षा प्रयोजनों के लिए सरकार के अधिभोग में किसी भवन या स्थान का संपूर्ण या कोई भाग है, अनुज्ञप्ति के लिए आवेदन की दशा में, समुचित आयोग ने यह अभिनिश्चित न कर लिया हो कि केन्द्रीय सरकार की ओर से अनुज्ञप्ति प्रदान करने पर कोई आक्षेप नहीं है ।

(3) पारिषद अनुज्ञप्तिधारी के रूप में कार्य करने का इच्छुक कोई व्यक्ति, आवेदन करने पर तुरन्त ऐसे आवेदन की प्रति यथास्थिति, केन्द्रीय पारिषद उपयोगिता या राज्य पारिषद उपयोगिता को अग्रेषित करेगा ।

(4) यथास्थिति, केन्द्रीय पारिषद उपयोगिता या राज्य पारिषद उपयोगिता, उपधारा (3) में निर्दिष्ट आवेदन की प्रति के प्राप्त होने के पश्चात्, तीस दिन की अवधि के भीतर अपनी सिफारिशें, यदि कोई हों, समुचित आयोग को भेजेगी :

परन्तु ऐसी सिफारिशें आयोग पर आवद्ध नहीं होंगी ।

(5) समुचित आयोग, धारा 14 के अधीन अनुज्ञप्ति प्रदान करने के पूर्व—

(क) दो ऐसे दैनिक समाचारपत्रों में सूचना प्रकाशित करेगा जिन्हें वह आयोग आवश्यक समझे और उसमें उस व्यक्ति का नाम और पता होगा जिसको उसने अनुज्ञप्ति जारी करने का प्रस्ताव किया है;

(ख) यथास्थिति, केन्द्रीय पारिषद उपयोगिता या राज्य पारिषद उपयोगिता के सभी सुझावों या आक्षेपों और सिफारिशों, यदि कोई हों, पर विचार करेगा ।

(6) जहां कोई व्यक्ति धारा 14 की उपधारा (1) के अधीन अनुज्ञप्तिधारी के रूप में कार्य करने के लिए आवेदन करता है वहां समुचित आयोग, जहां तक साध्य हो, ऐसा आवेदन प्राप्त करने के पश्चात् नब्बे दिन के भीतर,—

(क) इस अधिनियम और उसके अधीन बनाए गए नियमों तथा विनियमों के उपबंधों के अधीन रहते हुए अनुज्ञप्ति जारी करेगा; या

(ख) आवेदन को, उन कारणों से जो लेखबद्ध किए जाएंगे, यदि ऐसा आवेदन इस अधिनियम या इसके अधीन बनाए गए नियमों और विनियमों के उपबंधों या तत्समय प्रवृत्त किसी अन्य विधि के उपबंधों के अनुरूप न हो तो नामंजूर करेगा :

परन्तु कोई आवेदन तब तक नामंजूर नहीं किया जाएगा जब तक कि आवेदक को सुनवाई का अवसर न दिया गया हो ।

<sup>1</sup> 2003 के अधिनियम सं० 57 की धारा 2 द्वारा प्रतिस्थापित ।

(7) समुचित आयोग, अनुज्ञप्ति जारी करने के ठीक पश्चात्, अनुज्ञप्ति की एक प्रति समुचित सरकार, प्राधिकरण, स्थानीय प्राधिकरण को और ऐसे अन्य व्यक्ति को, जिसे समुचित आयोग आवश्यक समझे, अग्रेषित करेगा।

(8) अनुज्ञप्ति पच्चीस वर्ष की अवधि के लिए प्रवर्तन में रहेगी जब तक कि वह प्रतिसंहत नहीं कर दी जाती।

**16. अनुज्ञप्ति की शर्तें**—समुचित आयोग, अनुज्ञप्ति की किन्हीं साधारण या विशेष शर्तों को जो किसी अनुज्ञप्तिधारी को या अनुज्ञप्तिधारियों के किसी वर्ग को लागू होगी, विनिर्दिष्ट कर सकेगा और ऐसी शर्तें अनुज्ञप्ति की शर्तें समझी जाएंगी :

परन्तु समुचित आयोग, नियत तारीख से एक वर्ष के भीतर, धारा 14 के पहले, दूसरे, तीसरे, चौथे और पांचवें परन्तुकों में निर्दिष्ट अनुज्ञप्तियों को लागू होने वाली अनुज्ञप्ति की किन्हीं साधारण या विनिर्दिष्ट शर्तों को, इस अधिनियम के प्रारंभ से एक वर्ष की समाप्ति के पश्चात्, विनिर्दिष्ट करेगा।

**17. अनुज्ञप्तिधारी द्वारा कतिपय बातों का न किया जाना**—(1) कोई भी अनुज्ञप्तिधारी, समुचित आयोग के पूर्व अनुमोदन के बिना,—

(क) किसी अन्य अनुज्ञप्तिधारी की उपयोगिता को क्रय द्वारा या ग्रहण करके या अन्यथा अर्जित करने का कोई संव्यवहार नहीं करेगा; या

(ख) अपनी उपयोगिता का किसी अन्य अनुज्ञप्तिधारी की उपयोगिता के साथ विलयन नहीं करेगा :

परन्तु इस उपधारा की कोई बात लागू नहीं होगी यदि अनुज्ञप्तिधारी की उपयोगिता उस राज्य से भिन्न किसी राज्य में स्थित है जिसमें खंड (क) या खण्ड (ख) में निर्दिष्ट उपयोगिता स्थित है।

(2) प्रत्येक अनुज्ञप्तिधारी, उपधारा (1) के अधीन अनुमोदन अभिप्राप्त करने से पूर्व, ऐसे प्रत्येक अन्य अनुज्ञप्तिधारी को जो ऐसे अनुज्ञप्तिधारी के क्षेत्र में, जो ऐसे अनुमोदन के लिए आवेदन करता है विद्युत का पारेषण या वितरण करता है, एक मास से अन्यून की सूचना देगा।

(3) कोई अनुज्ञप्तिधारी, किसी भी समय, समुचित आयोग के पूर्व अनुमोदन के बिना, विक्रय, पट्टे, विनिमय द्वारा या अन्यथा अपनी अनुज्ञप्ति को समनुदिष्ट नहीं करेगा या अपनी उपयोगिता या उसके किसी भाग का अंतरण नहीं करेगा।

(4) उपधारा (1) या उपधारा (3) में विनिर्दिष्ट किसी संव्यवहार से संबंधित कोई करार जब तक कि वह समुचित आयोग के पूर्व अनुमोदन से न किया गया हो, शून्य होगा।

**18. अनुज्ञप्ति का संशोधन**—(1) जहां समुचित आयोग की राय में लोकहित ऐसा अनुज्ञात करता है वहां वह अनुज्ञप्तिधारी के आवेदन पर या अन्यथा, उसकी अनुज्ञप्ति के निबन्धनों और शर्तों में ऐसे परिवर्तन और संशोधन कर सकेगा, जो वह ठीक समझे :

परन्तु ऐसे कोई परिवर्तन या संशोधन अनुज्ञप्तिधारी की सहमति के बिना तब तक नहीं किए जाएंगे जब तक कि ऐसी सहमति, समुचित आयोग की राय में, अनुचित रूप से विधारित न की गई हो।

(2) इस धारा के अधीन अनुज्ञप्ति में कोई परिवर्तन या संशोधन किए जाने के पूर्व, निम्नलिखित उपबन्ध प्रभावी होंगे, अर्थात् :—

(क) जहां अनुज्ञप्तिधारी ने उपधारा (1) के अधीन अपनी अनुज्ञप्ति में कोई परिवर्तन या उपांतरण करने का प्रस्ताव करते हुए आवेदन किया है वहां अनुज्ञप्तिधारी, ऐसी रीति से और ऐसी विशिष्टियों के साथ जो विनिर्दिष्ट की जाएं ऐसे आवेदन की सूचना प्रकाशित करेगा;

(ख) किसी छावनी, हवाई अड्डा, दुर्ग, आयुधशाला, डाकघर या कैम्प के या रक्षा प्रयोजनों के लिए सरकार के अधिभोग में के किसी भवन या स्थान के सभी या किसी भाग को समाविष्ट करने वाले प्रदाय के क्षेत्र में परिवर्तन या उपांतरण का प्रस्ताव करने वाले किसी आवेदन की दशा में, समुचित आयोग कोई परिवर्तन या उपांतरण केन्द्रीय सरकार की सहमति के बिना नहीं करेगा;

(ग) जहां किसी अनुज्ञप्ति में कोई परिवर्तन या उपांतरण, अनुज्ञप्तिधारी के आवेदन से अन्यथा करने का प्रस्ताव किया जाता है वहां समुचित आयोग, ऐसी रीति से और ऐसी विशिष्टियों के साथ जो विहित की जाएं प्रस्तावित परिवर्तनों या उपांतरणों को प्रकाशित करेगा;

(घ) समुचित आयोग, कोई परिवर्तन या उपांतरण तब तक नहीं करेगा जब तक कि उसने सूचना के प्रथम प्रकाशन की तारीख से तीस दिन के भीतर प्राप्त सभी सुझावों या आक्षेपों पर विचार नहीं कर लिया है।

**19. अनुज्ञप्ति का प्रतिसंहरण**—(1) यदि समुचित आयोग का, जांच करने के पश्चात् यह समाधान हो जाता है कि लोकहित में ऐसा अपेक्षित है, तो वह निम्नलिखित किसी दशा में किसी अनुज्ञप्ति को प्रतिसंहत कर सकेगा, अर्थात् :—

(क) जहां अनुज्ञप्तिधारी, समुचित आयोग की राय में, इस अधिनियम या उसके अधीन बनाए गए नियमों या विनियमों द्वारा या उनके अधीन उससे अपेक्षित कोई बात करने में जानबूझकर और विलंबित व्यतिक्रम करता है;

(ख) जहां अनुज्ञप्तिधारी अपनी अनुज्ञप्ति के निबंधनों या शर्तों में से किसी का भंग करता है, जिसका भंग ऐसी अनुज्ञप्ति द्वारा उसे प्रतिसंहरण के लिए दायी बनाने के लिए स्पष्ट रूप से घोषित है;

(ग) जहां अनुज्ञप्तिधारी, अपनी अनुज्ञप्ति द्वारा इस निमित्त नियत अवधि के भीतर या किसी ऐसी दीर्घतर अवधि के भीतर, जो समुचित आयोग ने उसके लिए प्रदान की हो,—

(i) समुचित आयोग के समाधानप्रद रूप में यह दर्शित करने में कि वह अपनी अनुज्ञप्ति द्वारा उस पर अधिरोपित कर्तव्यों और बाध्यताओं का पूर्णतः तथा दक्षतापूर्ण निर्वहन करने की स्थिति में है; या

(ii) अपनी अनुज्ञप्ति द्वारा अपेक्षित प्रतिभूति का निक्षेप करने में या उसे देने में या, फीस या अन्य प्रभारों का संदाय करने में,

असफल रहता है;

(घ) जहां समुचित आयोग की राय में अनुज्ञप्तिधारी की वित्तीय स्थिति ऐसी है कि वह अपनी अनुज्ञप्ति द्वारा उस पर अधिरोपित कर्तव्यों और बाध्यताओं का पूर्णतः तथा दक्षतापूर्ण निर्वहन करने में असमर्थ है।

(2) जहां, समुचित आयोग की राय में, लोकहित में ऐसा अपेक्षित है वहां, वह आवेदन पर य अनुज्ञप्तिधारी की सहमति से, वितरण या पारेषण या व्यापार के उसके समस्त क्षेत्र या किसी भाग के बारे में उसकी अनुज्ञप्ति को ऐसे निबंधनों और शर्तों पर, जो वह ठीक समझे, प्रतिसंहृत कर सकेगा।

(3) उपधारा (1) के अधीन कोई अनुज्ञप्ति तब तक प्रतिसंहृत नहीं की जाएगी जब तक कि समुचित आयोग ने अनुज्ञप्तिधारी को कम से कम तीन मास की लिखित सूचना उन आधारों को कथित करते हुए न दी हो जिन पर अनुज्ञप्ति को प्रतिसंहृत करने का प्रस्ताव है और प्रस्तावित प्रतिसंहरण के विरुद्ध उस सूचना की अवधि के भीतर अनुज्ञप्तिधारी द्वारा दर्शाए गए किसी कारण पर विचार न किया हो।

(4) समुचित आयोग, उपधारा (1) के अधीन किसी अनुज्ञप्ति का प्रतिसंहरण करने के स्थान पर, उसे ऐसे अतिरिक्त निबंधनों और शर्तों के अधीन रहते हुए जो वह अधिरोपित करना ठीक समझे, प्रवर्तन में बने रहने के लिए अनुज्ञात कर सकेगा और इस प्रकार अधिरोपित अतिरिक्त निबंधन और शर्तें अनुज्ञप्तिधारी पर आबद्धकर होंगी तथा उसके द्वारा उनका पालन किया जाएगा और ऐसे निबंधनों और शर्तों का वैसा ही बल और प्रभाव होगा मानो वे अनुज्ञप्ति में अंतर्विष्ट हों।

(5) जहां आयोग इस धारा के अधीन किसी अनुज्ञप्ति का प्रतिसंहरण करता है वहां वह अनुज्ञप्तिधारी पर प्रतिसंहरण की सूचना की तामील करेगा औ वह तारीख नियत करेगा जिसको प्रतिसंहरण प्रभावी होगा।

(6) जहां समुचित आयोग ने उपधारा (5) के अधीन अनुज्ञप्ति के प्रतिसंहरण के लिए सूचना दी है वहां अनुज्ञप्तिधारी, किसी ऐसी शास्ति पर, जो अधिरोपित की जाए या ऐसी अभियोजन कार्यवाही पर, जो इस अधिनियम के अधीन प्रारंभ की जाए, प्रतिकूल प्रभाव डाले बिना, उस आयोग के पूर्व अनुमोदन के पश्चात् अपनी उपयोगिता का किसी ऐसे व्यक्ति को विक्रय कर सकेगा जो उस आयोग द्वारा अनुज्ञप्ति प्रदान करने के लिए पात्र पाया जाए।

**20. अनुज्ञप्तिधारियों की उपयोगिता का विक्रय—**(1) जहां समुचित आयोग धारा 19 के अधीन किसी अनुज्ञप्तिधारी की अनुज्ञप्ति का प्रतिसंहरण करता है वहां निम्नलिखित उपबंध लागू होंगे, अर्थात् :—

(क) समुचित आयोग उस अनुज्ञप्तिधारी की, जिसकी अनुज्ञप्ति का प्रतिसंहरण किया गया है, उपयोगिता को अर्जित करने के लिए आवेदन आमंत्रित करेगा और मुख्यतः उपयोगिता के लिए प्रस्थापित उच्चतम और सर्वोत्तम कीमत के आधार पर यह अवधारित करेगा कि ऐसे आवेदनों में से किसे स्वीकार किया जाए;

(ख) समुचित आयोग, लिखित सूचना द्वारा, अनुज्ञप्तिधारी से यह अपेक्षा कर सकेगा कि वह अपनी उपयोगिता का विक्रय करे और तब अनुज्ञप्तिधारी उस व्यक्ति को (जिसे इस धारा में इसके पश्चात् “क्रेता” कहा गया है), जिसका आवेदन उस आयोग द्वारा स्वीकार किया गया है, उपयोगिता का विक्रय करेगा;

(ग) अनुज्ञप्ति के प्रतिसंहरण की तारीख से ही, या उस तारीख से ही, यदि उससे पहले हो, जिसको अनुज्ञप्तिधारी की उपयोगिता का विक्रय क्रेता को किया जाता है, अनुज्ञप्तिधारी के सभी अधिकार, कर्तव्य, बाध्यताएं और दायित्व, सिवाय किन्हीं ऐसे दायित्वों के, जो उस तारीख के पूर्व प्रोद्भूत हुए हों पूर्ण रूप से समाप्त हो जाएंगे;

(घ) समुचित आयोग उपयोगिता के प्रचालन के संबंध में ऐसी अंतरिम व्यवस्थाएं, जिनके अन्तर्गत प्रशासकों की नियुक्ति भी है, कर सकेगा जो वह उपयुक्त समझे;

(ङ) खंड (घ) के अधीन नियुक्त प्रशासक ऐसी शक्तियों का प्रयोग और ऐसे कृत्यों का निर्वहन करेगा जो समुचित आयोग निदेश दे।

(2) जहां उपधारा (1) के अधीन किसी उपयोगिता का विक्रय किया जाता है वहां क्रेता, तय पाई गई रीति में उपयोगिता की क्रय कीमत अनुज्ञप्तिधारी को संदत्त करेगा।

(3) जहां समुचित आयोग, उपधारा (1) के अधीन उपयोगिता का विक्रय करने के लिए अनुज्ञप्तिधारी से अपेक्षा करने वाली कोई सूचना जारी करता है, वहां वह ऐसी सूचना द्वारा, अनुज्ञप्तिधारी से यह अपेक्षा कर सकेगा कि वह उपयोगिता को परिदत्त करे और तब अनुज्ञप्तिधारी सूचना में विनिर्दिष्ट तारीख को उपयोगिता को उसकी क्रय कीमत के संदाय पर अभिहित क्रेता को परिदत्त करेगा।

(4) जहां अनुज्ञप्तिधारी ने क्रेता को उपधारा (3) में निर्दिष्ट उपयोगिता का परिदान किया है किन्तु उसका विक्रय उस उपधारा के अधीन जारी की गई सूचना में नियत तारीख तक पूरा नहीं किया गया है, वहां समुचित आयोग, यदि वह ठीक समझे, तो आशयित क्रेता को विक्रय पूरा होने तक उपयोगिता प्रणाली को परिचालित और अनुरक्षित करने के लिए अनुज्ञात कर सकेगा।

**21. क्रेता में उपयोगिता का निहित होना**—जहां किसी उपयोगिता का विक्रय धारा 20 या धारा 24 के अधीन किया जाता है वहां, यथास्थिति, विक्रय के पूरा होने पर या उस तारीख को, जिसको उपयोगिता का परिदान आशयित क्रेता को किया जाता है, इनमें से जो भी पहले हो—

(क) उपयोगिता, यथास्थिति, क्रेता या आशयित क्रेता में निहित हो जाएगी, जो अनुज्ञप्तिधारी के या उपयोगिता से संलग्न किसी ऋण, बंधक या समरूप बाध्यता से मुक्त होगी :

परन्तु किसी ऐसे ऋण, बंधक या समरूप बाध्यता को उपयोगिता के स्थान पर क्रय धन से संलग्न कर दिया जाएगा; और

(ख) उसकी अनुज्ञप्ति के अधीन अनुज्ञप्तिधारी के अधिकार, शक्तियां, प्राधिकार, कर्तव्य और बाध्यताएं क्रेता को अन्तरित हो जाएंगे तथा ऐसे क्रेता को अनुज्ञप्तिधारी समझा जाएगा।

**22. जहां कोई क्रय नहीं होता है वहां उपबंध**—(1) यदि उपयोगिता का धारा 20 या धारा 24 में उपबंधित रीति से विक्रय नहीं किया जाता है तो, समुचित आयोग, उपभोक्ताओं के हित की रक्षा करने के लिए या लोकहित में, ऐसे निदेश जारी कर सकेगा या ऐसी स्कीम तैयार कर सकेगा जो उसे उपयोगिता के प्रचालन के लिए आवश्यक प्रतीत हों।

(2) जहां उपधारा (1) के अधीन समुचित आयोग द्वारा कोई निदेश जारी नहीं किए जाते या स्कीम तैयार नहीं की जाती वहां धारा 20 या धारा 24 में निर्दिष्ट अनुज्ञप्तिधारी उपयोगिता का ऐसी रीति से, जिसे वह ठीक समझे, व्ययन कर सकेगा :

परन्तु यदि अनुज्ञप्तिधारी धारा 20 या उपधारा 24 के अधीन प्रतिसंहरण की तारीख से छह मास की अवधि के भीतर उपयोगिता का व्ययन नहीं करता है तो समुचित आयोग, अनुज्ञप्तिधारी के किसी पथ या सार्वजनिक भूमि में, उसके नीचे, उसके ऊपर, उसके साथ या उसके आर-पार के संकर्म को हटवा सकेगा और ऐसे प्रत्येक पथ या सार्वजनिक भूमि को यथापूर्व कर दिया जाएगा और अनुज्ञप्तिधारी से ऐसे हटाए जाने और यथापूर्व करने की लागत को वसूल किया जाएगा।

**23. अनुज्ञप्तिधारियों को निदेश**—यदि समुचित आयोग की राय है कि विद्युत के दक्षतापूर्ण प्रदाय को बनाए रखने, उसका साम्यापूर्ण वितरण सुनिश्चित करने और प्रतिस्पर्धा बढ़ाने के लिए ऐसा करना आवश्यक या समीचीन है, तो वह, आदेश द्वारा, उसके प्रदाय, वितरण, उपभोग या उपयोग को विनियमित करने के लिए उपबंध कर सकेगा।

**24. वितरण अनुज्ञप्ति का निलंबन और उपयोगिता का विक्रय**—(1) यदि समुचित आयोग की किसी तरह यह राय है कि—

(क) वितरण अनुज्ञप्तिधारी उपभोक्ताओं को विद्युत की क्वालिटी के संबंध में मानकों के अनुरूप विद्युत के अबाधित प्रदाय को बनाए रखने में लगातार असफल रहा है; या

(ख) वितरण अनुज्ञप्तिधारी इस अधिनियम के उपबंधों द्वारा या उनके अधीन उस पर अधिरोपित कृत्यों का निर्वहन या कर्तव्यों का पालन करने में असमर्थ है; या

(ग) वितरण अनुज्ञप्तिधारी ने समुचित आयोग द्वारा इस अधिनियम के अधीन दिए गए किसी निदेश का अनुपालन करने में लगातार व्यतिक्रम किया है; या

(घ) वितरण अनुज्ञप्तिधारी ने अनुज्ञप्ति के निबंधनों और शर्तों को तोड़ा है,

और लोकहित में ऐसा करने के लिए परिस्थितियां विद्यमान हैं, जो उसे उसके लिए आवश्यक बनाती हैं तो समुचित आयोग, उन कारणों से जो लेखबद्ध किए जाएंगे, एक वर्ष से अनधिक अवधि के लिए वितरण अनुज्ञप्तिधारी की अनुज्ञप्ति निलंबित कर सकेगा और अनुज्ञप्ति के निबंधनों और शर्तों के अनुसार वितरण अनुज्ञप्तिधारी के कृत्यों का निर्वहन करने के लिए एक प्रशासक नियुक्त कर सकेगा :

परन्तु इस धारा के अधीन अनुज्ञप्ति का निलंबन करने के पूर्व, समुचित आयोग वितरण अनुज्ञप्तिधारी को अनुज्ञप्ति के प्रस्तावित निलंबन के विरुद्ध अभ्यावेदन करने के लिए उचित अवसर प्रदान करेगा और वितरण अनुज्ञप्तिधारी के अभ्यावेदनों पर, यदि कोई हों, विचार करेगा।

(2) उपधारा (1) के अधीन अनुज्ञप्ति के निलंबन पर, वितरण अनुज्ञप्तिधारी की उपयोगिताएं एक वर्ष से अनधिक अवधि या उस तारीख तक के लिए, जिसको ऐसी उपयोगिता का धारा 20 में अन्तर्विष्ट उपबंधों के अनुसार विक्रय किया जाता है, जो भी बाद में हो, प्रशासक में निहित हो जाएंगी।

(3) समुचित आयोग, उपधारा (1) के अधीन प्रशासक की नियुक्ति के एक वर्ष के भीतर, या तो धारा 19 में अंतर्विष्ट उपबंधों के अनुसार, यथास्थिति, अनुज्ञप्ति का प्रतिसंहरण करेगा या अनुज्ञप्ति के निलंबन का प्रतिसंहरण करेगा और उस वितरण अनुज्ञप्तिधारी को उपयोगिता प्रत्यावर्तित करेगा, जिसकी अनुज्ञप्ति निलंबित की गई थी।

(4) उस दशा में जहां समुचित आयोग, उपधारा (3) के अधीन अनुज्ञप्ति का प्रतिसंहरण करता है वहां वितरण अनुज्ञप्तिधारी की उपयोगिता का धारा 20 के उपबंधों के अनुसार अनुज्ञप्ति के प्रतिसंहरण की तारीख से एक वर्ष की अवधि के भीतर विक्रय किया जाएगा और उपयोगिताओं के विक्रय पर प्रशासनिक और अन्य व्ययों की कटौती करने के पश्चात् कीमत, वितरण अनुज्ञप्तिधारी को विप्रेषित की जाएगी।

## भाग 5

### विद्युत का पारेषण

#### अंतरराज्यिक पारेषण

**25. अंतरराज्यिक, प्रादेशिक और अंतर-प्रादेशिक पारेषण**—इस भाग के प्रयोजनों के लिए, केन्द्रीय सरकार, देश का प्रदेशवार सीमांकन कर सकेगी और समय-समय पर उसमें ऐसे उपांतरण कर सकेगी जो वह विद्युत के दक्षतापूर्ण, मितव्ययी और समेकित पारेषण तथा प्रदाय के लिए, और विशिष्टतया, विद्युत के अंतरराज्यिक, प्रादेशिक और अंतर-प्रादेशिक उत्पादन तथा पारेषण के लिए सुविधाओं के स्वैच्छिक अंतःसंयोजन और समन्वय को सुकर बनाने के लिए आवश्यक समझे।

**26. राष्ट्रीय भार प्रेषण केन्द्र**—(1) केन्द्रीय सरकार प्रादेशिक भार प्रेषण केन्द्रों में विद्युत के अधिकतम निर्धारण और प्रेषण के लिए राष्ट्रीय स्तर पर एक केन्द्र स्थापित करेगी, जिसे राष्ट्रीय भार प्रेषण केन्द्र कहा जाएगा।

(2) राष्ट्रीय भार प्रेषण केन्द्र का गठन और कृत्य वे होंगे जो केन्द्रीय सरकार द्वारा विहित किए जाएं :

परंतु राष्ट्रीय भार प्रेषण केन्द्र, विद्युत व्यापार के कारबार में नहीं लगेगा।

(3) राष्ट्रीय भार प्रेषण केन्द्र का प्रचालन किसी सरकारी कंपनी या किसी केन्द्रीय अधिनियम द्वारा या उसके अधीन स्थापित या गठित किसी प्राधिकरण या निगम द्वारा, जिसे केन्द्रीय सरकार द्वारा अधिसूचित किया जाए, किया जाएगा।

**27. प्रादेशिक भार प्रेषण केन्द्र का गठन**—(1) केन्द्रीय सरकार, इस भाग के अधीन शक्तियों का प्रयोग और कृत्यों का निर्वहन करने के प्रयोजनों के लिए, प्रत्येक प्रदेश के लिए एक केन्द्र स्थापित करेगी, जिसे प्रादेशिक भार प्रेषण केन्द्र कहा जाएगा, जिसकी राज्यक्षेत्रीय अधिकारिता वह होगी जो केन्द्रीय सरकार द्वारा धारा 25 के अनुसार अवधारित की जाए।

(2) प्रादेशिक भार प्रेषण केन्द्र का प्रचालन किसी सरकारी कंपनी या किसी केन्द्रीय अधिनियम द्वारा या उसके अधीन स्थापित या गठित किसी प्राधिकरण या निगम द्वारा, जिसे केन्द्रीय सरकार द्वारा अधिसूचित किया जाए, किया जाएगा :

परंतु केन्द्रीय सरकार द्वारा इस उपधारा में निर्दिष्ट सरकारी कंपनी या प्राधिकरण या निगम के अधिसूचित किए जाने तक, केन्द्रीय पारेषण उपयोगिता, प्रादेशिक भार प्रेषण केन्द्र का प्रचालन करेगी :

परंतु यह और कि कोई भी प्रादेशिक भार प्रेषण केन्द्र, विद्युत उत्पादन या विद्युत व्यापार के कारबार में नहीं लगेगा।

**28. प्रादेशिक भार प्रेषण केन्द्र के कृत्य**—(1) प्रादेशिक भार प्रेषण केन्द्र संबद्ध प्रदेश में विद्युत प्रणाली का समाकलित प्रचालन सुनिश्चित करने के लिए शीर्षस्थ निकाय होगा।

(2) प्रादेशिक भार प्रेषण केन्द्र, विद्युत के चक्रण और अधिकतम निर्धारण तथा प्रेषण के संबंध में ऐसे सिद्धांतों, मार्गदर्शक सिद्धांतों और पद्धतियों का अनुपालन करेगा जिन्हें केन्द्रीय आयोग, ग्रिड कोड में विनिर्दिष्ट करे।

(3) प्रादेशिक भार प्रेषण केन्द्र—

(क) प्रदेश में प्रचालन करने वाले अनुज्ञप्तिधारियों या उत्पादन कंपनियों के साथ की गई संविदाओं के अनुसार प्रदेश के भीतर विद्युत के अधिकतम निर्धारण और प्रेषण के लिए उत्तरदायी होगा;

(ख) ग्रिड संक्रियाओं को मानीटर करेगा;

(ग) प्रादेशिक ग्रिड के माध्यम से पारेषित विद्युत की मात्रा का लेखा रखेगा;

(घ) अंतरराज्यिक पारेषण प्रणाली का पर्यवेक्षण और नियंत्रण करेगा; और

(ङ) ग्रिड मानकों और ग्रिड कोड के अनुसार प्रादेशिक ग्रिड के सुरक्षित और मितव्ययी प्रचालन के द्वारा प्रदेश के भीतर विद्युत के ग्रिड नियंत्रण और प्रेषण के लिए यथार्थिक समय प्रचालनों के लिए उत्तरदायी होगा।

(4) प्रादेशिक भार प्रेषण केन्द्र, विद्युत के अंतरराज्यिक पारेषण में लगी उत्पादन कंपनियों या अनुज्ञप्तिधारियों से ऐसी फीस और प्रभार उद्गृहीत करेगा तथा उनसे संगृहीत कर सकेगा जो केन्द्रीय आयोग द्वारा विनिर्दिष्ट किए जाएं।

**29. निदेशों का अनुपालन—**(1) प्रादेशिक भार प्रेषण केन्द्र, ऐसे निदेश दे सकेगा और ऐसा पर्यवेक्षण तथा नियंत्रण कर सकेगा जो ग्रिड प्रचालनों के स्थायित्व को सुनिश्चित करने के लिए और उसके नियंत्रणाधीन प्रदेश में विद्युत प्रणाली के प्रचालन में अधिकतम मितव्ययिता और दक्षता प्राप्त करने के लिए अपेक्षित हो।

(2) प्रत्येक अनुज्ञप्तिधारी, उत्पादन कंपनी, उत्पादन केन्द्र, उपकेन्द्र और विद्युत प्रणाली के प्रचालन से जुड़ा कोई अन्य व्यक्ति, प्रादेशिक भार प्रेषण केन्द्रों द्वारा उपधारा (1) के अधीन जारी किए गए निदेशों का अनुपालन करेगा।

(3) प्रादेशिक भार प्रेषण केन्द्रों द्वारा राज्य पारेषण लाइनों के किसी पारेषण अनुज्ञप्तिधारी या राज्य के किसी अन्य अनुज्ञप्तिधारी या उत्पादन कंपनी (उनसे भिन्न जो अंतरराज्यिक पारेषण प्रणाली से जुड़े हुए हैं) या राज्य में उपकेन्द्र को जारी किए जाने वाले सभी निदेश, राज्य भार प्रेषण केन्द्र की मार्फत जारी किए जाएंगे और राज्य भार प्रेषण केन्द्र यह सुनिश्चित करेंगे कि ऐसे निदेशों का अनुज्ञप्तिधारी या उत्पादन कंपनी या उपकेन्द्र द्वारा सम्यक् रूप से अनुपालन किया जाता है।

(4) किसी प्रदेश में प्रादेशिक विद्युत समिति, समय-समय पर उस प्रदेश में समाकलित ग्रिड के स्थायित्व और प्रचालन और विद्युत प्रणाली के प्रचालन में मितव्ययिता तथा दक्षता से संबंधित विषयों पर अपनी सहमति दे सकेगी।

(5) यदि कोई विवाद, विद्युत की क्वालिटी या प्रादेशिक ग्रिड के सुरक्षित, सुनिश्चित और समाकलित प्रचालन के संदर्भ में या उपधारा (1) के अधीन दिए गए किसी निदेश के संबंध में उत्पन्न होता है, तो उसे केन्द्रीय आयोग को विनिश्चय के लिए निर्दिष्ट किया जाएगा :

परंतु केन्द्रीय आयोग का विनिश्चय होने तक, प्रादेशिक भार प्रेषण केन्द्र के निदेशों का, यथास्थिति, राज्य भार प्रेषण केन्द्र या अनुज्ञप्तिधारी या उत्पादन कंपनी द्वारा अनुपालन किया जाएगा।

(6) यदि कोई अनुज्ञप्तिधारी, उत्पादन कंपनी या कोई अन्य व्यक्ति, उपधारा (2) या उपधारा (3) के अधीन जारी किए गए निदेशों का पालन करने में असफल रहता है तो वह पन्द्रह लाख रुपयों से अनधिक की शास्ति का दायी होगा।

#### अंतःराज्यिक पारेषण

**30. किसी राज्य के भीतर पारेषण—**राज्य आयोग, विद्युत के मितव्ययी और दक्षतापूर्ण उपयोग द्वारा विद्युत के पारेषण और प्रदाय के लिए अपनी राज्यक्षेत्रीय अधिकारिता के भीतर पारेषण, चक्रण और अंतरसंयोजन व्यवस्थाओं को सुकर बनाएगा और उनका संवर्धन करेगा।

**31. राज्य भार प्रेषण केन्द्रों का गठन—**(1) राज्य सरकार, इस भाग के अधीन शक्तियों का प्रयोग और कृत्यों का निर्वहन करने के प्रयोजनों के लिए एक केन्द्र स्थापित करेगी, जिसे राज्य भार प्रेषण केन्द्र कहा जाएगा।

(2) राज्य भार प्रेषण केन्द्र का प्रचालन, किसी सरकारी कंपनी या किसी राज्य अधिनियम द्वारा या उसके अधीन स्थापित या गठित किसी प्राधिकरण या निगम द्वारा, जिसे राज्य सरकार द्वारा अधिसूचित किया जाए, किया जाएगा :

परंतु राज्य सरकार द्वारा, सरकारी कंपनी या किसी प्राधिकरण या निगम के अधिसूचित किए जाने तक, राज्य पारेषण उपयोगिता, राज्य भार प्रेषण केन्द्र का प्रचालन करेगी :

परंतु यह और कि कोई भी राज्य भार प्रेषण केन्द्र, विद्युत व्यापार के कारबार में नहीं लगेगा।

**32. राज्य भार प्रेषण केन्द्रों के कृत्य—**(1) राज्य भार प्रेषण केन्द्र, राज्य में विद्युत प्रणाली का समाकलित प्रचालन सुनिश्चित करने के लिए शीर्षस्थ निकाय होगा।

(2) राज्य भार प्रेषण केन्द्र—

(क) राज्य में प्रचालन करने वाले अनुज्ञप्तिधारियों या उत्पादन कंपनियों के साथ की गई संविदाओं के अनुसार राज्य के भीतर विद्युत के अधिकतम निर्धारण और प्रेषण के लिए उत्तरदायी होगा ;

(ख) ग्रिड संक्रियाओं को मानीटर करेगा ;

(ग) राज्य ग्रिड के माध्यम से पारेषित विद्युत की मात्रा का लेखा रखेगा ;

(घ) अंतरराज्यिक पारेषण प्रणाली का पर्यवेक्षण और नियंत्रण करेगा ; और

(ङ) ग्रिड मानकों और राज्य ग्रिड कोड के अनुसार राज्य ग्रिड के सुरक्षित और मितव्ययी प्रचालन के द्वारा राज्य के भीतर विद्युत के ग्रिड नियंत्रण और प्रेषण के लिए यथार्थिक समय प्रचालनों के लिए उत्तरदायी होगा।

(3) राज्य भार प्रेषण केन्द्र, विद्युत के अंतःराज्यिक पारेषण में लगी उत्पादन कंपनियों और अनुज्ञप्तिधारियों पर ऐसी फीस और प्रभार उद्गृहीत तथा उनसे संगृहीत कर सकेगा जो राज्य आयोग द्वारा विनिर्दिष्ट किए जाएं।

**33. निदेशों का अनुपालन—**(1) किसी राज्य में राज्य भार प्रेषण केन्द्र ऐसे निदेश दे सकेगा और ऐसा पर्यवेक्षण तथा नियंत्रण कर सकेगा जो समाकलित ग्रिड प्रचालन सुनिश्चित करने के लिए और उस राज्य में विद्युत प्रणाली के प्रचालन में अधिकतम मितव्ययिता और दक्षता प्राप्त करने के लिए अपेक्षित हो।

(2) प्रत्येक अनुज्ञप्तिधारी, उत्पादन कंपनी, उत्पादन केंद्र, उपकेंद्र और विद्युत प्रणाली के प्रचालन से जुड़ा कोई अन्य व्यक्ति, राज्य भार प्रेषण केंद्र द्वारा उपधारा (1) के अधीन जारी किए गए निदेशों का अनुपालन करेगा।

(3) राज्य भार प्रेषण केंद्र प्रादेशिक भार प्रेषण केंद्र के निदेशों का अनुपालन करेंगे।

(4) यदि कोई विवाद, विद्युत की क्वालिटी या राज्य ग्रिड के सुरक्षित, सुनिश्चित और समाकलित प्रचालन के संदर्भ में या उपधारा (1) के अधीन दिए गए किसी निदेश के संबंध में उत्पन्न होता है, तो उसे राज्य आयोग को विनिश्चय के लिए निर्दिष्ट किया जाएगा :

परंतु राज्य आयोग का विनिश्चय होने तक, राज्य भार प्रेषण केंद्र के निदेशों का अनुज्ञप्तिधारी या उत्पादन कंपनी द्वारा अनुपालन किया जाएगा।

(5) यदि कोई अनुज्ञप्तिधारी, उत्पादक कंपनी या कोई अन्य व्यक्ति उपधारा (1) के अधीन जारी किए गए निदेशों का पालन करने में असफल रहेगा तो वह पांच लाख रुपये से अनधिक की शास्ति का दायी होगा।

### पारेषण से संबंधित अन्य उपबंध

**34. ग्रिड मानक**—प्रत्येक पारेषण अनुज्ञप्तिधारी, ग्रिड मानकों के अनुसार पारेषण लाइनों के प्रचालन और अनुरक्षण के ऐसे तकनीकी मानकों का अनुपालन करेगा जो प्राधिकरण द्वारा विनिर्दिष्ट किए जाएं।

**35. मध्यवर्ती पारेषण सुविधाएं**—समुचित आयोग, किसी अनुज्ञप्तिधारी के आवेदन पर, आदेश द्वारा, मध्यवर्ती पारेषण सुविधाओं का स्वामित्व रखने वाले या प्रचालन करने वाले किसी अन्य अनुज्ञप्तिधारी से यह अपेक्षा कर सकेगा कि वह, ऐसे अनुज्ञप्तिधारी के पास उपलब्ध अधिशेष क्षमता की सीमा तक ऐसी सुविधाओं के उपयोग की व्यवस्था करे :

परंतु यह कि अनुज्ञप्तिधारी के पास उपलब्ध अधिशेष क्षमता की सीमा से संबंधित किसी विवाद का न्यायनिर्णयन समुचित आयोग द्वारा किया जाएगा।

**36. मध्यवर्ती पारेषण सुविधाओं के लिए प्रभार**—(1) प्रत्येक अनुज्ञप्तिधारी धारा 35 के अधीन किसी आदेश के किए जाने पर अपनी मध्यवर्ती पारेषण सुविधाएं ऐसी दरों, प्रभारों और ऐसे निबंधनों तथा शर्तों पर, जो पारस्परिक रूप से तय पाई जाएं, उपलब्ध कराएगा :

परन्तु समुचित आयोग, रेट, प्रभार और निबंधन तथा शर्तें विनिर्दिष्ट कर सकेगा यदि ये अनुज्ञप्तिधारियों द्वारा पारस्परिक रूप से तय न पाई जाएं।

(2) उपधारा (1) में निर्दिष्ट दरें, प्रभार और निबंधन तथा शर्तें, ऋजु और युक्तियुक्त होंगी और ऐसी सुविधाओं के उपयोग के अनुपात में आबंटित की जा सकेंगी।

**स्पष्टीकरण**—धारा 35 और धारा 36 के प्रयोजनों के लिए, “मध्यवर्ती पारेषण सुविधा” पद से किसी अनुज्ञप्तिधारी के स्वामित्वाधीन या उसके द्वारा प्रचालित विद्युत लाइनें अभिप्रेत हैं जहां ऐसी विद्युत लाइनों का विद्युत पारेषित करने के लिए किसी अन्य अनुज्ञप्तिधारी के लिए और उसकी ओर से उसके अनुरोध पर और टैरिफ या प्रभार के संदाय पर उपयोग किया जा सकता है।

**37. समुचित सरकार द्वारा निदेश**—समुचित सरकार, यथास्थिति, प्रादेशिक भार प्रेषण केंद्रों या राज्य भार प्रेषण केंद्रों को, ऐसे उपाय करने के लिए निदेश जारी कर सकेगी जो किसी प्रदेश या राज्य में विद्युत का निर्बाध और स्थायी पारेषण और प्रदाय बनाए रखने के लिए आवश्यक हों।

**38. केंद्रीय पारेषण उपयोगिता और उसके कृत्य**—(1) केंद्रीय सरकार, किसी सरकारी कंपनी को केंद्रीय पारेषण उपयोगिता के रूप में अधिसूचित कर सकेगी :

परंतु केंद्रीय पारेषण उपयोगिता, विद्युत के उत्पादन या विद्युत व्यापार के कारबार में नहीं लगेगी :

परंतु यह और कि केंद्रीय सरकार, ऐसी केंद्रीय पारेषण उपयोगिता के विद्युत के पारेषण से संबंधित किसी संपत्ति, संपत्ति में हित, अधिकार और दायित्व और उसमें अंतर्बलित कार्मिक को कंपनी अधिनियम, 1956 (1956 का 1) के अधीन निगमित की जाने वाली किसी कंपनी या कंपनियों को, पारेषण अनुज्ञप्तिधारी के रूप में कृत्य करने के लिए भाग 13 के अधीन विनिर्दिष्ट रीति में बनाई गई अंतरण स्कीम द्वारा अंतरित और उनमें निहित कर सकेगी और ऐसी कंपनी या कंपनियां, इस अधिनियम के अधीन पारेषण अनुज्ञप्तिधारी समझी जाएंगी।

(2) केंद्रीय पारेषण उपयोगिता के कृत्य निम्नलिखित होंगे—

(क) अंतरराज्यिक पारेषण प्रणाली के द्वारा विद्युत का पारेषण करना;

(ख) निम्नलिखित के साथ अंतरराज्यिक पारेषण प्रणाली से संबंधित योजना और समन्वय के सभी कृत्यों का निर्वहन करना—

(i) राज्य पारेषण उपयोगिताएं;



- (ii) केंद्रीय सरकार;
  - (iii) राज्य सरकारें;
  - (iv) उत्पादन कंपनियां;
  - (v) प्रादेशिक विद्युत समितियां;
  - (vi) प्राधिकरण;
  - (vii) अनुज्ञप्तिधारी;
  - (viii) केंद्रीय सरकार द्वारा इस निमित्त अधिसूचित कोई अन्य व्यक्ति;

(ग) उत्पादन केंद्रों से भार केंद्रों को विद्युत के निर्बाध प्रवाह के लिए अंतरराज्यिक पारेषण लाइनों की दक्ष, समन्वित और मितव्ययी प्रणाली का विकास सुनिश्चित करना;

(घ) अपनी पारेषण प्रणाली तक अविभेदकारी निर्बाध पहुंच,—

  - (i) किसी अनुज्ञप्तिधारी या उत्पादन कंपनी द्वारा पारेषण प्रभागों के संदाय पर; या
  - (ii) किसी उपभोक्ता द्वारा जब कभी ऐसी निर्बाध पहुंच धारा 42 की उपधारा (2) के अधीन राज्य आयोग द्वारा प्रदान की जाए, पारेषण प्रभागों और उस पर ऐसे अधिभार के संदाय पर जो केन्द्रीय आयोग द्वारा विनिर्दिष्ट किया जाए,

उपयोग के लिए प्रदान करना :

परंतु, ऐसे अधिभार का उपयोग, करेंट लैवल प्रति-सहायिकी की अपेक्षा को पूरा करने के प्रयोजन के लिए किया जाएगा :

परंतु यह और कि ऐसे अधिभार और प्रति-सहायिकी को ऐसी रीति में <sup>1</sup>[उत्तरोत्तर घटाया जाएगा] जो केन्द्रीय आयोग द्वारा विनिर्दिष्ट की जाए :

|    |   |   |   |   |
|----|---|---|---|---|
| 2* | * | * | * | * |
|----|---|---|---|---|

परंतु यह भी कि अधिभार के संदाय और उपयोग की रीति केन्द्रीय आयोग द्वारा विनिर्दिष्ट की जाएगी :

परंतु यह भी कि ऐसा अधिभार उस दशा में उद्बहणीय नहीं होगा जब किसी ऐसे व्यक्ति को निर्बाध पहुंच प्रदान की जाती है जिसने अपने उपयोग के गंतव्य तक विद्युत ले जाने के लिए कोई आवश्यक उत्पादन संयंत्र स्थापित किया है ।

**39. राज्य पारेषण उपयोगिता और उसके कृत्य—**(1) राज्य सरकार, बोर्ड या किसी सरकारी कंपनी को राज्य पारेषण उपयोगिता के रूप में अधिसूचित कर सकेगी :

परंतु राज्य पारेषण उपयोगिता विद्युत व्यापार के कारबार में नहीं होगी :

परंतु यह और कि राज्य सरकार, ऐसी राज्य पारेषण उपयोगिता के विद्युत के पारेषण से संबंधित किसी संपत्ति, संपत्ति में हित, अधिकार और दायित्व और उसमें अंतर्वलित कार्मिक को कंपनी अधिनियम, 1956 (1956 का 1) के अधीन निगमित की जाने वाली किसी कंपनी या कंपनियों को पारेषण अनुज्ञप्तिधारी के रूप में कृत्य करने के लिए भाग 13 के अधीन विनिर्दिष्ट रीति में बनाई गई अंतरण स्कीम द्वारा अंतरित और उनमें निहित कर सकेगी और ऐसी कंपनी या कंपनियां, इस अधिनियम के अधीन पारेषण अनुज्ञप्तिधारी समझी जाएंगी ।

(2) राज्य पारेषण उपयोगिता के कृत्य निम्नलिखित होंगे—

  - (क) अंतरराज्यिक पारेषण प्रणाली के द्वारा विद्युत का पारेषण करना ;
  - (ख) निम्नलिखित के साथ अंतरराज्यिक पारेषण प्रणाली से संबंधित योजना और समन्वय के सभी कृत्यों का निर्वहन करना—
  - (i) केंद्रीय पारेषण उपयोगिता;
  - (ii) राज्य सरकारें;
  - (iii) उत्पादन कंपनियां;

(iv) प्रादेशिक विद्युत समितियां;

(v) प्राधिकरण;

(vi) अनुज्ञप्तिधारी;

(vii) राज्य सरकार द्वारा इस निमित्त अधिसूचित कोई अन्य व्यक्ति;

(ग) उत्पादन केन्द्र से भार केन्द्रों को विद्युत के निर्बाध प्रवाह के लिए अंतःराज्यिक पारेषण लाइनों की दक्ष, समन्वित और मितव्ययी प्रणाली का विकास सुनिश्चित करना;

(घ) अपनी पारेषण प्रणाली तक अविभेदकारी निर्बाध पहुंच, —

(i) किसी अनुज्ञप्तिधारी या उत्पादन कंपनी द्वारा पारेषण प्रभारों के संदाय पर; या

(ii) किसी उपभोक्ता द्वारा जब कभी ऐसी निर्बाध पहुंच धारा 42 की उपधारा (2) के अधीन राज्य आयोग द्वारा प्रदान की जाए, पारेषण प्रभारों और उस पर ऐसे अधिभार के संदाय पर जो राज्य आयोग द्वारा विनिर्दिष्ट किया जाए,

उपयोग के लिए प्रदान करना :

परंतु ऐसे अधिभार का उपयोग करेंट लैवल प्रति-सहायिकी की अपेक्षा को पूरा करने के प्रयोजन के लिए किया जाएगा :

परंतु यह और कि ऐसा अधिभार और प्रति-सहायिकी को ऐसी रीति में <sup>1</sup>[उत्तरोत्तर घटाया जाएगा] जो राज्य आयोग द्वारा विनिर्दिष्ट की जाए :

2\* \* \* \*

परंतु यह भी कि अधिभार के संदाय और उपयोग की रीति राज्य आयोग द्वारा विनिर्दिष्ट की जाएगी :

परंतु यह भी कि ऐसा अधिभार उस दशा में उद्धृणीय नहीं होगा जब किसी ऐसे व्यक्ति को निर्बाध पहुंच प्रदान की जाती है जिसने अपने उपयोग के गंतव्य तक विद्युत ले जाने के लिए कोई आबद्ध उत्पादन संयंत्र स्थापित किया है।

**40. पारेषण अनुज्ञप्तिधारियों के कर्तव्य**—किसी पारेषण अनुज्ञप्तिधारी का यह कर्तव्य होगा कि वह—

(क) यथास्थिति, दक्ष, समन्वित और मितव्ययी अंतरराज्यिक पारेषण प्रणाली या अंतरराज्यिक पारेषण प्रणाली का निर्माण करे, उसका अनुरक्षण करे और उसे प्रचालित करे;

(ख) यथास्थिति, प्रादेशिक भार प्रेषण केन्द्र और राज्य भार प्रेषण केन्द्र के निदेशों का अनुपालन करे;

(ग) अपनी पारेषण प्रणाली तक अविभेदकारी निर्बाध पहुंच,—

(i) किसी अनुज्ञप्तिधारी या उत्पादन कंपनी द्वारा पारेषण प्रभारों के संदाय पर; या

(ii) किसी उपभोक्ता द्वारा जब कभी ऐसी निर्बाध पहुंच धारा 42 की उपधारा (2) के अधीन राज्य आयोग द्वारा प्रदान की जाए, पारेषण प्रभारों और उस पर ऐसे अधिभार के संदाय पर जो केन्द्रीय आयोग द्वारा विनिर्दिष्ट किया जाए,

उपयोग के लिए प्रदान करना :

परंतु ऐसे अधिभार का उपयोग करेंट लैवल प्रति-सहायिकी की अपेक्षा को पूरा करने के प्रयोजन के लिए किया जाएगा :

परंतु यह और कि ऐसे अधिभार और प्रति-सहायिकी को ऐसी रीति में <sup>3</sup>[उत्तरोत्तर घटाया जाएगा] जो समुचित आयोग द्वारा विनिर्दिष्ट की जाए :

4\* \* \* \*

परंतु यह भी कि अधिभार के संदाय और उपयोग की रीति समुचित आयोग द्वारा विनिर्दिष्ट की जाएगी :

<sup>1</sup> 2007 के अधिनियम सं० 26 की धारा 5 द्वारा प्रतिस्थापित।

<sup>2</sup> 2007 के अधिनियम सं० 26 की धारा 5 द्वारा लोप किया गया।

<sup>3</sup> 2007 के अधिनियम सं० 26 की धारा 6 द्वारा प्रतिस्थापित।

<sup>4</sup> 2007 के अधिनियम सं० 26 की धारा 6 द्वारा लोप किया गया।

परंतु यह भी कि ऐसा अधिभार उस दशा में उद्बुहणीय नहीं होगा जब किसी ऐसे व्यक्ति को निर्बाध पहुंच प्रदान की जाती है जिसने अपने उपयोग के गंतव्य तक विद्युत ले जाने के लिए कोई आबद्ध उत्पादन संयंत्र स्थापित किया है।

**41. पारेषण अनुज्ञप्तिधारी का अन्य कारबार**—पारेषण अनुज्ञप्तिधारी, समुचित आयोग को पूर्व सूचना देकर अपनी आस्तियों के अधिकतम उपयोग के लिए किसी कारबार में लग सकेगा :

परंतु ऐसे कारबार से व्युत्पन्न राजस्व का एक भाग समुचित आयोग द्वारा विनिर्दिष्ट किए गए अनुसार पारेषण और चक्रण संबंधी अपने प्रभारों को कम करने के लिए उपयोग में लाया जाएगा :

परंतु यह और कि पारेषण अनुज्ञप्तिधारी प्रत्येक ऐसे कारबार उपक्रम के लिए पृथक् लेखा यह सुनिश्चित करने के लिए रखेगा कि पारेषण कारबार किसी भी रूप में ऐसे कारबार उपक्रम को न तो सहायिकी प्रदान करता है और न ही ऐसे कारबार को किसी भी रूप में सहायता देने के लिए अपनी पारेषण आस्तियों को विल्लंगमित करता है :

परंतु यह भी कि कोई पारेषण अनुज्ञप्तिधारी न तो कोई संविदा करेगा और न ही अन्यथा किसी विद्युत व्यापार के कारबार में लगेगा।

## भाग 6

### विद्युत का वितरण

#### वितरण अनुज्ञप्तिधारियों के बारे में उपबंध

**42. वितरण अनुज्ञप्तिधारी के कर्तव्य और निर्बाध पहुंच**—(1) किसी वितरण अनुज्ञप्तिधारी का यह कर्तव्य होगा कि वह अपने प्रदाय क्षेत्र में एक दक्ष, समन्वित और मितव्ययी वितरण विकसित करे और उसका अनुरक्षण करे तथा इस अधिनियम में अंतर्विष्ट उपबंधों के अनुसार विद्युत का प्रदाय करे।

(2) राज्य आयोग निर्बाध प्रवेश ऐसे चरणों में और ऐसी शर्तों के अधीन रहते हुए (जिसके अंतर्गत प्रति-सहायिकी और अन्य प्रचालन अवरोध भी हैं) आरंभ करेगा जो नियत तारीख से एक वर्ष के भीतर उसके द्वारा विनिर्दिष्ट की जाएं और उत्तरोत्तर चरणों में निर्बाध पहुंच की सीमा को विनिर्दिष्ट करने में और चक्रण के लिए प्रभारों का अवधारण करने में, वह सभी सुसंगत तथ्यों, जिनके अंतर्गत ऐसी प्रति-सहायिकी और अन्य प्रचालन अवरोध भी हैं, सम्यक् रूप से विचार करेगा :

परंतु ऐसी निर्बाध पहुंच राज्य आयोग द्वारा यथा अवधारित चक्रण के लिए प्रभारों के अलावा। [किसी अधिभार का संदाय करने पर अनुज्ञात की जाएगी:]

परंतु यह और कि ऐसे अधिभार का उपयोग, वितरण अनुज्ञप्तिधारी के प्रदाय क्षेत्र के भीतर करंट लैवल की प्रति-सहायिकी की अपेक्षाओं को पूरा करने के लिए किया जाएगा :

परंतु यह भी कि ऐसा अधिभार और प्रति-सहायिकी राज्य आयोग द्वारा विनिर्दिष्ट की गई रीति से उत्तरोत्तर घटाई 2\* \* \* जाएगी।

परंतु यह भी कि ऐसा अधिभार ऐसे मामले में उद्बुहणीय नहीं होगा जहां निर्बाध पहुंच ऐसे व्यक्ति को प्रदान की जाती है जिसने विद्युत को अपने स्वयं के उपयोग के गंतव्य तक ले जाने हेतु आबद्ध उत्पादन संयंत्र स्थापित किया है :

<sup>3</sup>[परंतु यह भी कि राज्य आयोग, विद्युत (संशोधन) अधिनियम, 2003 के प्रारंभ की तारीख से पांच वर्ष के अपश्चात् ऐसे सभी उपभोक्ताओं के लिए, जो विद्युत के प्रदाय की अपेक्षा करते हैं, वहां ऐसे निर्बाध प्रवेश का विनियमों द्वारा उपबंध करेगा जहां किसी समय उपलब्ध कराई जाने वाली अधिकतम विद्युत एक मैगावाट से अधिक है।]

(3) जहां कोई व्यक्ति, जिसका परिसर किसी वितरण अनुज्ञप्तिधारी के (जो नियत दिन से पूर्व विद्युत के वितरण के कारबार में लगा स्थानीय प्राधिकारी नहीं है) प्रदाय क्षेत्र के भीतर स्थित है, ऐसे वितरण अनुज्ञप्तिधारी से भिन्न किसी उत्पादन कंपनी या किसी अनुज्ञप्तिधारी से विद्युत के प्रदाय की अपेक्षा करता है वहां ऐसा व्यक्ति, वितरण अनुज्ञप्तिधारी से, सूचना द्वारा, राज्य आयोग द्वारा बनाए गए विनियमों के अनुसार ऐसी विद्युत के चक्रण की अपेक्षा कर सकेगा और ऐसे प्रदाय की बाबत वितरण अनुज्ञप्तिधारी के ऐसे कर्तव्य होंगे जो किसी ऐसे साधारण वाहक के हैं जो अविभेदकारी निर्बाध पहुंच का उपबंध करते हैं।

(4) जहां राज्य आयोग किसी उपभोक्ता या उपभोक्ताओं के वर्ग को, अपने प्रदाय क्षेत्र के वितरण अनुज्ञप्तिधारी से भिन्न किसी व्यक्ति से विद्युत प्रदाय प्राप्त करने के लिए अनुज्ञात करता है वहां ऐसा उपभोक्ता ऐसे वितरण अनुज्ञप्तिधारी की प्रदाय करने की बाध्यता से उद्भूत नियत लागत को पूरा करने के लिए राज्य आयोग द्वारा विनिर्दिष्ट चक्रण प्रभारों पर अतिरिक्त अधिभार का संदाय करने का दायी होगा।

<sup>1</sup> 2007 के अधिनियम सं० 26 की धारा 7 द्वारा प्रतिस्थापित।

<sup>2</sup> 2007 के अधिनियम सं० 26 की धारा 7 द्वारा लोप किया गया।

<sup>3</sup> 2003 के अधिनियम सं० 57 की धारा 3 द्वारा अंतःस्थापित।

(5) प्रत्येक वितरण अनुज्ञप्तिधारी, नियत दिन से या अनुज्ञप्ति मंजूर किए जाने की तारीख से, इनमें जो पूर्वतर हो, छह मास के भीतर उपभोक्ताओं की शिकायतों को दूर करने के लिए ऐसे मार्गदर्शक सिद्धान्तों के अनुसार, जो राज्य आयोग द्वारा विनिर्दिष्ट किए जाएं, एक मंच की स्थापना करेगा।

(6) ऐसा कोई उपभोक्ता, जो उपधारा (5) के अधीन अपनी शिकायतों का प्रतितोष नहीं मिलने के कारण व्यथित है, ऐसे प्राधिकारी को अपनी शिकायतों के प्रतितोष के लिए अभ्यावेदन कर सकेगा जो ओम्बुड्समैन के नाम से ज्ञात हो और जिसे राज्य आयोग द्वारा नियुक्त या पदाभिहित किया जाएगा।

(7) ओम्बुड्समैन, उपभोक्ता की शिकायतों को ऐसे समय के भीतर और ऐसी रीति से तय करेगा जो राज्य आयोग द्वारा विनिर्दिष्ट की जाए।

(8) उपधारा (5), उपधारा (6) और उपधारा (7) के उपबंध ऐसे अधिकार पर प्रतिकूल प्रभाव नहीं डालेंगे जो उपभोक्ता को उन उपधाराओं द्वारा उसे प्रदत्त अधिकारों से अलग हों।

**43. अनुरोध पर प्रदाय करने का कर्तव्य**—<sup>1</sup>[(1) इस अधिनियम में यथा अन्यथा उपबंधित के सिवाय, प्रत्येक वितरण] अनुज्ञप्तिधारी, किसी परिसर के स्वामी या अधिभोगी द्वारा आवेदन किए जाने पर, ऐसे परिसरों को ऐसे प्रदाय की अपेक्षा करने वाले आवेदन की प्राप्ति की तारीख से एक मास के भीतर, विद्युत का प्रदाय करेगा :

परन्तु जहां ऐसे प्रदाय में वितरण मुख्य तारों का विस्तार करना या नए उपकेन्द्र आरंभ करना अपेक्षित है वहां वितरण अनुज्ञप्तिधारी ऐसा विस्तार या आरंभ करने के तुरंत पश्चात् या ऐसी अवधि के भीतर, जो समुचित आयोग द्वारा विनिर्दिष्ट की जाए, ऐसे परिसर को विद्युत का प्रदाय करेगा :

परन्तु यह और कि ऐसे ग्राम या उपग्राम या क्षेत्र की दशा में, जिनमें विद्युत प्रदाय के लिए कोई व्यवस्था विद्यमान नहीं है, समुचित आयोग, उक्त अवधि को ऐसी अवधि के लिए विस्तारित कर सकेगा जिसे ऐसे ग्राम या उपग्राम या क्षेत्र के विद्युतीकरण के लिए वह आवश्यक समझे।

<sup>2</sup>[**स्पष्टीकरण**—इस उपधारा के प्रयोजनों के लिए, “आवेदन” से ऐसा आवेदन अभिप्रेत है, जो आवश्यक प्रभारों के संदाय और अन्य अनुपालनों को दर्शाने वाले दस्तावेजों सहित, वितरण अनुज्ञप्तिधारी द्वारा यथा अपेक्षित समुचित प्ररूप में सभी प्रकार से पूर्ण है।]

(2) प्रत्येक वितरण अनुज्ञप्तिधारी का, यदि अपेक्षित हो, उपधारा (1) में विनिर्दिष्ट परिसर में विद्युत उपलब्ध कराने के लिए विद्युत संयंत्र या विद्युत लाइन का उपबंध करने का कर्तव्य होगा :

परन्तु कोई व्यक्ति किसी अनुज्ञप्तिधारी से ऐसे किसी परिसर के लिए जहां पृथक् रूप से प्रदाय किया जाता है, विद्युत प्रदाय की मांग करने या प्राप्त करते रहने का तब तक हकदार नहीं होगा जब तक कि उसने अनुज्ञप्तिधारी के साथ ऐसी कीमत जो समुचित आयोग द्वारा अवधारित की जाए, के संदाय का करार न किया हो।

(3) यदि कोई वितरण अनुज्ञप्तिधारी, उपधारा (1) में विनिर्दिष्ट अवधि के भीतर विद्युत प्रदाय करने में असफल रहता है, तो वह ऐसी शास्ति के लिए दायी होगा जो व्यतिक्रम के प्रत्येक दिन के लिए एक हजार रुपए तक हो सकेगी।

**44. विद्युत प्रदाय करने के कर्तव्य के अपवाद**—धारा 43 की किसी बात से किसी परिसर को विद्युत का प्रदाय करने के लिए किसी वितरण अनुज्ञप्तिधारी से अपेक्षा नहीं की जाएगी यदि वह ऐसा करने से चक्रवात, बाढ़, तूफान या उसके नियंत्रण से परे अन्य घटनाओं के कारण निवारित हो गया है।

**45. प्रभारों को वसूल करने की शक्ति**—(1) इस धारा के उपबंधों के अधीन रहते हुए, धारा 43 के अनुसरण में उसके वितरण अनुज्ञप्तिधारी द्वारा विद्युत के प्रदाय के लिए प्रभारित कीमत ऐसे टैरिफ, जो समय-समय पर नियत किया जाए और उसकी अनुज्ञप्ति की शर्तों के अनुसार होगी।

(2) किसी वितरण अनुज्ञप्तिधारी द्वारा प्रदाय की गई विद्युत के प्रभार—

(क) ऐसी पद्धति और सिद्धान्तों के अनुसार नियत किए जाएंगे जो संबंधित राज्य द्वारा विनिर्दिष्ट किए जाएं ;

(ख) ऐसी रीति में प्रकाशित किए जाएंगे जिससे ऐसे प्रभारों और कीमतों को पर्याप्त प्रचार मिले।

(3) किसी वितरण अनुज्ञप्तिधारी द्वारा प्रदाय की गई विद्युत के प्रभारों में निम्नलिखित सम्मिलित हो सकेंगे,—

(क) वास्तविक रूप से प्रदाय की गई विद्युत के लिए प्रभार के अतिरिक्त कोई नियत प्रभार ;

(ख) विद्युत अनुज्ञप्तिधारी द्वारा उपलब्ध कराए गए किसी विद्युत मीटर या विद्युत संयंत्र की बाबत कोई किराया या अन्य प्रभार।

<sup>1</sup> 2007 के अधिनियम सं० 26 की धारा 8 द्वारा प्रतिस्थापित।

<sup>2</sup> 2007 के अधिनियम सं० 26 की धारा 8 द्वारा अंतःस्थापित।

(4) धारा 62 के उपबंधों के अधीन रहते हुए, इस धारा के अधीन प्रभार नियत करते समय कोई वितरण अनुज्ञप्तिधारी किसी व्यक्ति या व्यक्तियों के वर्ग को कोई असम्यक् अधिमान नहीं देगा या पक्षपात नहीं करेगा।

(5) वितरण अनुज्ञप्तिधारी द्वारा नियत प्रभार, इस अधिनियम के उपबंधों और सम्बद्ध राज्य आयोग द्वारा इस निमित्त बनाए गए विनियमों के अनुसार होंगे।

**46. व्यय वसूल करने की शक्ति**—राज्य आयोग, विनियमों द्वारा, किसी वितरण अनुज्ञप्तिधारी को, धारा 43 के अनुसरण में विद्युत के प्रदाय की अपेक्षा करने वाले व्यक्ति से उस प्रदाय को देने के प्रयोजन के लिए प्रयोग की गई किसी विद्युत लाइन या विद्युत संयंत्र को उपलब्ध कराने में युक्तियुक्त रूप से उपगत किन्हीं व्ययों को प्रभारित करने के लिए, प्राधिकृत कर सकेगा।

**47. प्रतिभूति की अपेक्षा करने की शक्ति**—(1) इस धारा के उपबंधों के अधीन रहते हुए, कोई वितरण अनुज्ञप्तिधारी किसी व्यक्ति से, जो धारा 43 के अनुसरण में विद्युत के प्रदाय की अपेक्षा करता है, उसको ऐसी युक्तियुक्त प्रतिभूति देने की अपेक्षा कर सकेगा जो ऐसे सभी धन के, जो निम्नलिखित के लिए, उसको देय हो जाएं, संदाय के लिए विनियमों द्वारा अवधारित की जाए—

(क) ऐसे व्यक्ति को प्रदाय की गई विद्युत की बाबत ; या

(ख) जहां ऐसे व्यक्ति को विद्युत प्रदाय के लिए कोई विद्युत लाइन या विद्युत संयंत्र या विद्युत मीटर उपलब्ध कराया जाना है, वहां ऐसी लाइन या संयंत्र या विद्युत मीटर उपलब्ध कराया जाना है, वहां ऐसी लाइन या संयंत्र या मीटर की बाबत,

और यदि वह व्यक्ति ऐसी प्रतिभूति देने में असफल रहता है, तो वितरण अनुज्ञप्तिधारी, यदि वह ठीक समझे, उस अवधि के लिए जिसके दौरान असफलता जारी रहती है, विद्युत का प्रदाय करने से या लाइन या संयंत्र या मीटर उपलब्ध कराने से इंकार कर सकेगा।

(2) जहां किसी व्यक्ति ने उपधारा (1) में उल्लिखित ऐसी प्रतिभूति नहीं दी है या किसी व्यक्ति द्वारा दी गई प्रतिभूति अविधिमान्य या अपर्याप्त हो गई है, वहां वितरण अनुज्ञप्तिधारी सूचना द्वारा, उस व्यक्ति से यह अपेक्षा कर सकेगा कि वह सूचना की तामील से तीस दिन के भीतर ऐसे सभी धन के संदाय के लिए जो विद्युत के प्रदाय या ऐसी लाइन या संयंत्र या मीटर की बाबत उसको देय हो जाएं, उसे युक्तियुक्त प्रतिभूति दे।

(3) यदि उपधारा (2) में निर्दिष्ट व्यक्ति ऐसी प्रतिभूति देने में असफल रहता है तो वितरण अनुज्ञप्तिधारी, यदि वह ठीक समझे, उस अवधि के लिए जिसके दौरान असफलता जारी रहती है विद्युत के प्रदाय को रोक सकेगा।

(4) वितरण अनुज्ञप्तिधारी, उपधारा (1) में निर्दिष्ट प्रतिभूति पर बैंक दर के बराबर या उससे अधिक व्याज का, जैसा संबद्ध राज्य आयोग विनिर्दिष्ट करे, संदाय करेगा और उस व्यक्ति के, जिसने ऐसी प्रतिभूति दी है, अनुरोध पर ऐसी प्रतिभूति लौटा देगा।

(5) कोई वितरण अनुज्ञप्तिधारी, उपधारा (1) के खंड (क) के अनुसरण में प्रतिभूति की अपेक्षा करने का हकदार नहीं होगा, यदि प्रदाय की अपेक्षा करने वाला व्यक्ति पूर्व संदाय मीटर के माध्यम से प्रदाय लेने के लिए तैयार हो जाता है।

**48. प्रदाय के अतिरिक्त निबंधन**—कोई वितरण अनुज्ञप्तिधारी किसी ऐसे व्यक्ति से, जो धारा 43 के अनुसरण में विद्युत के प्रदाय की अपेक्षा करता है, निम्नलिखित को स्वीकार करने की अपेक्षा कर सकेगा —

(क) कोई निबंधन, जो वितरण अनुज्ञप्तिधारी को धारा 53 के अधीन बनाए गए विनियमों का अनुपालन करने में समर्थ बनाने के प्रयोजन के लिए अधिरोपित किए जाएं;

(ख) उस व्यक्ति की उपेक्षा के परिणामस्वरूप हुई आर्थिक हानि के लिए जिसे विद्युत प्रदाय की गई है, वितरण अनुज्ञप्तिधारी के किसी दायित्व को निर्बंधित करने वाले कोई निबंधन।

**49. विद्युत के प्रदाय या क्रय की बाबत करार**—जहां समुचित आयोग ने धारा 42 के अधीन कतिपय उपभोक्ताओं को निर्बाध पहुंच अनुज्ञात की है वहां ऐसे उपभोक्ता, धारा 62 की उपधारा (1) के खंड (घ) में अंतर्विष्ट उपबंधों के होते हुए भी, विद्युत के ऐसे निबंधनों और शर्तों पर (टैरिफ सहित) जो ऐसे उपभोक्ताओं द्वारा ऐसे व्यक्ति के साथ करार की जाए, प्रदाय या क्रय के लिए किसी व्यक्ति के साथ करार कर सकेगा।

**50. विद्युत प्रदाय कोड**—<sup>1</sup>[राज्य आयोग, विद्युत प्रभारों की वसूली, विद्युत प्रभारों के बिलों के अंतरालों, उसके असंदाय के लिए विद्युत के प्रदाय की लाइन को काटने, विद्युत प्रदाय के प्रत्यावर्तन, विद्युत संयंत्र या विद्युत लाइन या मीटर को बिगाड़ने, नुकसान या क्षति को रोकने के लिए उपाय, प्रदाय की लाइन को काटने और मीटर को हटाने के लिए, वितरण अनुज्ञप्तिधारी या उसकी ओर से कार्य कर रहे किसी व्यक्ति के प्रवेश, विद्युत लाइनों या विद्युत संयंत्रों या मीटर को बदलने, परिवर्तित करने या उनके अनुरक्षण के लिए प्रवेश और ऐसे अन्य विषयों का उपबंध करने के लिए एक विद्युत प्रदाय कोड विनिर्दिष्ट करेगा।]

**51. वितरण अनुज्ञप्तिधारियों के अन्य कारबार**—वितरण अनुज्ञप्तिधारी, समुचित आयोग को पूर्व प्रज्ञापना देकर अपनी आस्तियों के अधिकतम उपयोग के लिए किसी कारबार में लग सकेगा :

<sup>1</sup> 2007 के अधिनियम सं० 26 की धारा 9 द्वारा प्रतिस्थापित।

परंतु ऐसे कारबार से व्युत्पन्न राजस्व का एक भाग, संबद्ध राज्य आयोग द्वारा विनिर्दिष्ट किए गए अनुसार, चक्रण संबंधी अपने प्रभारों को कम करने के लिए उपयोग में लाया जाएगा :

परंतु यह और कि वितरण अनुज्ञप्तिधारी, ऐसे प्रत्येक कारबार उपक्रम के लिए पृथक् लेखा यह सुनिश्चित करने के लिए रखेगा कि वितरण कारबार किसी भी रूप में ऐसे कारबार उपक्रम को न तो सहायिकी प्रदान करता है और न ही ऐसे कारबार को किसी भी रूप में सहायता देने के लिए अपनी वितरण आस्तियों को विल्लंगमित करता है :

परंतु यह भी इस धारा की कोई बात, इस अधिनियम के प्रारंभ के पूर्व, विद्युत के वितरण के कारबार में लगे किसी स्थानीय प्राधिकरण को लागू नहीं होगी ।

### विद्युत व्यापारियों के संबंध में उपबंध

**52. विद्युत व्यापारी के संबंध में उपबंध—**(1) धारा 12 के खंड (ग) में अंतर्विष्ट उपबंधों पर प्रतिकूल प्रभाव डाले बिना, समुचित आयोग, विद्युत व्यापारी होने के लिए तकनीकी अपेक्षा, पूंजी पर्याप्तता की अपेक्षा और प्रत्यय योग्यता विनिर्दिष्ट कर सकेगा ।

(2) प्रत्येक विद्युत व्यापारी, विद्युत के प्रदाय और व्यापार के संबंध में ऐसे कर्तव्यों का निर्वहन करेगा जो समुचित आयोग द्वारा विनिर्दिष्ट किए जाएं ।

### साधारणतया प्रदाय के संबंध में उपबंध

**53. सुरक्षा और विद्युत प्रदाय से संबंधित उपबंध—**प्राधिकरण, राज्य सरकार के परामर्श से, निम्नलिखित के लिए उपयुक्त उपाय विनिर्दिष्ट कर सकेगा—

(क) विद्युत के उत्पादन, पारेषण या वितरण या व्यापार से या प्रदाय की गई विद्युत के उपयोग से या किसी विद्युत लाइन या विद्युत संयंत्र के संस्थापन, रखरखाव या उपयोग से उत्पन्न खतरों से जनता की (जिसके अंतर्गत उत्पादन, पारेषण या वितरण या व्यापार में लगे व्यक्ति भी हैं) संरक्षा करना ;

(ख) किसी व्यक्ति को व्यक्तिगत क्षति के जोखिम या किसी व्यक्ति की संपत्ति को नुकसान या ऐसी सम्पत्ति के उपयोग में हस्तक्षेप को दूर करने या कम करने के लिए ;

(ग) ऐसी प्रणाली के माध्यम के सिवाय जो ऐसे विनिर्देशों के अनुरूप हो जो विनिर्दिष्ट किए जाएं, विद्युत के प्रदाय और पारेषण को प्रतिषिद्ध करना ;

(घ) दुर्घटनाओं और विद्युत के प्रदायों या पारेषणों की असफलता के बारे में समुचित आयोग और विद्युत निरीक्षक को विनिर्दिष्ट प्ररूप में सूचना देना ;

(ङ) विद्युत के प्रदाय या पारेषण से संबंधित मानचित्र, रेखांक और अनुभागों को किसी उत्पादन कंपनी या अनुज्ञप्तिधारी द्वारा रखा जाना ;

(च) प्राधिकरण द्वारा प्राधिकृत किसी व्यक्ति द्वारा या विद्युत निरीक्षक द्वारा या विनिर्दिष्ट फीस से संदाय पर किसी व्यक्ति द्वारा मानचित्रों, रेखांकों और अनुभागों का निरीक्षण ;

(छ) किसी उपभोक्ता के नियंत्रणाधीन किसी विद्युत लाइन या विद्युत संयंत्र या किसी विद्युत साधित्र के संबंध में व्यक्तिगत क्षति के जोखिम या संपत्ति को नुकसान या उसके प्रयोग में हस्तक्षेप को दूर करने या कम करने के प्रयोजन के लिए किए जाने वाली कार्रवाई विनिर्दिष्ट करना ।

**54. विद्युत के पारेषण और प्रयोग का नियंत्रण—**(1) इस अधिनियम के अधीन अन्यथा छूट प्राप्त के सिवाय, केन्द्रीय पारेषण उपयोगिता या राज्य पारेषण उपयोगिता, या किसी अनुज्ञप्तिधारी से भिन्न किसी व्यक्ति को,—

(क) किसी मार्ग पर, या

(ख) किसी ऐसे स्थान पर, —

(i) जिसमें 100 या उससे अधिक व्यक्तियों के आमतौर पर जमा होने की संभावना है, या

(ii) जो कारखाना अधिनियम, 1948 (1948 का 62) के अर्थान्तर्गत कारखाना है या खान अधिनियम, 1952 (1952 का 35) के अर्थान्तर्गत कोई खान है, या

(iii) जिसको राज्य सरकार, साधारण या विशेष आदेश द्वारा इस उपधारा के उपबंधों का लागू होना घोषित करे,

पारेषण के आरंभ या विद्युत के प्रयोग के पूर्व, यथास्थिति, विद्युत निरीक्षक और जिला मजिस्ट्रेट या पुलिस आयुक्त को अपने आशय की लिखित रूप में कम-से-कम सात दिन की सूचना दिए बिना जिसमें विद्युत स्थापन और संयंत्र, यदि कोई हो, की विशिष्टियां, प्रदाय की प्रकृति और प्रयोजन हो और इस अधिनियम के भाग 17 के ऐसे उपबंधों का जो लागू हो सकते हों, पालन करता हो, 250 वाट और 100 वोल्ट से अधिक दर पर विद्युत का पारेषण या उपयोग नहीं करेगा :

परंतु इस धारा की कोई बात, रेल अधिनियम, 1989 (1989 का 24) के उपबंधों के अधीन रहते हुए किसी रेल या ट्राम पर यात्रियों, जीव जन्तुओं या माल के सार्वजनिक वहन के लिए या किसी रेल या ट्राम के चल स्टाक की विद्युत व्यवस्था या संवातन के लिए प्रयुक्त विद्युत को लागू नहीं होगी।

(2) जहां इस बाबत कोई मतभेद या विवाद उत्पन्न होता है कि कोई स्थान ऐसा है या नहीं जहां 100 या उससे अधिक व्यक्तियों के सामान्य रूप से जमा होने की संभावना है वहां मामला राज्य सरकार को निर्दिष्ट किया जाएगा और उस पर राज्य सरकार का विनिश्चय अंतिम होगा।

(3) इस धारा के उपबंध सरकार पर आवद्धकर होंगे।

**55. मीटर का उपयोग, आदि—**(1) कोई अनुज्ञप्तिधारी प्राधिकरण द्वारा इस निमित्त बनाए जाने वाले विनियमों के अनुसार किसी सही मीटर के संस्थापन के माध्यम के सिवाय नियत तारीख से दो वर्ष की समाप्ति के पश्चात् विद्युत का प्रदाय नहीं करेगा :

परन्तु अनुज्ञप्तिधारी, उपभोक्ता से मीटर की कीमत के लिए प्रतिभूति देने और उसके किराए के लिए करार करने की अपेक्षा कर सकेगा, जब तक कि उपभोक्ता मीटर का क्रय करने का विकल्प न दे :

परन्तु यह और कि राज्य आयोग, अधिसूचना द्वारा, व्यक्तियों के किसी वर्ग या वर्गों के लिए या ऐसे क्षेत्र के लिए, जो उस अधिसूचना में विनिर्दिष्ट किया जाए, उक्त दो वर्ष की अवधि को बढ़ा सकेगा।

(2) प्राधिकरण, विद्युत के उत्पादन, पारेषण और वितरण या व्यापार के उचित लेखा और संपरीक्षा के लिए, उत्पादन कंपनी या अनुज्ञप्तिधारी द्वारा विद्युत के उत्पादन, पारेषण या वितरण या व्यापार के ऐसे प्रक्रमों पर और उत्पादन, पारेषण या वितरण या व्यापार के ऐसे स्थानों पर जो वह आवश्यक समझे मीटरों के संस्थापन का निदेश दे सकेगा।

(3) यदि कोई व्यक्ति इस धारा या उपधारा (1) के अधीन बनाए गए विनियमों में अंतर्विष्ट उपबंधों का अनुपालन करने में व्यतिक्रम करता है तो समुचित आयोग, उत्पादन कंपनी या अनुज्ञप्तिधारी द्वारा या किसी कंपनी के किसी अधिकारी द्वारा या अन्य संगम या किसी अन्य व्यक्ति द्वारा जो ऐसे व्यतिक्रम के लिए दायी है, किए गए व्यतिक्रम को सुधारने के लिए ऐसे आदेश कर सकेगा जो वह ठीक समझे।

**56. संदाय के व्यतिक्रम पर प्रदाय का वियोजन—**(1) जहां कोई व्यक्ति विद्युत के लिए किन्हीं प्रभारों या विद्युत के लिए प्रभार से भिन्न किसी राशि को, जो विद्युत के प्रदाय, पारेषण या वितरण या चक्रण के संबंध में अनुज्ञप्तिधारी या उत्पादन कंपनी को उस द्वारा देय हो, संदाय करने में उपेक्षा करता है वहां अनुज्ञप्तिधारी या उत्पादन कंपनी ऐसे व्यक्ति को पंद्रह पूर्ण दिनों से अन्यून की लिखित सूचना देने के पश्चात् और ऐसे प्रभार या अन्य राशि को वाद द्वारा वसूल करने के उसके अधिकार पर प्रतिकूल प्रभाव डाले बिना, विद्युत के प्रदाय को काट सकेगा और उस प्रयोजन के लिए किसी विद्युत प्रदाय लाइन या अन्य संकर्म को, जो ऐसे अनुज्ञप्तिधारी या उत्पादन कंपनी की संपत्ति है और जिसके माध्यम से विद्युत का प्रदाय, पारेषण या वितरण या चक्रण किया गया हो, वियोजित कर सकेगा या काट सकेगा तथा प्रदाय को, जब तक ऐसे प्रभार या राशि का, प्रदाय को काटने और पुनःसंयोजित करने में उसके द्वारा उपगत व्ययों सहित, संदाय नहीं कर दिया जाता तब तक के लिए बन्द रख सकेगा, किन्तु उससे अधिक के लिए नहीं :

परन्तु यदि ऐसा व्यक्ति अभ्यापत्ति सहित—

(क) उससे दावा की गई राशि के बराबर रकम का; या

(ख) पूर्ववर्ती छह मास के दौरान उसके द्वारा संदत्त विद्युत के लिए औसत प्रभार के आधार पर संगणित प्रत्येक मास के लिए उससे शोध्य विद्युत प्रभारों का,

इनमें जो भी कम हो, उसके और अनुज्ञप्तिधारी के बीच किसी विवाद का निपटारा होने तक, निक्षेप कर देता है तो विद्युत प्रदाय बंद नहीं किया जाएगा।

(2) तत्समय प्रवृत्त किसी अन्य विधि में किसी बात के होते हुए भी, इस धारा के अधीन किसी उपभोक्ता से शोध्य कोई राशि उस तारीख से दो वर्ष की अवधि के पश्चात् तब तक वसूल नहीं की जाएगी जब ऐसी राशि पहली बार देय हुई थी, जब तक कि ऐसी राशि, प्रदाय की गई विद्युत के प्रभारों के बकाया के रूप में लगातार वसूलनीय दर्शित नहीं की गई हो और अनुज्ञप्तिधारी विद्युत के प्रदाय को नहीं काटेगा।

#### उपभोक्ता संरक्षण: निष्पादन के मानक

**57. अनुज्ञप्तिधारी के निष्पादन के मानक—**(1) समुचित आयोग, अनुज्ञप्तिधारियों और ऐसे व्यक्तियों से जिनके प्रभावित होने की संभावना है, परामर्श करने के पश्चात् किसी अनुज्ञप्तिधारी या अनुज्ञप्तिधारियों के किसी वर्ग के लिए निष्पादन के मानक विनिर्दिष्ट कर सकेगा।

(2) यदि कोई अनुज्ञप्तिधारी, उपधारा (1) के अधीन विनिर्दिष्ट मानकों को पूरा करने में असफल रहता है तो ऐसी शास्ति, जो अधिरोपित की जाए या ऐसा अभियोजन जो आरंभ किया जाए, पर प्रतिकूल प्रभाव डाले बिना, वह प्रभावित व्यक्ति को ऐसा प्रतिकर देने के लिए दायी होगा जो समुचित आयोग द्वारा अवधारित किया जाए :

परंतु प्रतिकर का अवधारण करने से पूर्व संबद्ध अनुज्ञप्तिधारी को सुनवाई का युक्तियुक्त अवसर दिया जाएगा।

(3) उपधारा (2) के अधीन अवधारित प्रतिकर ऐसे अवधारण से नब्बे दिन के भीतर संबद्ध अनुज्ञप्तिधारी द्वारा संदत्त किया जाएगा।

**58. अनुज्ञप्तिधारी द्वारा निष्पादन के भिन्न-भिन्न मानक**—समुचित आयोग, अनुज्ञप्तिधारी के किसी वर्ग या वर्गों के लिए धारा 57 की उपधारा (1) के अधीन भिन्न-भिन्न मानक विनिर्दिष्ट कर सकेगा।

**59. निष्पादन के स्तर की बाबत जानकारी**—(1) प्रत्येक अनुज्ञप्तिधारी समुचित आयोग द्वारा विनिर्दिष्ट अवधि के भीतर आयोग को निम्नलिखित जानकारी भेजेगा, अर्थात् :—

(क) धारा 57 की उपधारा (1) के अधीन अभिप्राप्त निष्पादन का स्तर;

(ख) धारा 57 की उपधारा (2) के अधीन उन मामलों की संख्या जिनमें प्रतिकर दिया गया था और प्रतिकर की कुल रकम।

(2) समुचित आयोग वर्ष में कम-से-कम एक बार उपधारा (1) के अधीन उसे भेजी गई ऐसी जानकारी के, ऐसे प्ररूप और रीति में जो वह समुचित समझे, प्रकाशन की व्यवस्था करेगा।

**60. विपणन आधिपत्य**—यदि ऐसा अनुज्ञप्तिधारी या उत्पादन कंपनी कोई करार करती है या अपनी प्रधान स्थिति का दुरुपयोग करती है या किसी ऐसे समुच्चय में प्रवेश करती है जिससे विद्युत उद्योग में प्रतिस्पर्धा पर प्रतिकूल प्रभाव पड़ने की संभावना है या प्रतिकूल प्रभाव पड़ता है तो समुचित आयोग, किसी अनुज्ञप्तिधारी या उत्पादन कंपनी को ऐसे निदेश जारी कर सकेगा जो वह समुचित समझे।

## भाग 7

### टैरिफ

**61. टैरिफ विनियमन**—समुचित आयोग, इस अधिनियम के उपबंधों के अधीन रहते हुए टैरिफ के अवधारण के लिए निबंधन और शर्तें विनिर्दिष्ट करेगा और ऐसा करते समय निम्नलिखित से मार्गदर्शित होगा, अर्थात् :—

(क) उत्पादन कंपनियों और पारेषण अनुज्ञप्तिधारियों को लागू टैरिफ के अवधारण के लिए केंद्रीय आयोग द्वारा विनिर्दिष्ट सिद्धांत और प्रणाली-विज्ञान;

(ख) विद्युत उत्पादन, पारेषण, वितरण और प्रदाय का वाणिज्यिक सिद्धांतों पर किया जाना;

(ग) वे बातें जो प्रतिस्पर्धा, दक्षता, संसाधनों का मितव्ययी उपयोग, अच्छा कार्य निष्पादन और अधिकतम विनिधान को प्रोत्साहित करें;

(घ) उपभोक्ता हितों के संरक्षण के साथ-साथ युक्तियुक्त रीति से विद्युत लागत की वसूली;

(ङ) निष्पादन में दक्षता को पुरस्कृत करने वाले सिद्धांत;

(च) बहु वर्ष टैरिफ सिद्धांत;

<sup>1</sup>[(छ) टैरिफ क्रमिक रूप से विद्युत प्रदाय की लागत को प्रतिबिंबित करता है और समुचित आयोग द्वारा विनिर्दिष्ट रीति में, प्रतिसहायिकियों को भी कम करता है;]

(ज) ऊर्जा के नवीकरणीय स्रोतों से विद्युत के सह-उत्पादन और उत्पादन का संवर्धन;

(झ) राष्ट्रीय विद्युत नीति और टैरिफ नीति :

परंतु विद्युत (प्रदाय) अधिनियम, 1948 (1948 का 54), विद्युत विनियामक आयोग अधिनियम, 1998 (1998 का 14) और अनुसूची में विनिर्दिष्ट अधिनियमितियों के अधीन टैरिफ के अवधारण के लिए निबंधन और शर्तें, जैसी वे नियत तारीख के ठीक पूर्व थीं, एक वर्ष की अवधि के लिए या तब तक जब तक कि इस धारा के अधीन टैरिफ के लिए निबंधन और शर्तें विनिर्दिष्ट नहीं की जातीं, इनमें से जो पूर्वतर हो, लागू बनी रहेंगी :

**62. टैरिफ का अवधारण**—(1) समुचित आयोग, इस अधिनियम के उपबंधों के अनुसार निम्नलिखित के लिए टैरिफ का अवधारण करेगा—

(क) उत्पादन कंपनी द्वारा वितरण अनुज्ञप्तिधारी को विद्युत का प्रदाय :

<sup>1</sup> 2007 के अधिनियम सं० 26 की धारा 10 द्वारा प्रतिस्थापित।



परन्तु समुचित आयोग, विद्युत के प्रदाय में कमी की दशा में, उत्पादन कंपनी और किसी अनुज्ञप्तिधारी के बीच या अनुज्ञप्तिधारियों के बीच किए गए किसी करार के अनुसरण में विद्युत के विक्रय या क्रय के लिए, विद्युत की युक्तियुक्त कीमतें सुनिश्चित करने के लिए एक वर्ष से अनधिक अवधि के लिए टैरिफ की न्यूनतम और अधिकतम सीमा नियत कर सकेगा;

(ख) विद्युत का पारेषण;

(ग) विद्युत का चक्रण;

(घ) विद्युत का खुदरा विक्रय :

परन्तु एक ही क्षेत्र में दो या अधिक वितरण अनुज्ञप्तिधारियों द्वारा विद्युत के वितरण की दशा में समुचित आयोग, विद्युत अनुज्ञप्तिधारियों के बीच प्रतिस्पर्धा के संवर्धन के लिए विद्युत के फुटकर विक्रय के लिए टैरिफ की केवल अधिकतम सीमा नियत कर सकेगा ।

(2) समुचित आयोग, किसी अनुज्ञप्तिधारी या उत्पादन कंपनी से ऐसे पृथक् ब्यौरे भेजने की अपेक्षा कर सकेगा जो टैरिफ के अवधारण के लिए उत्पादन, पारेषण और वितरण के संबंध में विनिर्दिष्ट किए जाएं ।

(3) समुचित आयोग, इस अधिनियम के अधीन टैरिफ का अवधारण करते समय, विद्युत के किसी उपभोक्ता के प्रति अनुचित अधिमान दर्शित नहीं करेगा किंतु उपभोक्ता के भार कारक, विद्युत कारक, वोल्टता और किसी विनिर्दिष्ट अवधि के दौरान विद्युत की कुल खपत या वह समय जिसमें प्रदाय अपेक्षित है या किसी क्षेत्र की भौगोलिक स्थिति, प्रदाय की प्रकृति और वह प्रयोजन जिसके लिए प्रदाय अपेक्षित है, के अनुसार भेद कर सकेगा ।

(4) किसी टैरिफ या उसके किसी भाग का साधारणतया किसी वित्तीय वर्ष में एक बार से अधिक संशोधन नहीं किया जाएगा सिवाय ऐसे परिवर्तनों के संबंध में जिन्हें किसी ईंधन अधिभार सूत्र, जो विनिर्दिष्ट किया जाए, के निबंधनों के अधीन अभिव्यक्त रूप से अनुज्ञात किया गया हो ।

(5) आयोग, अनुज्ञप्तिधारी या उत्पादन कंपनी से यह अपेक्षा कर सकेगा कि वह टैरिफ और प्रभारों से प्रत्याशित राजस्व की गणना के लिए, जिन्हें वसूल करने के लिए उसे अनुज्ञात किया गया है, ऐसी प्रक्रिया का जो विनिर्दिष्ट की जाए, पालन करे ।

(6) यदि कोई अनुज्ञप्तिधारी या उत्पादन कंपनी, इस धारा के अधीन अवधारित टैरिफ से अधिक कीमत या प्रभार वसूल करता है तो अनुज्ञप्तिधारी द्वारा उपगत किसी अन्य दायित्व पर प्रतिकूल प्रभाव डाले बिना उस व्यक्ति द्वारा, जिसने ऐसी कीमत या प्रभार का संदाय किया है, बैंक दर के समतुल्य ब्याज सहित अधिक ली गई राशि वसूल की जा सकेगी ।

**63. बोली की प्रक्रिया द्वारा टैरिफ का अवधारण**—धारा 62 में अंतर्विष्ट किसी बात के होते हुए भी, समुचित आयोग, टैरिफ को अंगीकार करेगा यदि ऐसा टैरिफ केन्द्रीय सरकार द्वारा जारी मार्गदर्शक सिद्धांतों के अनुसार बोली लगाने की पारदर्शी प्रक्रिया द्वारा अवधारित किया गया है ।

**64. टैरिफ आदेश के लिए प्रक्रिया**—(1) धारा 62 के अधीन टैरिफ का अवधारण करने के लिए आवेदन, उत्पादन कंपनी या अनुज्ञप्तिधारी द्वारा ऐसी रीति में और ऐसी फीस के साथ जो विनियमों द्वारा अवधारित की जाए, किया जाएगा ।

(2) प्रत्येक आवेदक ऐसे संक्षिप्त रूप और रीति में, जो समुचित आयोग द्वारा विनिर्दिष्ट की जाए, आवेदन का प्रकाशन करेगा ।

(3) समुचित आयोग, उपधारा (1) के अधीन किसी आवेदन की प्राप्ति से एक सौ बीस दिन के भीतर जनता से प्राप्त सभी सुझावों और आक्षेपों पर विचार करने के पश्चात्—

(क) ऐसे उपांतरणों और ऐसी शर्तों के साथ जो उस आदेश में विनिर्दिष्ट किए जाएं, आवेदन को स्वीकार करते हुए टैरिफ आदेश जारी करेगा;

(ख) यदि ऐसा आवेदन इस अधिनियम और उसके अधीन बनाए गए नियमों तथा विनियमों या तत्समय प्रवृत्त किसी अन्य विधि के उपबंधों के अनुसार नहीं है तो लेखबद्ध किए गए कारणों से आवेदन को नामंजूर करेगा :

परन्तु आवेदक को उसका आवेदन नामंजूर करने से पूर्व सुनवाई का युक्तियुक्त अवसर दिया जाएगा ।

(4) समुचित आयोग, आदेश किए जाने के सात दिन के भीतर समुचित सरकार, प्राधिकरण और संबद्ध अनुज्ञप्तिधारियों तथा संबद्ध व्यक्ति को आदेश की प्रति भेजेगा ।

(5) भाग 10 में किसी बात के होते हुए भी, यथास्थिति, विद्युत के किसी अंतरराज्यिक प्रदाय, पारेषण या चक्रण, जो दो राज्यों के राज्यक्षेत्रों के अंतर्गत हों, ऐसे पक्षकारों द्वारा उसे आवेदन करने पर, जो ऐसे प्रदाय, पारेषण या चक्रण के लिए आशयित हैं, इस धारा के अधीन राज्य आयोग, जिसकी अधिकारिता में वह अनुज्ञप्तिधारी है, जो विद्युत के वितरण और उसके भुगतान का आशय रखता है, अवधारित करेगा ।

(6) कोई टैरिफ आदेश, जब तक संशोधन या प्रतिसंहत न किया जाए, ऐसी अवधि के लिए प्रवृत्त बना रहेगा जो टैरिफ आदेश में विनिर्दिष्ट की जाए।

**65. राज्य सरकार द्वारा सहायिकी का उपबंध**—यदि राज्य सरकार, धारा 62 के अधीन राज्य आयोग द्वारा अवधारित टैरिफ में किसी उपभोक्ता या उसके वर्ग को कोई सहायिकी मंजूर करने की अपेक्षा करती है तो राज्य सरकार ऐसे किसी निदेश के होते हुए भी, जो धारा 108 के अधीन दिया जाए अग्रिम रूप में और ऐसी रीति से जो विनिर्दिष्ट की जाए, सहायिकी की मंजूरी से प्रभावित व्यक्ति को प्रतिकर की राशि का संदाय ऐसी रीति में करेगी, जैसी राज्य आयोग निदेश दे, जो अनुज्ञप्ति की एक शर्त के रूप में होगी या किसी अन्य संबद्ध व्यक्ति के लिए राज्य सरकार द्वारा उपबंधित सहायिकी को लागू करने के लिए होगी :

परंतु राज्य सरकार का ऐसा कोई निदेश प्रवर्तन में नहीं रहेगा यदि संदाय इस धारा में अंतर्विष्ट उपबंधों के अनुसार नहीं किया गया है और राज्य आयोग द्वारा नियत टैरिफ इस संबंध में आयोग द्वारा जारी किए गए आदेशों की तारीख से लागू होगा।

**66. बाजार का विकास**—समुचित आयोग, विद्युत बाजार (जिसके अंतर्गत व्यापार भी है) के विकास का ऐसी रीति में जो विनिर्दिष्ट की जाए, संवर्धन करने का प्रयास करेगा और इस संबंध में, धारा 3 में निर्दिष्ट राष्ट्रीय विद्युत नीति से मार्गदर्शित होगा।

## भाग 8

### संकर्म

#### अनुज्ञप्तिधारियों के संकर्म

**67. मार्गों, रेलों, आदि को खोलने के संबंध में उपबंध**—(1) अनुज्ञप्तिधारी, समय-समय पर किंतु सदैव अपनी अनुज्ञप्ति के निबंधनों और शर्तों के अधीन रहते हुए, प्रदाय और पारेषण के अपने क्षेत्र के भीतर या जब प्रदाय के क्षेत्र के बाहर विद्युत प्रदाय लाइनों बिछाने या रखने के लिए उसकी अनुज्ञप्ति के निबंधनों द्वारा अनुज्ञात किया जाए, अपने क्षेत्र के बाहर, निम्न प्रकार के संकर्म कर सकेगा,—

- (क) किसी मार्ग, रेलपथ या ट्रामपथ की भूमि और पट्टी को खोदना और काटना;
- (ख) किसी मार्ग, रेलपथ या ट्रामपथ में या उसके नीचे किसी सीवर, नाली या सुरंग को खोदना या काटना;
- (ग) किन्हीं लाइनों, संकर्मों या पाइपों की स्थिति, जो मुख्य सीवर पाइप से भिन्न हैं, बदलना;
- (घ) विद्युत लाइनों, विद्युत संयंत्र और अन्य संकर्मों का बिछाना और स्थित करना;
- (ङ) उनकी मरम्मत करना, परिवर्तन करना या हटाना;
- (च) विद्युत के पारेषण या प्रदाय के लिए आवश्यक अन्य सभी कार्य करना।

(2) समुचित सरकार इस निमित्त उसके द्वारा बनाए गए नियमों द्वारा निम्नलिखित विनिर्दिष्ट कर सकेगी :—

(क) वे दशाएं और परिस्थितियां जिनमें, यथास्थिति, समुचित सरकार, स्थानीय प्राधिकारी, स्वामी या अधिभोगी की लिखित रूप में सहमति, संकर्म चलाने के लिए अपेक्षित होगी;

(ख) वह प्राधिकारी जो उन परिस्थितियों में अनुज्ञा प्रदान कर सकेगा जहां स्वामी या अधिभोगी संकर्म चलाने पर आक्षेप करता है;

(ग) संकर्म चलाने से पूर्व अनुज्ञप्तिधारी द्वारा दी जाने वाली सूचना की प्रकृति और अवधि;

(घ) खंड (ग) में निर्दिष्ट सूचना के अनुसार प्राप्त आक्षेपों और सुझावों पर विचार करने की प्रक्रिया और रीति;

(ङ) इस धारा के अधीन संकर्मों द्वारा प्रभावित व्यक्तियों के लिए प्रतिकर या किराए का अवधारण और संदाय;

(च) जब आपातस्थिति हो तब की जाने वाली मरम्मत और किए जाने वाले संकर्म;

(छ) इस धारा के अधीन कतिपय संकर्मों को करने के लिए स्वामी या अधिभोगी का अधिकार और उसके संबंध में व्ययों का संदाय;

(ज) सीवरों, पाइपों और अन्य विद्युत लाइनों या संकर्मों के निकट अन्य संकर्म करने के लिए प्रक्रिया;

(झ) पाइपों, विद्युत लाइनों, विद्युत संयंत्र, तार लाइनों, सीवर लाइनों, सुरंगों, नालियों, आदि की स्थिति में परिवर्तन के लिए प्रक्रिया;

(ञ) मार्गों, रेल पथों, ट्रामपथों, सीवर, नालियों या सुरंगों पर कार्य करने से संबंधित बाड़ लगाने, रक्षा करने, प्रकाश करने और अन्य सुरक्षा उपायों तथा उनके तुरन्त पुनः स्थापन के लिए प्रक्रिया;

(ट) लोक न्यूसेंस, पर्यावरणीय क्षति और ऐसे संकर्म द्वारा लोक और प्राइवेट संपत्ति के अनावश्यक नुकसान को बचाना;

(ड) ऐसे संकर्मों को करने की प्रक्रिया जिनकी समुचित सरकार, अनुज्ञप्तिधारी या स्थानीय प्राधिकारी द्वारा मरम्मत नहीं की जा सकती है;

(ड) किसी रेल पथ, ट्रामपथ, जल मार्ग, आदि के पुनःस्थापन के लिए अपेक्षित रकम जमा करने की रीति;

(ढ) ऐसे संकर्मों द्वारा प्रभावित संपत्ति के पुनःस्थापन की रीति और उनका रखरखाव;

(ण) अनुज्ञप्तिधारी द्वारा संदेय प्रतिकर जमा करने की प्रक्रिया और प्रतिभूति का दिया जाना; और

(त) ऐसे अन्य विषय जो इस धारा के अधीन संकर्मों के विनिर्माण और अनुरक्षण के आनुषंगिक या पारिणामिक हैं।

(3) अनुज्ञप्तिधारी इस धारा और तद्धीन बनाए गए नियमों द्वारा प्रदत्त शक्तियों में से किसी का प्रयोग करते हुए, कम से कम नुकसान, अहित या असुविधा, कारित करेगा और उसके द्वारा या उसके द्वारा नियोजित किसी व्यक्ति द्वारा कारित किसी नुकसान, अहित या असुविधा का पूरा प्रतिकर देगा।

(4) जहां इस धारा के अधीन कोई मतभेद या विवाद [जिसमें उपधारा (3) के अधीन प्रतिकर की रकम भी है] उत्पन्न होता है वहां वह मामला समुचित आयोग द्वारा अवधारित किया जाएगा।

(5) समुचित आयोग, इस धारा के अधीन उद्भूत किसी मतभेद या विवाद का अवधारण करते समय, उपधारा (3) के अधीन किसी प्रतिकर के अतिरिक्त, उस उपधारा के अधीन संदेय प्रतिकर की किसी रकम से अनधिक कोई शास्ति अधिरोपित कर सकेगा।

### शिरोपरि लाइनों के संबंध में उपबंध

**68. शिरोपरि लाइनों—**(1) उपधारा (2) के उपबंधों के अनुसार समुचित सरकार के पूर्व अनुमोदन से कोई शिरोपरि लाइन भूमि के ऊपर संस्थापित की जाएगी या संस्थापित रखी जाएगी।

(2) उपधारा (1) में अन्तर्विष्ट उपबंध,—

(क) ऐसी विद्युत लाइन के संबंध में जिसकी अंकित वोल्टता ग्यारह किलो वाट से अनधिक है और जिसका उपयोग एकल उपभोक्ता को प्रदाय करने के लिए किया जाता है या उपयोग किए जाने के लिए आशयित है;

(ख) किसी विद्युत लाइन को उस सीमा तक जो उसके संस्थापन के लिए उत्तरदायी व्यक्ति के अधिभोग या नियंत्रण वाले परिसर के भीतर है या होगी; या

(ग) ऐसे अन्य मामलों में, जो विहित किए जाएं,

लागू नहीं होंगे।

(3) समुचित सरकार, उपधारा (1) के अधीन अनुमोदन मंजूर करते समय ऐसी शर्तें (जिनके अंतर्गत लाइन के स्वामित्व और प्रचालन की बाबत शर्तें भी हैं) अधिरोपित कर सकेगी, जो उसे आवश्यक प्रतीत हों।

(4) समुचित सरकार द्वारा, ऐसी अवधि की समाप्ति के पश्चात्, जो उसके द्वारा मंजूर किए गए अनुमोदन में अनुबंधित की जाए, किसी भी समय अनुमोदन परिवर्तित या प्रतिसंहत किया जा सकेगा।

(5) जहां किसी शिरोपरि लाइन के निकट खड़े या पड़े कोई वृक्ष या जहां कोई संरचना या अन्य वस्तु जो ऐसी लाइन बिछाने के पश्चात् किसी शिरोपरि लाइन के निकट रखी गई या गिर गई है, विद्युत के प्रवहण या पारेषण या किसी संकर्म के पहुंच मार्ग को अवरुद्ध करती है या बाधा डालती है या अवरुद्ध करने या बाधा डालने की संभावना है, वहां कार्यपालक मजिस्ट्रेट या समुचित सरकार द्वारा विनिर्दिष्ट प्राधिकारी, अनुज्ञप्तिधारी के आवेदन पर उस वृक्ष, संरचना या वस्तु को हटवा सकेगा या अन्यथा ऐसी कार्यवाई कर सकेगा जो वह उचित समझे।

(6) उपधारा (5) के अधीन किसी आवेदन का निपटारा करते समय कार्यपालक मजिस्ट्रेट या उस धारा के अधीन विनिर्दिष्ट प्राधिकारी, शिरोपरि लाइन के लगाने के पूर्व विद्यमान किसी वृक्ष की दशा में, उस वृक्ष से हितबद्ध व्यक्ति को उतना प्रतिकर प्रदान करेगा जितना वह उचित समझे और ऐसा व्यक्ति उसे अनुज्ञप्तिधारी से वसूल कर सकेगा।

**स्पष्टीकरण—**इस धारा के प्रयोजनों के लिए “वृक्ष” पद में कोई झाड़ी, बाड़े, जंगली घास या अन्य पौधे सम्मिलित हैं।

**69. तार प्राधिकारी को सूचना—**(1) कोई अनुज्ञप्तिधारी, किसी तार लाइन, विद्युत लाइन, विद्युत संयंत्र या अन्य संकर्मों के जो सेवा लाइन या विद्युत लाइन या विद्युत संयंत्र नहीं हैं, विद्यमान संकर्मों की मरम्मत, नवीकरण या परिवर्तन के लिए जिनके स्वरूप या स्थिति को परिवर्तित नहीं किया जाना है, दस मीटर के भीतर बिछाए जाने या लगाए जाने के पूर्व—

(क) नए संस्थापन की दशा में, केंद्रीय सरकार द्वारा अभिहित प्राधिकारी को प्रस्ताव प्रस्तुत करेगा और ऐसा प्राधिकारी प्रस्ताव पर तीस दिन के भीतर विनिश्चय करेगा;

(ख) विद्यमान संकर्म की मरम्मत, नवीकरण या परिवर्तन की दशा में तार प्राधिकारी को लिखित रूप में दस दिन से अन्यून की सूचना निम्नलिखित को विनिर्दिष्ट करते हुए देगा,—

- (i) प्रस्तावित संकर्म या परिवर्तन का मार्ग;
- (ii) वह रीति जिसमें संकर्म का उपयोग किया जाना है;
- (iii) पारेषित की जाने वाली विद्युत की मात्रा और प्रकृति;
- (iv) वह विस्तार जिस तक और वह रीति जिसमें (यदि किंचित भी हो) भू-प्रत्यावर्तन का उपयोग किया जाना है,

और अनुज्ञप्तिधारी, ऐसी युक्तियुक्त अपेक्षाओं का अनुसरण साधारण या विशेष रूप में करेगा जो उस अवधि के भीतर तार प्राधिकारी द्वारा किसी तार लाइन को ऐसे संकर्म या परिवर्तन के द्वारा क्षतिग्रस्त होने से निवारित करने के लिए अधिकथित की जाए :

परंतु अनुज्ञप्तिधारी की किन्हीं विद्युत लाइनों या विद्युत संयंत्र या अन्य संकर्म में किसी कमी से उद्भूत आपात की दशा में (जिसे अनुज्ञप्तिधारी द्वारा तार प्राधिकारी को लिखित रूप में कथित किया जाएगा), अनुज्ञप्तिधारी से केवल ऐसी सूचना देने की अपेक्षा की जाएगी जो प्रस्तावित नए संकर्म या परिवर्तन की आवश्यकता उद्भूत होने के पश्चात् संभव हो ।

(2) जहां किसी सेवा लाइन के बिछाए या लगाए जाने के संकर्म का निष्पादन किया जाना है, वहां अनुज्ञप्तिधारी कार्य प्रारंभ करने के कम-से-कम अड़तालीस घंटे पूर्व, तार प्राधिकारी पर ऐसे संकर्म को निष्पादित करने के अपने आशय की सूचना की लिखित रूप में तामील करेगा ।

## भाग 9

### केंद्रीय विद्युत प्राधिकरण

#### प्राधिकरण का गठन और उसके कृत्य

70. केंद्रीय विद्युत प्राधिकरण का गठन, आदि—(1) ऐसे कृत्यों का निर्वहन करने के लिए और कर्तव्यों का अनुपालन करने के लिए जो उसे इस अधिनियम के अधीन सौंपे जाएं, केंद्रीय विद्युत प्राधिकरण के नाम से एक निकाय होगा ।

(2) विद्युत (प्रदाय) अधिनियम, 1948 (1948 का 54) की धारा 3 के अधीन स्थापित और नियत तारीख से ठीक पूर्व उस रूप में कार्य कर रहा केंद्रीय विद्युत प्राधिकरण इस अधिनियम के प्रयोजनों के लिए केंद्रीय विद्युत प्राधिकरण होगा और उसके अध्यक्ष, सदस्य, सचिव और अन्य अधिकारी तथा कर्मचारी इस अधिनियम के अधीन नियुक्त किए गए समझे जाएंगे और वे उन्हीं निबंधनों और शर्तों पर पद पर बने रहेंगे जिन पर वे विद्युत (प्रदाय) अधिनियम, 1948 के अधीन नियुक्त किए गए थे ।

(3) प्राधिकरण में चौदह से अनधिक सदस्य (जिसके अंतर्गत उसका अध्यक्ष भी है) होंगे जिनमें से आठ से अनधिक सदस्य पूर्णकालिक सदस्य होंगे जिन्हें केंद्रीय सरकार द्वारा नियुक्त किया जाएगा ।

(4) केंद्रीय सरकार, किसी ऐसे व्यक्ति को, जो प्राधिकरण के सदस्य के रूप में नियुक्ति के लिए पात्र है, प्राधिकरण के अध्यक्ष के रूप में नियुक्त कर सकेगी या पूर्णकालिक सदस्यों में से किसी एक को प्राधिकरण के अध्यक्ष के रूप में पदाभिहित कर सकेगी ।

(5) प्राधिकरण के सदस्य योग्यता, सत्यानिष्ठा और प्रतिष्ठा वाले ऐसे व्यक्तियों में से नियुक्त किए जाएंगे जो इंजीनियरी, वित्त, वाणिज्य, अर्थशास्त्र या औद्योगिक विषयों से संबंधित समस्याओं का ज्ञान और पर्याप्त अनुभव और क्षमता रखने वाले हों और कम से कम एक सदस्य निम्नलिखित प्रवर्गों में से प्रत्येक प्रवर्ग से नियुक्त किया जाएगा, अर्थात् :—

- (क) उत्पादन केंद्रों के डिजाइन, निर्माण, प्रचालन और उसके अनुरक्षण में विशेषज्ञता के साथ इंजीनियरी;
- (ख) विद्युत के पारेषण और प्रदाय में विशेषज्ञता के साथ इंजीनियरी;
- (ग) विद्युत के क्षेत्र में अनुप्रयुक्त गवेषणा;
- (घ) अनुप्रयुक्त अर्थशास्त्र, लेखा, वाणिज्य या वित्त ।

(6) प्राधिकरण के अध्यक्ष और सभी सदस्य केंद्रीय सरकार के प्रसाद पर्यन्त पद धारण करेंगे ।

(7) अध्यक्ष, प्राधिकरण का मुख्य कार्यपालक होगा ।

(8) प्राधिकरण का मुख्यालय दिल्ली में होगा ।

(9) प्राधिकरण, मुख्यालय या किसी अन्य स्थान पर ऐसे समय पर, जो अध्यक्ष निदेश दे, अधिवेशन करेगा और अपने अधिवेशनों में कारबार के संयवहार के संबंध में (जिसके अंतर्गत इसके अधिवेशन में गणपूर्ति भी है) प्रक्रिया के ऐसे नियमों का पालन करेगा, जो वह विनिर्दिष्ट करे ।

(10) अध्यक्ष या यदि वह प्राधिकरण के अधिवेशन में उपस्थित होने में असमर्थ है, तो अध्यक्ष द्वारा इस निमित्त नामनिर्दिष्ट कोई अन्य सदस्य और ऐसे नामनिर्देशन के अभाव में या जहां कोई अध्यक्ष नहीं है वहां, उपस्थित सदस्यों द्वारा अपने में से चुना गया कोई सदस्य अधिवेशन की अध्यक्षता करेगा।

(11) ऐसे सभी प्रश्नों का, जो प्राधिकरण के किसी अधिवेशन में उसके समक्ष आते हैं उपस्थित और मत देने वाले सदस्यों के बहुमत द्वारा विनिश्चय किया जाएगा और मत बराबर होने की दशा में अध्यक्ष या अध्यक्षता करने वाले सदस्य को निर्णायक मत देने का अधिकार होगा।

(12) प्राधिकरण के सभी आदेशों और विनिश्चयों को सचिव या अध्यक्ष द्वारा इस निमित्त सम्यक् रूप से प्राधिकृत किसी अन्य अधिकारी द्वारा अधिप्रमाणित किया जाएगा।

(13) प्राधिकरण का कोई कार्य या कार्यवाही केवल इस आधार पर प्रश्नगत नहीं की जाएगी या अविधिमान्य नहीं होगी कि प्राधिकरण के गठन में कोई रिक्ति या त्रुटि विद्यमान है।

(14) प्राधिकरण का अध्यक्ष और अन्य पूर्णकालिक सदस्य ऐसा वेतन और ऐसे भत्ते प्राप्त करेंगे जो केंद्रीय सरकार द्वारा अवधारित किए जाएं और अन्य सदस्य प्राधिकरण के अधिवेशनों में उपस्थित होने के लिए ऐसे भत्ते और फीस प्राप्त करेंगे जो केंद्रीय सरकार विहित करे।

(15) प्राधिकरण के अध्यक्ष और सदस्यों के सेवा के अन्य निबंधन और शर्तें जिनमें उपधारा (6) के उपबंधों के अधीन रहते हुए, उनकी पदावधि भी है वह होगी जो केंद्रीय सरकार विहित करे।

**71. सदस्यों के कतिपय हित न होना—**प्राधिकरण के किसी सदस्य का, किसी ऐसी कंपनी या अन्य निगम निकाय या व्यक्तियों के संगम (चाहे निगमित हो या नहीं) या फर्म में जो विद्युत के उत्पादन, पारेषण, वितरण और व्यापार या उसके उत्पादन के लिए ईंधन के प्रदाय के कारबार में या विद्युत उपस्कर के विनिर्माण में लगी हुई है, अपने नाम में या अन्यथा कोई शेयर या हित नहीं होगा।

**72. प्राधिकरण के अधिकारी और कर्मचारिवृन्द—**प्राधिकरण वेतन, पारिश्रमिक, फीस, भत्ते, पेंशन, छुट्टी और उपदान के बारे में ऐसे निबंधनों पर, जो प्राधिकरण केंद्रीय सरकार से परामर्श करके नियत करे, सचिव और उतने अन्य अधिकारी तथा कर्मचारी नियुक्त कर सकेगा, जितने इस अधिनियम के अधीन उसके कृत्यों के पालन के लिए वह आवश्यक समझे :

परंतु सचिव की नियुक्ति केंद्रीय सरकार के अनुमोदन के अधीन होगी।

**73. प्राधिकरण के कृत्य और कर्तव्य—**प्राधिकरण ऐसे कृत्यों और कर्तव्यों का पालन करेगा जो केंद्रीय सरकार विहित करे या निदेश दे और विशेष रूप से,—

(क) राष्ट्रीय विद्युत नीति से संबंधित विषयों पर केंद्रीय सरकार को सलाह देना, विद्युत प्रणाली के विकास के लिए अल्पकालिक और भावी योजनाएं बनाना और राष्ट्रीय अर्थव्यवस्था के हितसाधन के लिए संसाधनों के अनुकूलतम उपयोजन के लिए योजना अभिकरणों के क्रियाकलापों को समन्वित करना तथा सभी उपभोक्ताओं को विश्वसनीय और क्षमतायोग्य विद्युत उपलब्ध कराना;

(ख) विद्युत संयंत्रों, विद्युत लाइनों और ग्रिड से संयोजकता के सन्निर्माण के लिए तकनीकी मानक विनिर्दिष्ट करना;

(ग) विद्युत संयंत्रों और विद्युत लाइनों के सन्निर्माण, प्रचालन और अनुरक्षण के लिए सुरक्षा अपेक्षाएं विनिर्दिष्ट करना;

(घ) पारेषण लाइनों के प्रचालन और अनुरक्षण के लिए ग्रिड मानक विनिर्दिष्ट करना;

(ङ) विद्युत के पारेषण और प्रदाय के लिए मीटरों के संस्थापन की शर्तें विहित करना;

(च) विद्युत प्रणाली में सुधार लाने और उसके संवर्धन के लिए स्कीमों और परियोजनाओं को समय पर पूरा किए जाने के लिए प्रोत्साहन देना और उसमें सहायता करना;

(छ) विद्युत उद्योग में लगे हुए व्यक्तियों के कौशल को बढ़ाने के उपायों को प्रोत्साहित करना;

(ज) केंद्रीय सरकार को किसी ऐसे विषय पर सलाह देना, जिस पर उसकी सलाह मांगी गई है या किसी विषय पर उस सरकार को सिफारिश करना, यदि प्राधिकरण की राय में ऐसी सिफारिश, विद्युत के उत्पादन, पारेषण, व्यापार, वितरण और उपयोग के सुधार में सहायता प्रदान करेगी;

(झ) विद्युत के उत्पादन, पारेषण, व्यापार, वितरण और उपयोग से संबंधित आंकड़े एकत्रित करना और अभिलिखित करना तथा लागत, दक्षता, प्रतिस्पर्धा और ऐसे ही विषयों से संबंधित अध्ययन करना;

(ञ) इस अधिनियम के अधीन समय-समय पर जनता को सूचना उपलब्ध कराना और रिपोर्टें तथा अन्वेषणों के प्रकाशन की व्यवस्था करना;

(ट) विद्युत के उत्पादन, पारेषण, वितरण और व्यापार पर प्रभाव डालने वाले विषयों पर अनुसंधान को आगे बढ़ाना;

(ठ) विद्युत के उत्पादन या पारेषण या वितरण के प्रयोजनों के लिए कोई अन्वेषण करना या कराना;

(ड) किसी राज्य सरकार, अनुज्ञप्तिधारियों या उत्पादन कंपनियों को ऐसे विषयों पर ऐसी सलाह देना, जो उनके स्वामित्वाधीन या नियंत्रणाधीन विद्युत प्रणाली के उन्नत रीति में प्रचालन और अनुरक्षण के और जहाँ आवश्यक हो, किसी ऐसी अन्य सरकार, अनुज्ञप्तिधारी या उत्पादन कंपनी के, जिसके स्वामित्व या नियंत्रण में कोई अन्य विद्युत प्रणाली है, समन्वयन को समर्थ बनाएगा;

(ढ) विद्युत के उत्पादन, पारेषण और वितरण से संबंधित सभी तकनीकी विषयों पर समुचित सरकार और समुचित आयोग को सलाह देना; और

(ण) ऐसे अन्य कृत्यों का निर्वहन करना, जो इस अधिनियम के अधीन उपबंधित हैं।

### कतिपय शक्तियां और निदेश

**74. आंकड़ों और विवरणियों की अपेक्षा करने की शक्ति**—अपने स्वयं के उपयोग के लिए विद्युत का उत्पादन करने वाले प्रत्येक अनुज्ञप्तिधारी, उत्पादन कंपनी या व्यक्ति का यह कर्तव्य होगा कि वह, विद्युत के उत्पादन, पारेषण, वितरण, व्यापार और उपयोग से संबंधित ऐसे आंकड़े, विवरणियां या अन्य जानकारी जो प्राधिकरण द्वारा अपेक्षित हों, ऐसे समय पर और ऐसे प्ररूप तथा रीति में, जो उसके द्वारा विनिर्दिष्ट की जाए, प्राधिकरण को भेजे।

**75. प्राधिकरण को केंद्रीय सरकार द्वारा निदेश**—(1) अपने कृत्यों के निर्वहन में प्राधिकरण, लोकहित से संबंधित नीतिगत विषयों में ऐसे निदेशों द्वारा मार्गदर्शित होगा, जो केंद्रीय सरकार उसे लिखित रूप में दे।

(2) यदि इस बारे में कोई प्रश्न उत्पन्न होता है कि ऐसा कोई निदेश, लोकहित से संबंधित नीतिगत विषय है या नहीं, तो उस पर केंद्रीय सरकार का विनिश्चय अंतिम होगा।

## भाग 10

### विनियामक आयोग

#### केंद्रीय आयोग का गठन; उसकी शक्तियां और कृत्य

**76. केंद्रीय आयोग का गठन**—(1) केंद्रीय विद्युत विनियामक आयोग के नाम से ज्ञात एक आयोग इस अधिनियम के अधीन उसे प्रदत्त शक्तियों का प्रयोग करने के लिए और उसे सौंपे गए कृत्यों का निर्वहन करने के लिए होगा।

(2) विद्युत विनियामक आयोग अधिनियम, 1998 (1998 का 14) की धारा 3 के अधीन स्थापित और नियत तारीख से ठीक पूर्व उस रूप में कार्य कर रहा केंद्रीय विद्युत विनियामक आयोग उस अधिनियम के प्रयोजनों के लिए केंद्रीय आयोग समझा जाएगा और उसके अध्यक्ष, सदस्य सचिव और अन्य अधिकारी तथा कर्मचारी इस अधिनियम के अधीन नियुक्त किए गए समझे जाएंगे और वे उन्हीं निबंधनों और शर्तों पर पद पर बने रहेंगे जिन पर वे विद्युत विनियामक आयोग अधिनियम, 1998 (1998 का 14) के अधीन नियुक्त किए गए थे :

परंतु इस अधिनियम के प्रारंभ के पूर्व, विद्युत विनियामक आयोग अधिनियम, 1998 (1998 का 14) के अधीन नियुक्त केंद्रीय आयोग के अध्यक्ष और अन्य सदस्यों को केन्द्रीय सरकार द्वारा इस अधिनियम के अधीन निबंधनों और शर्तों के विकल्प के लिए धारा 78 की उपधारा (1) के अधीन गठित चयन समिति की सिफारिशों पर अनुज्ञात किया जा सकेगा।

(3) केंद्रीय आयोग, पूर्वोक्त नाम का शाश्वत उत्तराधिकार और सामान्य मुद्रा रखने वाला निगमित निकाय होगा जिसे जंगम और स्थावर, दोनों प्रकार की संपत्ति का अर्जन, धारण और व्ययन करने और संविदा करने की शक्ति होगी तथा उक्त नाम से वह वाद लाएगा और उस पर वाद लाया जाएगा।

(4) केंद्रीय आयोग का प्रधान कार्यालय ऐसे स्थान पर होगा, जो केंद्रीय सरकार, अधिसूचना द्वारा, विनिर्दिष्ट करे।

(5) केंद्रीय आयोग निम्नलिखित सदस्यों से मिलकर बनेगा, अर्थात् :—

(क) अध्यक्ष और तीन अन्य सदस्य;

(ख) प्राधिकरण का अध्यक्ष जो पदेन सदस्य होगा।

(6) केंद्रीय आयोग का अध्यक्ष और सदस्य, केंद्रीय सरकार द्वारा धारा 78 में निर्दिष्ट चयन समिति की सिफारिश पर नियुक्त किए जाएंगे।

**77. केंद्रीय आयोग के सदस्यों की नियुक्ति के लिए अर्हताएं—**(1) केंद्रीय आयोग का अध्यक्ष और सदस्य, इंजीनियरी, विधि, अर्थशास्त्र, वाणिज्य, वित्त या प्रबंध से संबंधित समस्याओं का पर्याप्त ज्ञान, अनुभव और दर्शित क्षमता रखने वाले व्यक्ति होंगे और निम्नलिखित रीति से नियुक्त किए जाएंगे, अर्थात् :—

(क) एक व्यक्ति, जो विद्युत के उत्पादन, पारेषण या वितरण में विशेषज्ञता के साथ इंजीनियरी के क्षेत्र में अर्हताएं और अनुभव रखता हो;

(ख) एक व्यक्ति जो वित्त के क्षेत्र में अर्हता और अनुभव रखता हो;

(ग) दो व्यक्ति जो अर्थशास्त्र, वाणिज्य, विधि या प्रबंध में अर्हताएं और अनुभव रखते हों :

परंतु खंड (ग) के अधीन एक ही प्रवर्ग में से एक से अधिक सदस्य नियुक्त नहीं किए जाएंगे ।

(2) उपधारा (1) में किसी बात के होते हुए भी, केंद्रीय सरकार ऐसे व्यक्तियों में से किसी व्यक्ति को अध्यक्ष के रूप में नियुक्त कर सकेगी जो उच्चतम न्यायालय का न्यायाधीश या किसी उच्च न्यायालय का मुख्य न्यायमूर्ति है या रहा है :

परंतु इस उपधारा के अधीन कोई नियुक्ति भारत के मुख्य न्यायाधीश से परामर्श करने के पश्चात् ही की जाएगी ।

(3) केंद्रीय आयोग का अध्यक्ष या कोई अन्य सदस्य कोई अन्य पद धारण नहीं करेगा ।

(4) अध्यक्ष केंद्रीय आयोग का मुख्य कार्यपालक होगा ।

**78. सदस्यों की सिफारिश करने के लिए चयन समिति का गठन—**(1) केंद्रीय सरकार, अपील अधिकरण के सदस्यों और केंद्रीय आयोग के अध्यक्ष और सदस्यों का चयन करने के प्रयोजन के लिए निम्नलिखित से मिलकर बनने वाली चयन समिति का गठन करेगी—

|                                                                                      |              |
|--------------------------------------------------------------------------------------|--------------|
| (क) विद्युत सेक्टर का भारसाधक योजना आयोग का सदस्य                                    | ... अध्यक्ष; |
| (ख) विधि कार्य विभाग से संबंधित केंद्रीय सरकार के मंत्रालय का भारसाधक सचिव           | ... सदस्य;   |
| (ग) लोक उद्यम चयन बोर्ड का अध्यक्ष                                                   | ... सदस्य;   |
| (घ) एक व्यक्ति जो उपधारा (2) के अनुसार केंद्रीय सरकार द्वारा नामनिर्देशित किया जाएगा | ... सदस्य;   |
| (ङ) एक व्यक्ति जो उपधारा (3) के अनुसार केंद्रीय सरकार द्वारा नामनिर्देशित किया जाएगा | ... सदस्य;   |
| (च) विद्युत से संबंधित केंद्रीय सरकार के मंत्रालय का भारसाधक सचिव                    | ... सदस्य ।  |

(2) उपधारा (1) के खंड (घ) के प्रयोजनों के लिए, केंद्रीय सरकार ऐसे व्यक्तियों में से जो कंपनी अधिनियम, 1956 (1956 का 1) की धारा 4क में विनिर्दिष्ट किसी लोक वित्तीय संस्था में अध्यक्ष या प्रबंध निदेशक का पद, चाहे वह किसी भी नाम से ज्ञात हो, धारण करते हों, नामनिर्देशित करेगी ।

(3) उपधारा (1) के खंड (ङ) के प्रयोजनों के लिए केंद्रीय सरकार, अधिसूचना द्वारा, इस प्रयोजन के लिए किसी अनुसंधान, तकनीकी या प्रबंध संस्था के निदेशक या संस्था के अध्यक्ष का पद, चाहे वह किसी भी नाम से ज्ञात हो, धारण करने वाले व्यक्तियों में से, नामनिर्देशन करेगी ।

(4) विद्युत से संबंधित केंद्रीय सरकार के मंत्रालय का भारसाधक सचिव चयन समिति का संयोजक होगा ।

(5) केंद्रीय सरकार, अपील अधिकरण के किसी सदस्य या केंद्रीय आयोग के अध्यक्ष या किसी सदस्य की मृत्यु, त्यागपत्र या उसको हटाए जाने के कारण हुई किसी रिक्ति की तारीख से एक मास के भीतर और अपील अधिकरण के किसी सदस्य या केंद्रीय आयोग के सदस्य की अधिवर्षिता या पदावधि की समाप्ति से छह मास पूर्व रिक्ति को भरे जाने के लिए चयन समिति को निर्देश करेगी ।

(6) चयन समिति, उस तारीख से , जिसको उसे निर्देश किया गया है, तीन मास के भीतर उपधारा (5) में निर्दिष्ट अध्यक्ष और सदस्यों के चयन को अंतिम रूप देगी ।

(7) चयन समिति उसको निर्दिष्ट प्रत्येक रिक्ति के लिए दो नामों के एक पैनल की सिफारिश करेगी ।

(8) अपील अधिकरण के सदस्य या केंद्रीय आयोग के अध्यक्ष या अन्य सदस्य के रूप में नियुक्ति के लिए किसी व्यक्ति की सिफारिश करने से पूर्व चयन समिति अपना यह समाधान करेगी कि ऐसे व्यक्ति का कोई वित्तीय या ऐसा अन्य हित नहीं है जिससे अध्यक्ष या सदस्य के रूप में उसके कृत्यों पर प्रतिकूल प्रभाव पड़ने की संभावना है।

(9) अध्यक्ष या अन्य सदस्य की कोई नियुक्ति चयन समिति में किसी रिक्ति के कारण ही अविधिमान्य नहीं होगी :

परंतु इस धारा की कोई बात केन्द्रीय आयोग के अध्यक्ष के रूप में किसी व्यक्ति की नियुक्ति को लागू नहीं होगी जहां ऐसा व्यक्ति उच्चतम न्यायालय का न्यायाधीश या उच्च न्यायालय का मुख्य न्यायमूर्ति है या रहा है।

**79. केंद्रीय आयोग के कृत्य—**(1) केंद्रीय आयोग, निम्नलिखित कृत्यों का निर्वहन करेगा, अर्थात् :—

- (क) केंद्रीय सरकार के स्वामित्व वाली या उसके द्वारा नियंत्रित उत्पादन कंपनियों के टैरिफ का विनियमन करना;
- (ख) खंड (क) में विनिर्दिष्ट केंद्रीय सरकार के स्वामित्व वाली या उसके द्वारा नियंत्रित उत्पादन कंपनियों से भिन्न उत्पादन कंपनियों के टैरिफ का विनियमन करना, यदि ऐसी उत्पादन कंपनियां एक राज्य से अधिक राज्यों में विद्युत के उत्पादन और विक्रय के लिए कोई संयुक्त स्कीम बनाती हैं या अन्यथा उनकी ऐसी कोई संयुक्त स्कीम है;
- (ग) विद्युत के अंतरराज्यिक पारेषण को विनियमित करना;
- (घ) विद्युत के अंतरराज्यिक पारेषण के लिए टैरिफ अवधारित करना;
- (ङ) किन्हीं व्यक्तियों को पारेषण अनुज्ञप्तिधारी और उनकी अंतरराज्यिक संक्रियाओं की बाबत विद्युत व्यापारी के रूप में कृत्य करने के लिए अनुज्ञप्ति जारी करना;
- (च) उपर्युक्त खंड (क) से खंड (घ) तक से संसक्त विषयों के संबंध में उत्पादन कंपनियों या पारेषण अनुज्ञप्तिधारियों को अंतर्वलित करने वाले विवादों का न्यायनिर्णयन करना और माध्यस्थता के लिए किसी विवाद को निर्दिष्ट करना;
- (छ) इस अधिनियम के प्रयोजनों के लिए फीस उद्गृहीत करना;
- (ज) ग्रिड मानकों को ध्यान में रखते हुए ग्रिड कोड विनिर्दिष्ट करना;
- (झ) अनुज्ञप्तिधारियों द्वारा सेवा की क्वालिटी, निरंतरता और विश्वसनीयता के संबंध में मानकों को विनिर्दिष्ट और प्रवृत्त करना;
- (ञ) विद्युत के अंतरराज्यिक व्यापार में, यदि आवश्यक समझा जाए, तो व्यापार अन्तर को नियत करना;
- (ट) ऐसे अन्य कृत्यों का निर्वहन करना जो इस अधिनियम के अधीन समनुदेशित किए जाएं।

(2) केन्द्रीय आयोग, निम्नलिखित सभी या किन्हीं विषयों पर केन्द्रीय सरकार को सलाह देगा, अर्थात् :—

- (i) राष्ट्रीय विद्युत नीति और टैरिफ नीति का बनाना;
- (ii) विद्युत उद्योग के क्रियाकलाप में प्रतिस्पर्धा, दक्षता और मितव्ययिता का संवर्द्धन;
- (iii) विद्युत उद्योग में विनिधान का संवर्द्धन;
- (iv) सरकार द्वारा केंद्रीय आयोग को निर्दिष्ट कोई अन्य विषय।

(3) केन्द्रीय आयोग, अपनी शक्तियों का प्रयोग और अपने कृत्यों का निर्वहन करते समय पारदर्शिता सुनिश्चित करेगा।

(4) केन्द्रीय आयोग, अपने कृत्यों के निर्वहन में, धारा 3 के अधीन प्रकाशित राष्ट्रीय विद्युत नीति, राष्ट्रीय विद्युत योजना और टैरिफ नीति से मार्गदर्शित होगा।

**80. केन्द्रीय सलाहकार समिति—**(1) केन्द्रीय आयोग, अधिसूचना द्वारा, उस तारीख से जो वह उक्त अधिसूचना में विनिर्दिष्ट करे, एक समिति स्थापित करेगा जो केन्द्रीय सलाहकार समिति के नाम से ज्ञात होगी।

(2) केन्द्रीय सलाहकार समिति में वाणिज्य, उद्योग, परिवहन, कृषि, श्रम, उपभोक्ता, गैर-सरकारी संगठनों और विद्युत सेक्टर में शैक्षणिक और अनुसंधान निकायों के हितों का प्रतिनिधित्व करने वाले इकतीस से अनधिक सदस्य होंगे।

(3) केन्द्रीय आयोग का अध्यक्ष, केन्द्रीय सलाहकार समिति का पदेन अध्यक्ष होगा और उक्त आयोग के सदस्य और उपभोक्ता मामले तथा लोक वितरण प्रणाली मंत्रालय या विभाग का भारसाधक भारत सरकार का सचिव, समिति के पदेन सदस्य होंगे।

**81. केन्द्रीय सलाहकार समिति के उद्देश्य—**केन्द्रीय सलाहकार समिति का उद्देश्य केन्द्रीय आयोग को निम्नलिखित पर सलाह देना होगा—

- (i) नीति संबंधी मुख्य प्रश्न;



- (ii) अनुज्ञप्तिधारियों द्वारा प्रदान की गई सेवा की क्वालिटी, निरंतरता और विस्तार से संबंधित विषय;
- (iii) अनुज्ञप्तिधारियों द्वारा उनकी अनुज्ञप्ति की शर्तों और अपेक्षाओं का अनुपालन;
- (iv) उपभोक्ता हित का संरक्षण;
- (v) विद्युत प्रदाय और उपयोगिताओं द्वारा निष्पादन के समग्र मानदंड।

#### राज्य आयोगों का गठन, उनकी शक्तियां और कृत्य

**82. राज्य आयोग का गठन—**(1) प्रत्येक राज्य सरकार, नियत तारीख से छह मास के भीतर अधिसूचना द्वारा, इस अधिनियम के प्रयोजनों के लिए राज्य के लिए एक आयोग गठित करेगी जो (राज्य का नाम) विद्युत विनियामक आयोग के रूप में ज्ञात होगा :

परंतु विद्युत विनियामक आयोग अधिनियम, 1998 (1998 का 14) की धारा 17 और अनुसूची में विनिर्दिष्ट अधिनियमितियों के अधीन किसी राज्य सरकार द्वारा स्थापित और नियत तारीख से ठीक पूर्व उस रूप में कार्य कर रहा राज्य विद्युत विनियामक आयोग, इस अधिनियम के प्रयोजनों के लिए राज्य आयोग होगा और उसके अध्यक्ष, सदस्य, सचिव और अधिकारी तथा अन्य कर्मचारी उन्हीं निबंधनों और शर्तों पर, जिन पर वे उक्त अधिनियमों के अधीन नियुक्त किए गए थे, अपना पद धारण करते रहेंगे :

परंतु यह और कि विद्युत विनियामक आयोग अधिनियम, 1998 (1998 का 14) के अधीन या अनुसूची में विनिर्दिष्ट अधिनियमितियों के अधीन, इस अधिनियम के प्रारंभ से पूर्व, नियुक्त राज्य आयोग के अध्यक्ष और अन्य सदस्यों को, संबद्ध राज्य सरकार द्वारा इस अधिनियम के अधीन निबंधनों और शर्तों को स्वीकार करने के लिए धारा 85 की उपधारा (1) के अधीन गठित चयन समिति की सिफारिशों पर अनुज्ञात किया जा सकेगा।

(2) राज्य आयोग पूर्वोक्त नाम का एक निगमित निकाय होगा जिसका शाश्वत उत्तराधिकार और सामान्य मुद्रा होगी और जिसे स्थावर और जंगम, दोनों ही संपत्तियों का अर्जन, धारण और व्ययन करने तथा संविदा करने की शक्ति होगी और उक्त नाम से वह वाद लाएगा या उसके विरुद्ध वाद लाया जाएगा।

(3) राज्य आयोग का प्रधान कार्यालय उस स्थान पर होगा जो राज्य सरकार अधिसूचना द्वारा विनिर्दिष्ट करे।

(4) राज्य आयोग तीन सदस्यों से अनधिक से मिलकर बनेगा जिसमें अध्यक्ष सम्मिलित है।

(5) राज्य आयोग का अध्यक्ष और सदस्य, राज्य सरकार द्वारा धारा 85 में निर्दिष्ट चयन समिति की सिफारिश पर नियुक्त किए जाएंगे।

**83. संयुक्त आयोग—**(1) धारा 82 में अंतर्विष्ट किसी प्रतिकूल बात के होते हुए भी,—

(क) दो या अधिक राज्य सरकारों द्वारा ; या

(ख) एक या अधिक संघ राज्यक्षेत्रों और एक या अधिक राज्य सरकारों के संबंध में, केन्द्रीय सरकार द्वारा,

किए गए किसी करार द्वारा एक संयुक्त आयोग गठित किया जा सकेगा और वह इतनी अवधि के लिए प्रवृत्त होगा तथा उतनी और अवधि के लिए, यदि कोई हो, नवीकरण के अधीन होगा, जो करार में अनुबन्धित है :

परंतु विद्युत विनियामक आयोग अधिनियम, 1998 (1998 का 14) की धारा 21क के अधीन गठित और नियत दिन से ठीक पूर्व उस रूप में कार्य कर रहा संयुक्त आयोग, इस अधिनियम के प्रयोजनों के लिए संयुक्त आयोग होगा और उसके अध्यक्ष, सदस्यों, सचिव और अन्य अधिकारियों तथा कर्मचारियों को इस अधिनियम के अधीन उस प्रकार नियुक्त किया गया समझा जाएगा तथा वे उन्हीं निबंधनों और शर्तों पर पद धारण करते रहेंगे जिन पर विद्युत विनियामक आयोग अधिनियम, 1998 के अधीन वे नियुक्त किए गए थे।

(2) संयुक्त आयोग में भाग लेने वाले राज्यों और संघ राज्यक्षेत्रों में से प्रत्येक से एक सदस्य होगा और सदस्यों में से अध्यक्ष, सदस्यों के मतैक्य से और वैसा न हो सकने पर चक्रानुक्रम से नियुक्त किया जाएगा।

(3) उपधारा (1) के अधीन किसी करार में, संयुक्त आयोग के नाम से, उस रीति से जिसमें भाग लेने वाले राज्य संयुक्त आयोग के अध्यक्ष और सदस्यों के चयन में सहयोजित किए जा सकेंगे, सदस्यों की नियुक्ति की रीति और चक्रानुक्रम या सर्वसम्मति द्वारा अध्यक्ष की नियुक्ति से, उन स्थानों से जहां आयोग बैठक करेगा, संयुक्त आयोग से संबंधित व्यय का भाग लेने वाले राज्यों के बीच प्रभाजन से, उस रीति से जिसमें संयुक्त आयोग और संबद्ध राज्य सरकार के बीच मतवैभिन्य दूर किए जा सकेंगे, संबंधित उपबंध होंगे और इस अधिनियम से संगत ऐसे अन्य अनुपूरक, आनुषंगिक तथा पारिणामिक उपबंध भी अंतर्विष्ट हो सकेंगे जो करार को प्रभावी करने के लिए आवश्यक या समीचीन समझे जाएं।

(4) संयुक्त आयोग, भाग लेने वाले राज्यों या संघ राज्यक्षेत्रों की बाबत टैरिफ का अवधारण पृथक्-पृथक् और स्वतंत्र रूप से करेगा।

(5) इस धारा में किसी बात के होते हुए भी, केन्द्रीय सरकार, यदि उसे सभी भाग लेने वाले राज्यों द्वारा इस प्रकार प्राधिकृत किया गया हो, तो एक संयुक्त आयोग का गठन कर सकेगी और उपधारा (3) में विनिर्दिष्ट सभी या किन्हीं विषयों की बाबत शक्तियों का और विशेषतः भाग लेने वाले राज्यों द्वारा इस प्रकार प्राधिकृत शक्तियों का प्रयोग कर सकेगी।

**84. राज्य आयोग के अध्यक्ष, और सदस्यों की नियुक्ति के लिए अर्हताएं—**(1) राज्य आयोग का अध्यक्ष और सदस्य योग्यता, कर्तव्यनिष्ठा और अनुभव रखने वाले ऐसे व्यक्ति होंगे जिनके पास इंजीनियरी, वित्त, वाणिज्य, अर्थशास्त्र, विधि या प्रबंध से संबंधित समस्याओं के बारे में कार्यवाई करने का पर्याप्त ज्ञान हो और उन्होंने उसमें क्षमता प्रदर्शित की हो।

(2) उपधारा (1) में अंतर्विष्ट किसी बात के होते हुए भी, राज्य सरकार, ऐसे व्यक्तियों में से जो उच्च न्यायालय के न्यायाधीश हैं या रहे हैं, किसी व्यक्ति को अध्यक्ष के रूप में नियुक्त कर सकेगी :

परंतु इस उपधारा के अधीन कोई नियुक्ति उच्च न्यायालय के मुख्य न्यायमूर्ति के साथ परामर्श करने के पश्चात् ही की जाएगी अन्यथा नहीं।

(3) राज्य आयोग का अध्यक्ष या कोई सदस्य कोई अन्य पद धारण नहीं करेगा।

(4) अध्यक्ष, राज्य आयोग का मुख्य कार्यपालक होगा।

**85. राज्य आयोग के सदस्यों का चयन करने के लिए चयन समिति का गठन—**(1) राज्य सरकार, राज्य आयोग के सदस्यों का चयन करने के प्रयोजनों के लिए, एक चयन समिति का गठन करेगी जिसमें निम्नलिखित होंगे :—

(क) एक व्यक्ति, जो उच्च न्यायालय का न्यायाधीश रहा है —अध्यक्ष;

(ख) संबद्ध राज्य का मुख्य सचिव —सदस्य;

(ग) प्राधिकरण का अध्यक्ष या केन्द्रीय आयोग का अध्यक्ष —सदस्य;

परंतु इस धारा की कोई बात अध्यक्ष के रूप में किसी ऐसे व्यक्ति, जो उच्च न्यायालय का न्यायाधीश है या रहा है, की नियुक्ति को लागू नहीं होगी।

(2) राज्य सरकार, किसी अध्यक्ष या सदस्य की मृत्यु, त्यागपत्र या उसके हटाए जाने के कारण हुई किसी रिक्ति की तारीख से एक मास के भीतर और किसी अध्यक्ष या सदस्य की अधिवर्षिता या कालावधि की समाप्ति के छह मास पूर्व, रिक्ति को भरने के लिए चयन समिति को निर्देश करेगी।

(3) चयन समिति, उसको निर्देश किए जाने की तारीख से तीन मास के भीतर अध्यक्ष और सदस्यों के चयन को अंतिम रूप देगी।

(4) चयन समिति, उसे निर्देशित प्रत्येक रिक्ति के लिए दो नामों के एक पैनल की सिफारिश करेगी।

(5) चयन समिति, राज्य आयोग के अध्यक्ष या अन्य सदस्य के रूप में नियुक्ति के लिए किसी व्यक्ति की सिफारिश करने से पूर्व अपना यह समाधान करेगी कि ऐसे व्यक्ति का ऐसा कोई वित्तीय या अन्य हित नहीं है जिससे, यथास्थिति, अध्यक्ष या सदस्य के रूप में उसके कृत्यों पर प्रतिकूल प्रभाव पड़ने की संभावना है।

(6) अध्यक्ष या अन्य सदस्य की कोई नियुक्ति, केवल इस आधार पर अविधिमान्य नहीं होगी की चयन समिति में कोई रिक्ति है।

**86. राज्य आयोग के कृत्य—**(1) राज्य आयोग निम्नलिखित कृत्यों का निर्वहन करेगा, अर्थात् :—

(क) राज्य के भीतर, यथास्थिति, थोक, प्रपुंज या फुटकर विद्युत के उत्पादन, प्रदाय, पारेषण और चक्रण के लिए टैरिफ अवधारित करना :

परंतु जहां उपभोक्ताओं के किसी प्रवर्ग के लिए धारा 42 के अधीन निर्बाध पहुंच अनुज्ञात की गई है, वहां राज्य आयोग उपभोक्ताओं के उक्त प्रवर्ग के लिए केवल चक्रण प्रभागों और उस पर अधिभार, यदि कोई हो, का ही अवधारण करेगा;

(ख) वितरण अनुज्ञप्तिधारियों की विद्युत क्रय और उपापन प्रक्रिया को विनियमित करना जिसके अंतर्गत वह कीमत भी है जिस पर विद्युत, राज्य में वितरण और प्रदाय के लिए विद्युत क्रय के करारों के माध्यम से उत्पादन कंपनियों या अनुज्ञप्तिधारियों से या अन्य स्रोतों से उपापन की जाएगी;

(ग) विद्युत के अंतःराज्यिक पारेषण और चक्रण को सुकर बनाना;

(घ) ऐसे व्यक्तियों को, जो राज्य में अपनी संक्रियाओं की बाबत पारेषण अनुज्ञप्तिधारियों, वितरण अनुज्ञप्तिधारियों और विद्युत व्यापारियों के रूप में कार्य करने के इच्छुक हैं, अनुज्ञप्तियां जारी करना;

(ङ) किसी व्यक्ति को, विद्युत की ग्रिड के साथ संयोजकता और उसके विक्रय के लिए उपयुक्त साधन उपलब्ध कराते हुए ऊर्जा के नवीकरणीय स्रोतों से सहउत्पादन और उत्पादन और ऐसे स्रोतों से विद्युत के क्रय के लिए किसी वितरण अनुज्ञप्तिधारी के क्षेत्र में विद्युत की कुल खपत का प्रतिशत भी विनिर्दिष्ट करना;

(च) अनुज्ञप्तिधारियों और उत्पादन कंपनियों के बीच विवादों पर न्यायानिर्णयन करना और किसी विवाद को माध्यस्थता के लिए निर्देशित करना;

(छ) इस अधिनियम के प्रयोजनों के लिए फीस उद्गृहीत करना;

(ज) धारा 79 की उपधारा (1) के खण्ड (ज) के अधीन विनिर्दिष्ट ग्रिड कोड से संगत राज्य ग्रिड कोड विनिर्दिष्ट करना;

(झ) अनुज्ञप्तिधारियों द्वारा सेवा की क्वालिटी, निरन्तरता और विश्वसनीयता की बाबत मानदंड विनिर्दिष्ट या प्रवर्तित करना;

(ञ) विद्युत के अंतरराज्यिक व्यापार में, यदि आवश्यक समझा जाए, तो व्यापार लाभ मार्जन नियत करना;

(ट) ऐसे अन्य कृत्यों का निर्वहन करना, जो इस अधिनियम के अधीन उसे समनुदेशित किए जाएं।

(2) राज्य आयोग, निम्नलिखित सभी या किन्हीं विषयों पर राज्य सरकार को सलाह देगा, अर्थात् :—

(i) विद्युत उद्योग के क्रियाकलाप में प्रतिस्पर्धा, दक्षता और मितव्ययिता का संवर्धन;

(ii) विद्युत उद्योग में विनिधान का संवर्धन;

(iii) राज्य में विद्युत उद्योग का पुनर्गठन और पुनःसंरचना;

(iv) विद्युत के उत्पादन, पारेषण, वितरण और व्यापार से संबंधित विषयों या उस सरकार द्वारा राज्य आयोग को निर्देशित कोई अन्य विषय।

(3) राज्य आयोग, अपनी शक्तियों का प्रयोग और अपने कृत्यों का निर्वहन करते समय पारदर्शिता सुनिश्चित करेगा।

(4) राज्य आयोग, अपने कृत्यों के निर्वहन में धारा 3 के अधीन प्रकाशित राष्ट्रीय विद्युत नीति, राष्ट्रीय विद्युत योजना और टैरिफ नीति से मार्गदर्शित होगा।

**87. राज्य सलाहकार समिति—**(1) राज्य आयोग, अधिसूचना द्वारा, ऐसी तारीख से जो वह किसी अधिसूचना में विनिर्दिष्ट करे, एक समिति स्थापित करेगा जो, राज्य सलाहकार समिति के नाम से ज्ञात होगी।

(2) राज्य सलाहकार समिति, वाणिज्य, उद्योग, परिवहन, कृषि, श्रम, उपभोक्ता, गैर-सरकारी संगठनों और विद्युत सेक्टर में शैक्षणिक तथा अनुसंधान निकायों के हितों का प्रतिनिधित्व करने वाले इक्कीस से अनधिक सदस्यों से मिलकर बनेगी।

(3) राज्य आयोग का अध्यक्ष, राज्य सलाहकार समिति का पदेन अध्यक्ष होगा और राज्य आयोग के सदस्य तथा उपभोक्ता मामले तथा लोक वितरण प्रणाली से संबंधित मंत्रालय या विभाग का भारसाधक राज्य सरकार का सचिव, समिति के पदेन सदस्य होंगे।

**88. राज्य सलाहकार समिति के उद्देश्य—**राज्य सलाहकार समिति के उद्देश्य निम्नलिखित के संबंध में राज्य आयोग को सलाह देने होंगे—

(i) नीति संबंधी मुख्य प्रश्न;

(ii) अनुज्ञप्तिधारियों द्वारा प्रदान की गई सेवा की क्वालिटी, निरन्तरता और विस्तार से संबंधित विषय;

(iii) अनुज्ञप्तिधारियों द्वारा उनकी अनुज्ञप्तियों की शर्तों और अपेक्षाओं का अनुपालन;

(iv) उपभोक्ता हित का संरक्षण; और

(v) विद्युत प्रदाय और उपयोगिताओं द्वारा निष्पादन के समग्र मानदंड।

#### समुचित आयोग — अन्य उपबंध

**89. सदस्यों की पदावधि और सेवा-शर्तें—**(1) अध्यक्ष या कोई अन्य सदस्य उस तारीख से, जिसको वह पद ग्रहण करता है, पाँच वर्ष की अवधि के लिए पद धारण करेगा :

परंतु केंद्रीय आयोग या राज्य आयोग में अध्यक्ष या अन्य सदस्य उस आयोग में अध्यक्ष या सदस्य के रूप में उसी हैसियत में पुनर्नियुक्ति का पात्र नहीं होगा जिसमें वह पहले उस रूप में पद धारित करता था :

परंतु यह और कि कोई अध्यक्ष या सदस्य पैंसठ वर्ष की आयु प्राप्त कर लेने के पश्चात् उस रूप में पद धारण नहीं करेगा।

(2) अध्यक्ष और सदस्यों के वेतन, भत्ते और सेवा के अन्य निबंधन और शर्तें वे होंगी जो समुचित सरकार द्वारा विहित की जाएं :

परन्तु सदस्यों के वेतन, भत्तों और सेवा के अन्य निबंधनों और शर्तों में, नियुक्ति के पश्चात् उनके लिए अलाभकर कोई परिवर्तन नहीं किया जाएगा ।

(3) प्रत्येक सदस्य, अपना पद ग्रहण करने से पूर्व, ऐसे प्ररूप में और ऐसी रीति से तथा ऐसे प्राधिकारी के समक्ष, जो विहित किया जाए, अपने पद और गोपनीयता की शपथ लेगा और उस पर हस्ताक्षर करेगा ।

(4) उपधारा (1) में किसी बात के होते हुए भी, कोई सदस्य—

(क) समुचित सरकार को तीन मास से अन्यून की लिखित सूचना देकर अपना पद त्याग सकेगा; या

(ख) धारा 90 के उपबंधों के अनुसार अपने पद से हटाया जा सकेगा ।

(5) कोई सदस्य, उस रूप में अपने पद पर न रह जाने पर—

(क) उस तारीख से जिसको वह अपने पद पर नहीं रह जाता है, दो वर्ष की अवधि तक कोई वाणिज्यिक नियोजन स्वीकार नहीं करेगा ; और

(ख) केन्द्रीय आयोग या किसी राज्य आयोग के समक्ष किसी व्यक्ति का किसी भी रीति से प्रतिनिधित्व नहीं करेगा ।

**स्पष्टीकरण**—इस उपधारा के प्रयोजनों के लिए, “वाणिज्यिक नियोजन” से किसी ऐसे संगठन में जो समुचित आयोग के समक्ष किसी कार्यवाही में कोई पक्षकार रहा है, किसी हैसियत में नियोजन या विद्युत उद्योग में व्यापार, वाणिज्यिक, औद्योगिक या वित्तीय कारबार में लगे हुए किसी व्यक्ति के अधीन या उसके अभिकरण में किसी हैसियत में नियोजन अभिप्रेत है और इसके अंतर्गत कंपनी का निदेशक या फर्म का भागीदार या ऐसा व्यक्ति भी है, जो स्वतंत्र रूप से या फर्म के भागीदार के रूप में या किसी सलाहकार या परामर्शी के रूप में व्यवसाय स्थापित कर रहा है ।

**90. सदस्य का हटाया जाना**—(1) किसी सदस्य को इस धारा के उपबंधों के अनुसार के सिवाय पद से नहीं हटाया जाएगा ।

(2) केन्द्रीय आयोग के सदस्य की दशा में, केन्द्रीय सरकार और राज्य आयोग के सदस्य की दशा में राज्य सरकार, आदेश द्वारा किसी सदस्य को पद से हटा सकेगी, यदि वह—

(क) दिवालिया न्यायनिर्णीत किया गया है;

(ख) किसी ऐसे अपराध के लिए सिद्धदोष ठहराया गया है जिसमें, समुचित सरकार की राय में नैतिक अधमता अन्तर्वलित है;

(ग) सदस्य के रूप में कार्य करने में शारीरिक या मानसिक रूप से असमर्थ हो गया है;

(घ) उसने ऐसा वित्तीय या अन्य हित अर्जित कर लिया है जिससे सदस्य के रूप में उसके कृत्यों पर प्रतिकूल प्रभाव पड़ने की संभावना है;

(ङ) अपनी स्थिति का ऐसे दुरुपयोग किया है जिससे उसके पद पर बने रहने से लोकहित पर प्रतिकूल प्रभाव पड़ेगा; या

(च) वह साबित कदाचार का दोषी रहा है :

परन्तु कोई भी सदस्य, खंड (घ), खंड (ङ) और खंड (च) में विनिर्दिष्ट किसी आधार पर अपने पद से तब तक नहीं हटाया जाएगा जब तक कि, अपील अधिकरण के अध्यक्ष ने यथास्थिति, केन्द्रीय सरकार या राज्य सरकार द्वारा इस निमित्त उसे किए गए निर्देश पर ऐसी जांच के पश्चात्, जो उसके द्वारा केन्द्रीय सरकार द्वारा विहित की गई प्रक्रिया के अनुसार की गई हो, यह रिपोर्ट न दी हो कि उक्त सदस्य को ऐसे आधार या आधारों पर पद से हटा दिया जाना चाहिए ।

(3) यथास्थिति, केन्द्रीय सरकार या राज्य सरकार अपील अधिकरण के अध्यक्ष के परामर्श से समुचित आयोग के किसी ऐसे सदस्य को जिसके संबंध में, अपील अधिकरण के अध्यक्ष को उपधारा (2) के अधीन निर्देश किया गया है जब तक कि, यथास्थिति, केन्द्रीय सरकार या राज्य सरकार ने ऐसे निर्देश पर अपील अधिकरण के अध्यक्ष की रिपोर्ट की प्राप्ति पर आदेश पारित न किए हों, अध्यक्ष निलंबित कर सकेगा :

परन्तु इस धारा में की कोई बात समुचित आयोग के ऐसे अध्यक्ष को जो अपनी नियुक्ति के समय, उच्चतम न्यायालय का आसीन न्यायाधीश या किसी उच्च न्यायालय का मुख्य न्यायमूर्ति या किसी उच्च न्यायालय का न्यायाधीश है, लागू नहीं होगी ।

#### समुचित आयोग की कार्यवाहियां और शक्तियां

**91. आयोग के सचिव, अधिकारी और अन्य कर्मचारिवृंद**—(1) समुचित आयोग, ऐसी शक्तियों का प्रयोग और ऐसे कर्तव्यों का पालन करने के लिए, जो विनिर्दिष्ट किए जाएं, एक सचिव की नियुक्ति कर सकेगा ।

(2) समुचित आयोग, समुचित सरकार के अनुमोदन से अन्य अधिकारियों और कर्मचारियों की संख्या, प्रकृति और प्रवर्ग विनिर्दिष्ट कर सकेगा।

(3) सचिव, अधिकारियों और अन्य कर्मचारियों को संदेय वेतन और भत्ते तथा सेवा के अन्य निबंधन और शर्तें वे होंगी जो समुचित सरकार के अनुमोदन से विनिर्दिष्ट की जाएं।

(4) समुचित आयोग, आयोग की, उसके कृत्यों के निर्वहन में सहायता करने के लिए अपेक्षित परामर्शी को ऐसे निबन्धनों और शर्तों पर, जो विनिर्दिष्ट की जाएं नियुक्त कर सकेगा।

**92. समुचित आयोग की कार्यवाहियां—**(1) समुचित आयोग, प्रधान कार्यालय या किसी अन्य स्थान पर और ऐसे समय पर अधिवेशन करेगा जैसा अध्यक्ष निदेश दे और अपने अधिवेशनों में कारबार के संव्यवहार के संबंध में प्रक्रिया के ऐसे नियमों का पालन करेगा (जिसमें उसके अधिवेशनों में गणपूर्ति भी है) जो विनिर्दिष्ट किए जाएं।

(2) अध्यक्ष, या यदि वह समुचित आयोग के अधिवेशन में उपस्थित होने में असमर्थ है तो अध्यक्ष द्वारा इस निमित्त नामनिर्देशित कोई अन्य सदस्य और ऐसे नामनिर्देशन के अभाव में या जहां कोई अध्यक्ष नहीं है वहां उपस्थित सदस्यों द्वारा अपने में से चुना गया कोई सदस्य अधिवेशन की अध्यक्षता करेगा।

(3) ऐसे सभी प्रश्नों का जो समुचित आयोग के किसी अधिवेशन के समक्ष आए, उपस्थित और मत देने वाले सदस्यों के बहुमत द्वारा विनिश्चय किया जाएगा और मत बराबर होने की दशा में अध्यक्ष या उसकी अनुपस्थिति में पीठासीन व्यक्ति का द्वितीय या निर्णायक मत होगा।

(4) उपधारा (3) में जैसा उपबंधित है उसके सिवाय, प्रत्येक सदस्य का एक मत होगा।

(5) समुचित आयोग के सभी आदेश और विनिश्चय आयोग के सचिव या किसी अन्य अधिकारी द्वारा, जिसे अध्यक्ष द्वारा इस निमित्त सम्यक् रूप से प्राधिकृत किया जाए, अधिप्रमाणित किए जाएंगे।

**93. रिक्तियों आदि से कार्यवाहियों का अविधिमान्य न होना—**समुचित आयोग का कोई कार्य या कार्यवाही केवल इस आधार पर प्रश्नगत नहीं की जाएगी या अविधिमान्य नहीं होगी कि समुचित आयोग के गठन में कोई रिक्ति या त्रुटि है।

**94. समुचित आयोग की शक्तियां—**(1) समुचित आयोग को इस अधिनियम के अधीन किसी जांच या कार्यवाहियों के प्रयोजनों के लिए वही शक्तियां प्राप्त होंगी जो निम्नलिखित विषयों के संबंध में सिविल प्रक्रिया संहिता, 1908 (1908 का 5) के अधीन सिविल न्यायालय में निहित हैं, अर्थात् :—

(क) किसी व्यक्ति को समन करना और उसको हाजिर कराना और उसकी शपथ पर परीक्षा करना;

(ख) साक्ष्य के रूप में प्रस्तुत किए जाने योग्य किसी दस्तावेज या अन्य सामग्री का प्रकटीकरण और प्रस्तुतीकरण;

(ग) शपथपत्रों पर साक्ष्य प्राप्त करना;

(घ) किसी लोक अभिलेख की अध्यपेक्षा करना;

(ङ) साक्षियों की परीक्षा के लिए कमीशन निकालना;

(च) अपने विनिश्चयों, निदेशों और आदेशों का पुनर्विलोकन करना;

(छ) कोई अन्य विषय जो विहित किया जाए।

(2) समुचित आयोग को, समुचित आयोग के समक्ष किसी कार्यवाही सुनवाई या विषय में ऐसा अंतरिम आदेश पारित करने की शक्तियां होंगी जिसे आयोग समुचित समझे।

(3) समुचित आयोग, अपने समक्ष कार्यवाहियों में उपभोक्ताओं के हित का प्रतिनिधित्व करने के लिए किसी ऐसे व्यक्ति को प्राधिकृत कर सकेगा जिसे वह ठीक समझे।

**95. आयोग के समक्ष कार्यवाहियां—**समुचित आयोग के समक्ष सभी कार्यवाहियां, भारतीय दंड संहिता (1860 का 45) की धारा 193 और धारा 228 के अर्थातर्गत न्यायिक कार्यवाहियां समझी जाएंगी और समुचित आयोग को दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 345 और धारा 346 के प्रयोजनों के लिए सिविल न्यायालय समझा जाएगा।

**96. प्रवेश और अभिग्रहण की शक्तियां—**समुचित आयोग या आयोग द्वारा इस निमित्त विशेष रूप से प्राधिकृत राजपत्रित अधिकारी की पंक्ति से अनिम्न कोई अधिकारी, ऐसे किसी भवन या स्थान में प्रवेश कर सकेगा जहां आयोग के पास यह विश्वास करने का कारण है कि जांच की किसी विषयवस्तु से संबंधित कोई दस्तावेज वहां पर पाया जा सकता है, और ऐसे किसी दस्तावेज को अभिगृहीत कर सकेगा या दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 100 के उपबंधों के अधीन रहते हुए, जहां तक वह लागू होती हो, उस दस्तावेज से उद्धरण या उसकी प्रतियां ले सकेगा।

**97. प्रत्यायोजन—**समुचित आयोग, साधारण या विशेष लिखित आदेश द्वारा ऐसी शर्तों के अधीन, यदि कोई हों, जो इस आदेश में विनिर्दिष्ट की जाएं, इस अधिनियम के अधीन अपनी ऐसी शक्तियों और कृत्यों को (धारा 79 और धारा 86 के अधीन विवादों

के निपटारे और धारा 178 या धारा 181 के अधीन विनियम बनाने की शक्ति को छोड़कर) जो वह आवश्यक समझे, केंद्रीय या राज्य आयोग के किसी सदस्य, अधिकारी या किसी अन्य व्यक्ति को, प्रत्यायोजित कर सकेगा।

### अनुदान, निधि, लेखे, लेखा-परीक्षा और रिपोर्ट

**98. केन्द्रीय सरकार द्वारा अनुदान और उधार**—केन्द्रीय सरकार, संसद् द्वारा इस निमित्त किए गए सम्यक् विनियोग के पश्चात्, केन्द्रीय आयोग को ऐसी धनराशियों के अनुदान और उधार दे सकेगी जो वह सरकार आवश्यक समझे।

**99. केन्द्रीय सरकार द्वारा निधि की स्थापना**—(1) केन्द्रीय विद्युत विनियामक आयोग निधि के नाम से ज्ञात एक निधि का गठन किया जाएगा और उसमें निम्नलिखित जमा किए जाएंगे :—

(क) धारा 98 के अधीन केन्द्रीय आयोग को दिया गया कोई अनुदान और उधार;

(ख) इस अधिनियम के अधीन केन्द्रीय आयोग द्वारा प्राप्त की गई सभी फीसें;

(ग) केन्द्रीय आयोग द्वारा ऐसे अन्य स्रोतों से, जो केन्द्रीय सरकार द्वारा विनिश्चित किए जाएं, प्राप्त सभी राशियां।

(2) निधि निम्नलिखित को पूरा करने के लिए उपयोजित की जाएगी—

(क) केन्द्रीय आयोग के अध्यक्ष, सदस्यों, सचिव, अधिकारियों और अन्य कर्मचारियों के वेतन, भत्ते और अन्य पारिश्रमिक;

(ख) धारा 79 के अधीन केन्द्रीय आयोग के कृत्यों के निर्वहन के खर्चे;

(ग) इस अधिनियम द्वारा प्राधिकृत उद्देश्यों पर और प्रयोजनों के लिए खर्च।

(3) केन्द्रीय सरकार, भारत के नियंत्रक-महालेखापरीक्षक के परामर्श से, उपधारा (2) के खंड (ख) या खंड (ग) में विनिर्दिष्ट व्ययों को पूरा करने के लिए निधि का उपयोजन करने की रीति विहित कर सकेगी।

**100. केन्द्रीय आयोग के लेखे और लेखापरीक्षा**—(1) केन्द्रीय आयोग, उचित लेखे और अन्य सुसंगत अभिलेख रखेगा और लेखाओं का एक वार्षिक विवरण, ऐसे प्ररूप में तैयार करेगा जो केन्द्रीय सरकार, भारत के नियंत्रक-महालेखापरीक्षक के परामर्श से, विहित करे।

(2) केन्द्रीय आयोग के लेखाओं की लेखापरीक्षा भारत का नियंत्रक-महालेखापरीक्षक ऐसे अंतरालों पर करेगा जो उसके द्वारा विनिर्दिष्ट किए जाएं और ऐसी लेखापरीक्षा के संबंध में उपगत कोई व्यय, केन्द्रीय आयोग द्वारा भारत के नियंत्रक-महालेखापरीक्षक को संदेय होगा।

(3) भारत के नियंत्रक-महालेखापरीक्षक और इस अधिनियम के अधीन केन्द्रीय आयोग के लेखाओं की लेखापरीक्षा के संबंध में उसके द्वारा नियुक्त किसी व्यक्ति के उस लेखापरीक्षा के संबंध में वही अधिकार, विशेषाधिकार तथा प्राधिकार होंगे, जो भारत के नियंत्रक-महालेखापरीक्षक के सरकारी लेखाओं की संपरीक्षा के संबंध में हैं, और उसे विशिष्टतः केन्द्रीय आयोग की बहियों, लेखाओं, संबंधित वाउचरों और अन्य दस्तावेज तथा कागज-पत्रों को पेश किए जाने की मांग करने और उसके किसी भी कार्यालय का निरीक्षण करने का अधिकार होगा।

(4) भारत के नियंत्रक-महालेखापरीक्षक या इस निमित्त उसके द्वारा नियुक्त किसी अन्य व्यक्ति द्वारा यथाप्रमाणित, केन्द्रीय आयोग के लेखे, उनकी लेखापरीक्षा रिपोर्ट के साथ वार्षिक रूप से केन्द्रीय सरकार को अग्रेषित किए जाएंगे और वह सरकार, उसके प्राप्त होने पर यथाशीघ्र उसे संसद् के प्रत्येक सदन के समक्ष रखवाएगी।

**101. केन्द्रीय आयोग की वार्षिक रिपोर्ट**—(1) केन्द्रीय आयोग, प्रत्येक वर्ष में एक बार ऐसे प्ररूप में और ऐसे समय पर, जो विहित किया जाए, अपनी वार्षिक रिपोर्ट तैयार करेगा, जिसमें पूर्ववर्ती वर्ष के दौरान उसके क्रियाकलापों का सारांश होगा और रिपोर्ट की प्रतियां केन्द्रीय सरकार को भेजेगा।

(2) उपधारा (1) के अधीन प्राप्त रिपोर्ट की प्रति, प्राप्ति के पश्चात् यथाशीघ्र, संसद् के प्रत्येक सदन के समक्ष रखी जाएगी।

**102. राज्य सरकार द्वारा अनुदान और उधार**—राज्य सरकार, राज्य विधान-मंडल द्वारा इस निमित्त किए गए सम्यक् विनियोग के पश्चात्, राज्य आयोग को ऐसी राशियों के अनुदान और उधार दे सकेगी जो वह सरकार आवश्यक समझे।

**103. राज्य सरकार द्वारा निधि की स्थापना**—(1) राज्य विद्युत विनियामक आयोग निधि के नाम से ज्ञात एक निधि का गठन किया जाएगा और उसमें निम्नलिखित जमा किए जाएंगे :—

(क) धारा 102 के अधीन राज्य सरकार द्वारा राज्य आयोग को दिया गया कोई अनुदान और उधार;

(ख) इस अधिनियम के अधीन राज्य आयोग द्वारा प्राप्त की गई सभी फीसें;

(ग) राज्य आयोग द्वारा ऐसे अन्य स्रोतों से, जो राज्य सरकार द्वारा विनिश्चित किए जाएं, प्राप्त सभी राशियां।

(2) निधि निम्नलिखित को पूरा करने के लिए उपयोजित की जाएगी—

(क) राज्य आयोग के अध्यक्ष, सदस्यों, सचिव, अधिकारियों और अन्य कर्मचारियों के वेतन, भत्ते और अन्य पारिश्रमिक;

(ख) धारा 86 के अधीन राज्य आयोग के कृत्यों के निर्वहन के व्यय;

(ग) इस अधिनियम द्वारा प्राधिकृत उद्देश्यों पर और प्रयोजनों के लिए व्यय।

(3) राज्य सरकार, भारत के नियंत्रक-महालेखापरीक्षक के परामर्श से, उपधारा (2) के खंड (ख) या खंड (ग) में विनिर्दिष्ट व्ययों को पूरा करने के लिए निधि का उपयोजन करने की रीति विहित कर सकेगी।

**104. राज्य आयोग के लेखे और लेखापरीक्षा—**(1) राज्य आयोग, उचित लेखे और अन्य सुसंगत अभिलेख रखेगा और वार्षिक लेखा विवरण, ऐसे प्ररूप में तैयार करेगा जो राज्य सरकार द्वारा भारत के नियंत्रक-महालेखापरीक्षक के परामर्श से विहित किया जाए।

(2) राज्य आयोग के लेखाओं की, भारत के नियंत्रक-महालेखापरीक्षक द्वारा ऐसे समय और अन्तरालों पर, जो उसके द्वारा विनिर्दिष्ट किए जाएं, लेखापरीक्षा की जाएगी और ऐसी लेखापरीक्षा के संबंध में उपगत कोई व्यय, राज्य आयोग द्वारा भारत के नियंत्रक-महालेखापरीक्षक को संदेय होगा।

(3) भारत के नियंत्रक-महालेखापरीक्षक या इस अधिनियम के अधीन राज्य आयोग के लेखाओं की लेखापरीक्षा के संबंध में उसके द्वारा नियुक्त किसी व्यक्ति को ऐसी लेखापरीक्षा के संबंध में वे ही अधिकार, विशेषाधिकार तथा प्राधिकार होंगे, जो भारत के नियंत्रक-महालेखापरीक्षक को सरकारी लेखाओं की लेखापरीक्षा के संबंध में साधारणतः प्राप्त होते हैं और, विशिष्टतः राज्य आयोग की बहियों, लेखाओं, संबंधित वाउचरों और अन्य दस्तावेजों तथा कागज-पत्रों को पेश करने की मांग करने और उसके कार्यालयों में से किसी का भी निरीक्षण का अधिकार होगा।

(4) भारत के नियंत्रक-महालेखापरीक्षक या उसके द्वारा इस निमित्त नियुक्त किए गए किसी व्यक्ति द्वारा यथाप्रमाणित, राज्य आयोग के लेखे, उन पर लेखापरीक्षा की रिपोर्ट के साथ वार्षिक रूप से राज्य सरकार को अग्रेषित किए जाएंगे और वह सरकार, इनके प्राप्त होने पर यथाशीघ्र उसे राज्य विधान-मंडल के समक्ष रखवाएगी।

**105. राज्य आयोग की वार्षिक रिपोर्ट—**(1) राज्य आयोग प्रति वर्ष एक बार ऐसे प्ररूप में और ऐसे समय पर, जो विहित किया जाए, एक वार्षिक रिपोर्ट तैयार करेगा जिसमें पूर्ववर्ष के दौरान उसके क्रियाकलाप संक्षेप में होंगे और रिपोर्ट की प्रतियां राज्य सरकार को अग्रेषित की जाएंगी।

(2) उपधारा (2) के अधीन प्राप्त रिपोर्ट की प्रति, प्राप्ति के पश्चात् यथाशीघ्र राज्य विधान-मंडल के समक्ष रखी जाएगी।

**106. समुचित आयोग का बजट—**समुचित आयोग, प्रत्येक वित्तीय वर्ष में ऐसे प्ररूप में और ऐसे समय पर, जो विहित किया जाए, आगामी वित्तीय वर्ष के लिए अपना बजट तैयार करेगा जिसमें उस आयोग की प्राक्कलित प्राप्तियां और व्यय दर्शित होंगे और उसे समुचित सरकार को भेजेगा।

**107. केन्द्रीय सरकार द्वारा निदेश—**(1) केन्द्रीय आयोग, अपने कृत्यों के निर्वहन नीति संबंधी ऐसे विषयों में जिनमें लोकहित अंतर्बलित है, केन्द्रीय सरकार द्वारा उसे लिखित में दिए गए निदेशों से मार्गदर्शित होगा।

(2) यदि इस बाबत कोई प्रश्न उद्भूत होता है कि क्या ऐसा कोई निदेश नीति संबंधी ऐसे विषय से संबंधित है, जिसमें लोकहित अंतर्बलित है, तो उस पर केन्द्रीय सरकार का विनिश्चय अंतिम होगा।

**108. राज्य सरकार द्वारा निदेश—**(1) राज्य आयोग, अपने कृत्यों के निर्वहन नीति संबंधी ऐसे विषयों में जिनमें लोकहित अंतर्बलित है, राज्य सरकार द्वारा उसे लिखित में दिए गए निदेशों से मार्गदर्शित होगा।

(2) यदि इस संबंध में कोई प्रश्न उद्भूत होता है कि क्या ऐसा कोई निदेश नीति संबंधी ऐसे विषय से संबंधित है, जिसमें लोकहित अंतर्बलित है, तो उस पर राज्य सरकार का विनिश्चय अंतिम होगा।

**109. संयुक्त आयोग को निदेश—**इस अधिनियम में किसी बात के होते हुए भी, जहां धारा 83 के अधीन कोई संयुक्त आयोग स्थापित किया जाता है वहां—

(क) उस राज्य की सरकार, जिसके लिए संयुक्त आयोग स्थापित किया गया है, केवल ऐसे मामलों में इस अधिनियम के अधीन कोई निदेश देने के लिए सक्षम होगी जहां ऐसा निदेश राज्य की अनन्य राज्यक्षेत्रीय अधिकारिता के भीतर आने वाले विषय से संबंधित हो;

(ख) केन्द्रीय सरकार अकेले ही इस अधिनियम के अधीन कोई निदेश देने के लिए समक्ष होगी, जहां ऐसा निदेश दो या अधिक राज्यों की राज्यक्षेत्रीय अधिकारिता के भीतर आने वाले किसी विषय से या किसी संघ राज्यक्षेत्र से संबंधित है, और भागीदार सरकारें किसी करार पर पहुंचने में असफल रहती हैं या भागीदार राज्य या उनकी बहुसंख्या केन्द्रीय सरकार से ऐसा निदेश देने के लिए अनुरोध करती हैं।

## भाग 11

## विद्युत अपील अधिकरण

**110. अपील अधिकरण की स्थापना**—केन्द्रीय सरकार, अधिसूचना द्वारा <sup>1</sup>[इस अधिनियम या तत्समय प्रवृत्त किसी अन्य विधि के अधीन] न्यायनिर्णयन अधिकारी या समुचित आयोग के आदेशों के विरुद्ध अपीलों की सुनवाई के लिए विद्युत अपील अधिकरण के नाम से ज्ञात एक अपील अधिकरण की स्थापना करेगी।

**111. अपील अधिकरण को अपील**—(1) न्यायनिर्णयन अधिकारी द्वारा (धारा 127 के अधीन के सिवाय) इस अधिनियम के अधीन या समुचित आयोग द्वारा इस अधिनियम के अधीन किए गए किसी आदेश से व्यथित कोई व्यक्ति विद्युत अपील अधिकरण को अपील कर सकेगा :

परंतु यह कि शास्ति उद्गृहीत करने वाले न्यायनिर्णयन अधिकारी के आदेश के विरुद्ध अपील करने वाला कोई व्यक्ति, अपील करते समय, ऐसी शास्ति की रकम जमा करेगा :

परंतु यह और कि जहां किसी विशिष्ट मामले में, अपील अधिकरण की यह राय हो कि ऐसी शास्ति का जमा करवाया जाना ऐसे व्यक्ति के लिए असम्यक् कठिनाई उत्पन्न करेगा, वहां वह शास्ति की वसूली को सुरक्षित करने के लिए जो शर्तें वह अधिरोपित करना उचित समझे, उनके अधीन रहते हुए ऐसे निक्षेप से अभिमुक्ति प्रदान कर सकेगा।

(2) उपधारा (1) के अधीन प्रत्येक अपील, उस तारीख से जिसको न्यायनिर्णयन अधिकारी या समुचित आयोग द्वारा किए गए आदेश की प्रति व्यथित व्यक्ति द्वारा प्राप्त की जाती है, पैंतालीस दिन की अवधि के भीतर फाइल की जाएगी और वह ऐसे प्ररूप में होगी, ऐसी रीति से सत्यापित की जाएगी और उसके साथ उतनी फीस होगी जो विहित की जाए :

परंतु अपील अधिकरण, पैंतालीस दिन की उक्त अवधि की समाप्ति के पश्चात् किसी अपील को ग्रहण कर सकेगा यदि उसका यह समाधान हो जाता है कि उक्त अवधि के भीतर फाइल न किए जाने के लिए पर्याप्त कारण था।

(3) अपील अधिकरण, उपधारा (1) के अधीन अपील प्राप्त करने पर, अपील के पक्षकारों को सुनवाई का अवसर देने के पश्चात् जिस आदेश के विरुद्ध अपील की गई है उसकी पुष्टि करते हुए, उतांतरित करते हुए या अपास्त करते हुए ऐसे आदेश पारित कर सकेगा जो वह ठीक समझे।

(4) अपील अधिकरण अपने द्वारा किए गए प्रत्येक आदेश की एक प्रति अपील के पक्षकारों को और, यथास्थिति, संबद्ध न्यायनिर्णयन अधिकारी को या समुचित आयोग को भेजेगा।

(5) उपधारा (1) के अधीन अपील अधिकरण के समक्ष फाइल की गई अपील उसके द्वारा यथासंभवशीघ्र निपटाई जाएगी और अपील प्राप्त किए जाने की तारीख से एक सौ अस्सी दिन के भीतर अपील को अंतिम रूप से निपटाने का प्रयास किया जाएगा :

परंतु जहां कोई अपील एक सौ अस्सी दिन की उक्त अवधि के भीतर नहीं निपटाई जा सके वहां अपील अधिकरण उक्त अवधि के भीतर अपील नहीं निपटाए जाने के लिए कारणों को लेखबद्ध करेगा।

(6) अपील अधिकरण, इस अधिनियम के अधीन, यथास्थिति, न्यायनिर्णयन अधिकारी या समुचित आयोग द्वारा किए गए किसी आदेश की किन्हीं कार्यवाहियों के संबंध में वैधता, औचित्य या शुद्धता की परीक्षा के प्रयोजनार्थ स्वप्रेरणा से या अन्यथा ऐसी कार्यवाहियों के अभिलेख मंगवाएगा और उस मामले में ऐसे आदेश करेगा जो वह ठीक समझे।

**112. अपील अधिकरण की संरचना**—(1) अपील अधिकरण में एक अध्यक्ष और तीन अन्य सदस्य होंगे।

(2) इस अधिनियम के उपबंधों के अधीन रहते हुए,—

(क) अपील अधिकरण की अधिकारिता का प्रयोग उसकी न्यायपीठों द्वारा किया जा सकेगा;

(ख) अपील अधिकरण के अध्यक्ष द्वारा, अपील अधिकरण के दो या अधिक सदस्यों को मिलकर, जैसा अपील अधिकरण का अध्यक्ष ठीक समझे, एक न्यायपीठ का गठन किया जा सकेगा :

परंतु इस खंड के अधीन गठित प्रत्येक न्यायपीठ में कम से कम एक न्यायिक सदस्य और एक तकनीकी सदस्य होगा;

(ग) अपील अधिकरण की न्यायपीठें साधारणतः दिल्ली में और ऐसे अन्य स्थानों पर अधिविष्ट होंगी, जो केन्द्रीय सरकार, अपील अधिकरण के अध्यक्ष के परामर्श से अधिसूचित करे;

(घ) केन्द्रीय सरकार उन क्षेत्रों को अधिसूचित करेगी जिनके संबंध में अपील अधिकरण की प्रत्येक न्यायपीठ अधिकारिता का प्रयोग कर सकेगी।

<sup>1</sup> 2010 के अधिनियम सं० 28 की धारा 16 और अनुसूची द्वारा प्रतिस्थापित।



(3) उपधारा (2) में किसी बात के होते हुए भी, अपील अधिकरण का अध्यक्ष, अपील अधिकरण के किसी सदस्य को एक न्यायपीठ से दूसरे न्यायपीठ में स्थानांतरित कर सकेगा।

**स्पष्टीकरण**—इस अध्याय के प्रयोजनों के लिए,—

(i) “न्यायिक सदस्य” से अपील अधिकरण का ऐसा सदस्य अभिप्रेत है जो धारा 113 की उपधारा (1) के खंड (ख) के उपखंड (i) के अधीन उस रूप में नियुक्त किया गया हो और इसमें अपील अधिकरण का अध्यक्ष भी है;

(ii) “तकनीकी सदस्य” से अपील अधिकरण का ऐसा सदस्य अभिप्रेत है जो धारा 113 की उपधारा (1) के खंड (ख) के उपखंड (ii) या उपखंड (iii) के अधीन नियुक्त किया गया हो।

**113. अपील अधिकरण के अध्यक्ष और सदस्य की नियुक्ति के लिए अर्हताएं**—(1) कोई व्यक्ति, अपील अधिकरण के अध्यक्ष या अपील अधिकरण के सदस्य के रूप में नियुक्ति के लिए तभी अर्हित होगा जब वह—

(क) अपील अधिकरण के अध्यक्ष की दशा में उच्चतम न्यायालय का न्यायाधीश या उच्च न्यायालय का मुख्य न्यायमूर्ति हो या रहा हो; और

(ख) अपील अधिकरण के सदस्य की दशा में—

(i) उच्च न्यायालय का न्यायाधीश हो या रहा हो या होने के लिए अर्हित हो; या

(ii) केन्द्रीय सरकार के आर्थिक कार्य या विषयों या अवसंरचना में व्यवहार करने वाले मंत्रालय या विभाग में कम से कम एक वर्ष के लिए सचिव हो या रहा हो; या

(iii) ऐसा योग्य और ख्यातिप्राप्त व्यक्ति हो या रहा हो, जिसे विद्युत उत्पादन, पारेषण और वितरण तथा विनियमन या अर्थशास्त्र, वाणिज्य, विधि या प्रबंध संबंधी विषयों से संबंधित पर्याप्त ज्ञान और अनुभव हो।

(2) अपील अधिकरण का अध्यक्ष केन्द्रीय सरकार द्वारा भारत के मुख्य न्यायमूर्ति के परामर्श से नियुक्त किया जाएगा।

(3) अपील अधिकरण के सदस्य, धारा 78 में निर्दिष्ट चयन समिति की सिफारिश पर केन्द्रीय सरकार द्वारा नियुक्त किए जाएंगे।

(4) केन्द्रीय सरकार, अपील अधिकरण के अध्यक्ष या अन्य सदस्य के रूप में किसी व्यक्ति को नियुक्त करने से पूर्व, अपना यह समाधान करेगी कि ऐसे व्यक्ति का ऐसा कोई वित्तीय या अन्य हित नहीं है जिससे अध्यक्ष या सदस्य के रूप में उसके कृत्यों पर प्रतिकूल प्रभाव पड़ने की संभावना है।

**114. पदावधि**—अपील अधिकरण का अध्यक्ष या अपील अधिकरण का कोई अन्य सदस्य, उस तारीख से, जिसको वह अपना पद ग्रहण करता है, तीन वर्ष की अवधि के लिए उस हैसियत में पद धारण करेगा :

परंतु यह कि ऐसा अध्यक्ष या अन्य सदस्य तीन वर्ष की दूसरी पदावधि के लिए पुनर्नियुक्ति का पात्र होगा :

परंतु अपील अधिकरण का कोई अध्यक्ष या अपील अधिकरण का अन्य सदस्य,—

(क) अध्यक्ष की दशा में, सत्तर वर्ष; और

(ख) अन्य सदस्य की दशा में, पैंसठ वर्ष,

की आयु प्राप्त कर लेने के पश्चात् उस हैसियत में पद धारण नहीं करेगा।

**115. सेवा के निबंधन और शर्तें**—अपील अधिकरण के अध्यक्ष और अपील अधिकरण के अन्य सदस्यों को संदेय वेतन तथा उनकी सेवा के अन्य निबंधन और शर्तें वे होंगी, जो विहित की जाएं :

परन्तु अपील अधिकरण के अध्यक्ष के या अपील अधिकरण के किसी सदस्य के न तो वेतन और भत्तों में और न ही उसकी सेवा के अन्य निबंधनों और शर्तों में उसकी नियुक्ति के पश्चात् उसके लिए अलाभकारी परिवर्तन किया जाएगा।

**116. रिक्तियां**—यदि अपील अधिकरण के अध्यक्ष या अपील अधिकरण के किसी सदस्य के पद में, अस्थायी अनुपस्थिति से भिन्न कारण से कोई रिक्ति होती है तो केन्द्रीय सरकार, उस रिक्ति को भरने के लिए इस अधिनियम के उपबंधों के अनुसार किसी अन्य व्यक्ति को नियुक्त करेगी और अपील अधिकरण के समक्ष कार्यवाहियां उसी प्रक्रम से जारी रखी जा सकेंगी जिस पर रिक्ति भरी जाती है।

**117. पद त्याग और हटाया जाना**—(1) अपील अधिकरण का अध्यक्ष या अपील अधिकरण का कोई सदस्य, केन्द्रीय सरकार को संबोधित अपने हस्ताक्षर सहित लिखित सूचना द्वारा अपना पद त्याग सकेगा :

परंतु अपील अधिकरण का अध्यक्ष या अपील अधिकरण का कोई सदस्य, जब तक कि केन्द्रीय सरकार उसे अपना पद पहले छोड़ने के लिए अनुज्ञात न कर दे, ऐसी सूचना की प्रप्ति की तारीख से तीन मास के समाप्त होने तक या उसके पदोत्तरवर्ती के रूप में

सम्यक् रूप से नियुक्त किसी व्यक्ति के अपना पद ग्रहण करने तक या अपनी पदावधि के समाप्त होने तक, इनमें से जो सबसे पहले हो, पद धारण करता रहेगा।

(2) अपील अधिकरण के अध्यक्ष या अपील अधिकरण के किसी सदस्य को उसके पद से, ऐसे व्यक्ति द्वारा, जिसे केंद्रीय सरकार इस प्रयोजन के लिए नियुक्त करे, की गई किसी जांच के पश्चात्, जिसमें अपील अधिकरण के संबद्ध अध्यक्ष या अपील अधिकरण के किसी सदस्य को उसके विरुद्ध आरोपों के बारे में सूचित कर दिया गया हो और ऐसे आरोपों के संबंध में सुनवाई का उचित अवसर दे दिया गया हो, साबित कदाचार या असमर्थता के आधार पर केन्द्रीय सरकार द्वारा किए गए आदेश से हटाया जाएगा, अन्यथा नहीं।

**118. कतिपय परिस्थितियों में सदस्य का अध्यक्ष के रूप में कार्य करना—**(1) अपील अधिकरण के अध्यक्ष की मृत्यु, पदत्याग या अन्य कारण से उसके पद में हुई रिक्ति की दशा में अपील अधिकरण का ज्येष्ठतम सदस्य, उस तारीख तक अपील अधिकरण के अध्यक्ष के रूप में कार्य करेगा जिस तारीख को ऐसी रिक्ति को भरने के लिए इस अधिनियम के उपबंधों के अनुसार नियुक्त नया अध्यक्ष अपना पद ग्रहण करता है।

(2) जब अपील अधिकरण का अध्यक्ष अनुपस्थिति, बीमारी या अन्य किसी कारण से अपने कृत्यों का निर्वहन करने में असमर्थ है तब अपील अधिकरण का ज्येष्ठतम सदस्य, उस तारीख तक अपील अधिकरण के अध्यक्ष के कृत्यों का निर्वहन करेगा जिस तारीख को अपील अधिकरण का अध्यक्ष अपने कर्तव्यों को फिर से संभालता है।

**119. अपील अधिकरण के अधिकारी और अन्य कर्मचारी—**(1) केन्द्रीय सरकार अपील अधिकरण को उतने अधिकारी और कर्मचारी उपलब्ध कराएगी जितने वह ठीक समझे।

(2) अपील अधिकरण के अधिकारी और कर्मचारी अपने कृत्यों का निर्वहन, यथास्थिति, अपील अधिकरण के अध्यक्ष के साधारण अधीक्षण के अधीन करेंगे।

(3) अपील अधिकरण के अधिकारियों और कर्मचारियों के वेतन और भत्ते तथा उनकी सेवा की अन्य शर्तें वे होंगी जो विहित की जाएं।

**120. अपील अधिकरण की प्रक्रिया और शक्तियां—**(1) अपील अधिकरण, सिविल प्रक्रिया संहिता, 1908 (1908 का 5) द्वारा अभिकथित प्रक्रिया से आवद्ध नहीं होगा किंतु नैसर्गिक न्याय के सिद्धांतों द्वारा मार्गदर्शित होगा और इस अधिनियम के अन्य उपबंधों के अधीन रहते हुए, अपील अधिकरण को अपनी ही प्रक्रिया विनियमित करने की शक्तियां होंगी।

(2) अपील अधिकरण को, इस अधिनियम के अधीन अपने कृत्यों का निर्वहन करने के प्रयोजनों के लिए, वही शक्तियां होंगी जो सिविल प्रक्रिया संहिता, 1908 (1908 का 5) के अधीन किसी वाद का विचारण करते समय निम्नलिखित विषयों की बाबत किसी सिविल न्यायालय में निहित हैं, अर्थात् :—

(क) किसी व्यक्ति को समन करना और उसे हाजिर कराना तथा शपथ पर उसकी परीक्षा करना;

(ख) दस्तावेजों के प्रकटीकरण और पेश किए जाने की अपेक्षा करना;

(ग) शपथपत्रों परा साक्ष्य ग्रहण करना;

(घ) भारतीय साक्ष्य अधिनियम, 1872 (1872 का 1) की धारा 123 और धारा 124 के उपबंधों के अधीन रहते हुए, किसी कार्यालय से किसी लोक अभिलेख या दस्तावेज अथवा ऐसे अभिलेख या दस्तावेज की प्रति की अध्यक्षता करना;

(ङ) साक्षियों या दस्तावेजों की परीक्षा के लिए कमीशन निकालना;

(च) अपने विनिश्चयों का पुनर्विलोकन करना;

(छ) व्यतिक्रम में किसी अभ्यावेदन को खारिज करना या उसका एकपक्षीय रूप से विनिश्चय करना;

(ज) व्यतिक्रम में किसी अभ्यावेदन को खारिज करने के किसी आदेश या उसके द्वारा एकपक्षीय रूप से पारित किसी आदेश को अपास्त करना; और

(झ) कोई अन्य विषय, जो केन्द्रीय सरकार द्वारा विहित किया जाए।

(3) अपील अधिकरण द्वारा इस अधिनियम के अधीन किया गया कोई आदेश अपील अधिकरण द्वारा सिविल न्यायालय की डिक्ती के रूप में निष्पादनीय होगा और इस प्रयोजन के लिए अपील अधिकरण को सिविल न्यायालय की सभी शक्तियां होंगी।

(4) उपधारा (3) में किसी बात के होते हुए भी, अपील अधिकरण अपने द्वारा किए गए किसी आदेश को स्थानीय अधिकारिता रखने वाले किसी ऐसे सिविल न्यायालय को पारेषित कर सकेगा और ऐसा सिविल न्यायालय उस आदेश का इस प्रकार निष्पादन करेगा माने वह उस न्यायालय द्वारा की गई कोई डिक्ती हो।

(5) अपील अधिकरण के समक्ष सभी कार्यवाहियां, भारतीय दंड संहिता (1860 का 45) की धारा 193 और धारा 228 के अर्थान्तर्गत न्यायिक कार्यवाहियां समझी जाएंगी और अपील अधिकरण को, दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 345 और धारा 346 के प्रयोजनार्थ सिविल न्यायालय समझा जाएगा।

<sup>1</sup>[121. अपील अधिकरण की शक्ति—अपील अधिकरण, किसी समुचित आयोग या अन्य हितबद्ध पक्षकार, यदि कोई हो, की सुनवाई के पश्चात्, समय-समय पर, किसी समुचित आयोग को इस अधिनियम के अधीन उसके किन्हीं कृत्यों के अनुपालन के लिए ऐसे आदेश, अनुदेश या निदेश जारी कर सकेगा, जो वह ठीक समझे।]

**122. न्यायपीठों में कारबार का वितरण और मामलों का एक न्यायपीठ से दूसरी न्यायपीठ को अंतरण—**(1) जहां न्यायपीठों का गठन किया जाता है वहां अपील अधिकरण का अध्यक्ष, समय-समय पर, अधिसूचना द्वारा, अपील अधिकरण के कार्य के न्यायपीठों में वितरण के बारे में उपबंध कर सकेगा और उन विषयों के लिए भी उपबंध कर सकेगा जिनके बारे में प्रत्येक न्यायपीठ द्वारा कार्यवाही की जा सकेगी।

(2) किसी भी पक्षकार के आवेदन पर और पक्षकारों को सूचना दिए जाने के पश्चात् तथा उनमें से ऐसे पक्षकार की सुनवाई करने के पश्चात् जिसे वह सुने जाने की वांछा करे या ऐसी सूचना के बिना स्वप्रेरणा से, अपील अधिकरण का अध्यक्ष किसी एक न्यायपीठ के समक्ष लंबित किसी मामले को निपटारे के लिए किसी अन्य न्यायपीठ को अन्तरित कर सकेगा।

**123. बहुमत द्वारा विनिश्चय किया जाना—**यदि दो सदस्यों से मिलकर बने अपील अधिकरण के किसी न्यायपीठ के सदस्यों की किसी प्रश्न पर राय में भिन्नता है तो वे उस प्रश्न या उन प्रश्नों का कथन करेंगे जिन पर उनका मतभेद है और अपील अधिकरण के अध्यक्ष को निर्देश करेंगे जो या तो उस प्रश्न या उन प्रश्नों की स्वयं सुनवाई करेगा या उस प्रश्न या उन प्रश्नों पर अपील अधिकरण के अन्य सदस्यों में से किसी एक या अधिक सदस्यों द्वारा सुनवाई किए जाने के लिए मामले को निर्देशित करेगा और ऐसे प्रश्न या प्रश्नों का विनिश्चय अपील अधिकरण के उन सदस्यों के बहुमत के अनुसार किया जाएगा जिन्होंने मामले की सुनवाई की है जिनके अन्तर्गत वे सदस्य भी हैं जिन्होंने उसकी प्रथम सुनवाई की थी।

**124. अपीलार्थी का किसी विधि व्यवसायी की सहायता लेने और समुचित आयोग का प्रस्तुतीकरण अधिकारी नियुक्त करने का अधिकार—**(1) इस अधिनियम के अधीन, अपील अधिकरण को अपील करने वाला व्यक्ति, यथास्थिति, अपील अधिकरण के समक्ष अपना मामला उपस्थापित करने के लिए या तो स्वयं उपस्थित हो सकेगा या अपनी पसन्द के किसी विधि व्यवसायी की सहायता ले सकेगा।

(2) समुचित आयोग एक या अधिक विधि व्यवसायियों को या अपने अधिकारियों में से किसी को उपस्थापक अधिकारियों के रूप में कार्य करने के लिए प्राधिकृत कर सकेगा और इस प्रकार प्राधिकृत प्रत्येक व्यक्ति, यथास्थिति, अपील अधिकरण के समक्ष किसी अपील के संबंध में मामला उपस्थापित कर सकेगा।

**125. उच्चतम न्यायालय को अपील—**अपील अधिकरण के किसी विनिश्चय या आदेश से व्यथित कोई व्यक्ति, अपील अधिकरण के विनिश्चय या आदेश की उसे संसूचना प्राप्त होने की तारीख से साठ दिन के भीतर, सिविल प्रक्रिया संहिता, 1908 (1908 का 5) की धारा 100 में विनिर्दिष्ट किसी एक या अधिक आधारों पर उच्चतम न्यायालय में अपील फाइल कर सकेगा :

परन्तु उच्चतम न्यायालय, यदि उसका यह समाधान हो जाता है कि अपीलार्थी को उक्त अवधि के भीतर अपील फाइल करने से पर्याप्त कारण से निवारित किया गया था तो वह उसे साठ दिन से अनधिक की और अवधि के भीतर अपील का फाइल किया जाना अनुज्ञात कर सकेगा।

## भाग 12

### अन्वेषण और प्रवर्तन

**126. निर्धारण—**(1) यदि किसी स्थान या परिसर के निरीक्षण पर अथवा संयोजित या प्रयुक्त पाए गए उपस्करों, जुगतों, मशीनों, युक्तियों के निरीक्षण पर अथवा किसी व्यक्ति द्वारा अनुरक्षित अभिलेखों के निरीक्षण के पश्चात् निर्धारण अधिकारी इस निष्कर्ष पर पहुंचता है कि वह व्यक्ति विद्युत का अप्राधिकृत उपयोग कर रहा है तो वह अपने सर्वोत्तम निर्णय के अनुसार ऐसे व्यक्ति द्वारा या ऐसे उपयोग से लाभान्वित किसी अन्य व्यक्ति द्वारा संदेय विद्युत प्रभागों का अन्तिम निर्धारण करेगा।

(2) अन्तिम निर्धारण का आदेश, उस व्यक्ति पर जिसके अधिभोग में या कब्जे में या प्रभाराधीन उक्त स्थान या परिसर है, ऐसी रीति से तामील किया जाएगा जो विहित की जाए।

<sup>2</sup>[(3) वह व्यक्ति, जिस पर उपधारा (2) के अधीन आदेश की तामील की गई है, निर्धारण अधिकारी के समक्ष अन्तिम निर्धारण के विरुद्ध आक्षेप, यदि कोई हो, फाइल करने का हकदार होगा, जो उस व्यक्ति को सुनवाई का युक्तियुक्त अवसर देने के पश्चात् अन्तिम निर्धारण के ऐसे आदेश की तामील की तारीख से तीस दिन के भीतर ऐसे व्यक्ति द्वारा संदेय विद्युत प्रभागों के निर्धारण का अन्तिम आदेश पारित करेगा।]

<sup>1</sup> 2003 के अधिनियम सं० 57 की धारा 4 द्वारा प्रतिस्थापित।

<sup>2</sup> 2007 के अधिनियम सं० 26 की धारा 11 द्वारा प्रतिस्थापित।

(4) ऐसा व्यक्ति जिस पर अनंतिम निर्धारण का आदेश तामील हुआ है, उस निर्धारण को स्वीकार कर सकता है और ऐसे अनंतिम निर्धारण आदेश के उस पर तामील के सात दिन के भीतर अनुज्ञप्तिधारी के पास निर्धारित रकम जमा कर सकता है :

<sup>1</sup>\* \* \* \* \*

<sup>2</sup>[(5) यदि निर्धारण अधिकारी इस निष्कर्ष पर पहुंचता है कि विद्युत का अप्राधिकृत उपयोग हुआ है तो उस पूर्ण अवधि का, जिसके दौरान विद्युत का ऐसा अप्राधिकृत उपयोग हुआ है, निर्धारण किया जाएगा और यदि, उस अवधि को, जिसके दौरान विद्युत का ऐसा अप्राधिकृत उपयोग हुआ है, अभिनिश्चित नहीं किया जा सकता है तो ऐसी अवधि, निरीक्षण की तारीख से ठीक पहले के बारह मास की अवधि तक सीमित होगी।]

(6) इस धारा के अधीन निर्धारण, उपधारा (5) में विनिर्दिष्ट सेवा के ससंगत प्रवर्ग के लिए लागू टैरिफ दरों के <sup>2</sup>[दोगुने] के बराबर किया जाएगा।

**स्पष्टीकरण**—इस धारा के प्रयोजनों के लिए,—

(क) “निर्धारण अधिकारी” से, यथास्थिति, राज्य सरकार या बोर्ड या अनुज्ञप्तिधारी का, राज्य सरकार द्वारा इस रूप में पदाभिहित कोई अधिकारी अभिप्रेत है;

(ख) “विद्युत का अप्राधिकृत उपयोग” से,—

(i) किन्हीं कृत्रिम साधनों द्वारा; या

(ii) ऐसे साधनों द्वारा, जो संबद्ध व्यक्ति या प्राधिकारी या अनुज्ञप्तिधारी द्वारा प्राधिकृत नहीं है; या

(iii) छेड़छाड़ किए हुए मीटर के माध्यम से; या

<sup>2</sup>[(iv) उस प्रयोजन से भिन्न प्रयोजन के लिए, जिसके लिए विद्युत का उपयोग प्राधिकृत था; या

(v) उन परिसरों या क्षेत्रों से भिन्न परिसरों या क्षेत्रों के लिए, जिनके लिए विद्युत का प्रदाय प्राधिकृत था,]

विद्युत का उपयोग अभिप्रेत है।

**127. अपील प्राधिकारी को अपील**—(1) धारा 126 के अधीन किए गए अंतिम आदेश से व्यथित कोई व्यक्ति, उक्त आदेश से तीस दिन के भीतर, ऐसे अपील प्राधिकारी को, जो विहित किया जाए, ऐसे प्ररूप में, ऐसी रीति से सत्यापित और ऐसी फीस के साथ अपील कर सकेगा, जो राज्य आयोग द्वारा विहित की जाए।

(2) उपधारा (1) के अधीन किसी निर्धारण आदेश के विरुद्ध कोई अपील, तब तक ग्रहण नहीं की जाएगी जब तक कि <sup>3</sup>[निर्धारित रकम के आधे] के बराबर रकम अनुज्ञप्तिधारी के पास नकद में या बैंक ड्राफ्ट द्वारा जमा न कर दी गई हो और ऐसे निक्षेप का दस्तावेजी साक्ष्य अपील के साथ संलग्न न किया गया हो।

(3) उपधारा (1) में निर्दिष्ट अपील प्राधिकारी, पक्षकारों की सुनवाई के पश्चात्, अपील का निपटान करेगा और समुचित आदेश पारित करेगा तथा आदेश की प्रति निर्धारण अधिकारी और अपीलार्थी को भेजेगा।

(4) उपधारा (1) में निर्दिष्ट अपील प्राधिकारी का उपधारा (3) के अधीन पारित आदेश अंतिम होगा।

(5) पक्षकारों की सहमति से किए गए अंतिम आदेश के विरुद्ध उपधारा (1) में निर्दिष्ट अपील प्राधिकारी को कोई अपील नहीं होगी।

(6) जब कोई व्यक्ति, निर्धारित रकम का संदाय करने में व्यतिक्रम करता है तो वह निर्धारित रकम के अतिरिक्त, निर्धारण आदेश की तारीख से तीस दिन की समाप्ति पर सोलह प्रतिशत प्रतिवर्ष की दर से ब्याज की रकम का संदाय करने के लिए भी दायी होगा जो प्रत्येक छह मास पर सम्मिश्रित किया जाएगा।

**128. कतिपय विषयों का अन्वेषण**—(1) समुचित आयोग, अपना यह समाधान हो जाने पर कि कोई अनुज्ञप्तिधारी, अनुज्ञप्ति की किन्हीं शर्तों का या कोई उत्पादन कंपनी या अनुज्ञप्तिधारी, इस अधिनियम या तद्वीन बनाए गए नियमों या विनियमों के किन्हीं उपबंधों का किसी भी समय अनुपालन करने में असफल रहा है तो वह लिखित आदेश द्वारा आदेश में विनिर्दिष्ट व्यक्ति को (इस धारा में इसके पश्चात् “अन्वेषण प्राधिकारी” के रूप में निर्दिष्ट) किसी उत्पादन कंपनी या अनुज्ञप्तिधारी के मामलों का अन्वेषण करने और ऐसे अन्वेषण प्राधिकारी द्वारा किए गए किसी अन्वेषण पर उस आयोग को रिपोर्ट करने का निदेश दे सकेगा :

<sup>1</sup> 2007 के अधिनियम सं० 26 की धारा 11 द्वारा लोप किया गया।

<sup>2</sup> 2007 के अधिनियम सं० 26 की धारा 11 द्वारा प्रतिस्थापित।

<sup>3</sup> 2007 के अधिनियम सं० 26 की धारा 12 द्वारा प्रतिस्थापित।

परन्तु अन्वेषण प्राधिकारी, जहां आवश्यक हो इस धारा के अधीन किसी अन्वेषण में उसकी सहायता करने के प्रयोजनार्थ किसी लेखापरीक्षक या किसी अन्य व्यक्ति को नियोजित कर सकेगा।

(2) कंपनी अधिनियम, 1956 (1956 का 1) की धारा 235 में अंतर्विष्ट किसी प्रतिकूल बात के होते हुए भी, अन्वेषण प्राधिकारी, किसी भी समय और समुचित आयोग द्वारा ऐसा करने का निदेश दिए जाने पर, किसी अनुज्ञप्तिधारी या उत्पादन कंपनी और उसकी लेखा पुस्तकों का अपने एक या अधिक अधिकारियों द्वारा निरीक्षण करवाएगा और, यथास्थिति, अन्वेषण प्राधिकारी, अनुज्ञप्तिधारी या उत्पादन कंपनी को ऐसे निरीक्षण की अपनी रिपोर्ट की एक प्रति का प्रदाय करेगा।

(3) यथास्थिति, अनुज्ञप्तिधारी या उत्पादन कंपनी के प्रत्येक प्रबंधक, प्रबंध निदेशक या अन्य अधिकारी का यह कर्तव्य होगा कि वह उस अन्वेषण प्राधिकारी के समक्ष, जिसे उपधारा (1) के अधीन अन्वेषण या उपधारा (2) के अधीन निरीक्षण करने का निदेश दिया गया है, अपनी अभिरक्षा में या शक्ति में की सभी लेखा पुस्तकों, रजिस्ट्रों और अन्य दस्तावेजों को प्रस्तुत करे और उक्त अन्वेषण प्राधिकारी द्वारा यथापेक्षित अनुज्ञप्तिधारी या उत्पादन कंपनी के कार्यकलाप से संबंधित किसी विवरण और सूचना को उतने समय के भीतर प्रस्तुत करे जो उक्त अन्वेषण प्राधिकारी निर्दिष्ट करे।

(4) कोई अन्वेषण प्राधिकारी, जिसे उपधारा (1) के अधीन अन्वेषण या उपधारा (2) के अधीन निरीक्षण करने का निदेश दिया गया है, यथास्थिति, अनुज्ञप्तिधारी या उत्पादन कंपनी के किसी प्रबंधक, प्रबंध निदेशक, या अन्य अधिकारी की, उसके कारबार के संबंध में शपथ पर परीक्षा करेगा और तदनुसार शपथ दिलवाएगा।

(5) अन्वेषण प्राधिकारी, यदि समुचित आयोग द्वारा उसे निरीक्षण करवाने का निदेश दिया गया हो, और किसी अन्य मामले में भी, समुचित आयोग को, इस धारा के अधीन किए गए निरीक्षण के संबंध में रिपोर्ट करेगा।

(6) समुचित आयोग, उपधारा (1) या उपधारा (5) के अधीन किसी रिपोर्ट की प्राप्ति पर, यथास्थिति, अनुज्ञप्तिधारी या उत्पादन कंपनी को उक्त रिपोर्ट के संबंध में अभ्यावेदन करने का अवसर देने के पश्चात् जो समुचित आयोग की राय में युक्तियुक्त प्रतीत हो, लिखित आदेश द्वारा—

(क) अनुज्ञप्तिधारी या उत्पादन कंपनी से, रिपोर्ट से उद्भूत किसी मामले की बाबत ऐसी कार्रवाई करने की अपेक्षा कर सकेगा जो समुचित आयोग ठीक समझे; या

(ख) अनुज्ञप्ति रद्द कर सकेगा; या

(ग) उत्पादन कंपनी को विद्युत के उत्पादन का कारबार बंद करने का निदेश दे सकेगा।

(7) समुचित आयोग, यथास्थिति, अनुज्ञप्तिधारी या उत्पादन कंपनी को युक्तियुक्त सूचना देने के पश्चात् उपधारा (5) के अधीन अन्वेषण प्राधिकारी द्वारा प्रस्तुत की गई रिपोर्ट या उसके किसी अंश को जो उसे आवश्यक प्रतीत हो प्रकाशित कर सकेगा।

(8) समुचित आयोग, अनुज्ञप्तिधारी या उत्पादन कंपनी द्वारा उनकी पुस्तकों में अनुरक्षित की जाने वाली न्यूनतम सूचना, वह रीति जिसमें ऐसी सूचना अनुरक्षित की जाएगी, इस संबंध में अनुज्ञप्तिधारी या उत्पादन कंपनी द्वारा अपनाए जाने वाली जांच और अन्य सत्यापन तथा उससे आनुषंगिक ऐसे सभी विषय जो उसकी राय में अन्वेषण प्राधिकारी को इस धारा के अधीन अपने कृत्यों के समाधानप्रद रूप में निर्वहन में समर्थ बनाने के लिए आवश्यक हो विनिर्दिष्ट कर सकेगा।

**स्पष्टीकरण**—इस धारा के प्रयोजनार्थ, “अनुज्ञप्तिधारी या उत्पादन कंपनी” पद में भारत में निगमित किसी अनुज्ञप्तिधारी की दशा में,—

(क) अनन्य रूप से भारत से बाहर विद्युत के उत्पादन या पारेषण या वितरण या व्यापार का कारबार करने के प्रयोजनार्थ विरचित उसकी सभी समनुषंगियां; और

(ख) उसकी सभी शाखाएं, चाहे वे भारत में स्थित हों या भारत से बाहर, आती हैं।

(9) इस धारा के अधीन किए गए अन्वेषण और उसके अनुषंगी सभी व्ययों की, यथास्थिति, अनुज्ञप्तिधारी या उत्पादन कंपनी द्वारा पूर्ति की जाएगी और उन्हें अनुज्ञप्तिधारी या उत्पादन कंपनी द्वारा देय ऋणों पर पूर्विकता दी जाएगी और वे भू-राजस्व के बकाया के रूप में वसूलनीय होंगे।

**129. अनुपालन सुनिश्चित करने के लिए आदेश**—(1) जहां समुचित आयोग का, अपने कब्जे में की सामग्री के आधार पर, यह समाधान हो जाता है कि अनुज्ञप्तिधारी, अपनी अनुज्ञप्ति में वर्णित किसी शर्त या छूट देने के लिए शर्तों का उल्लंघन कर रहा है या ऐसा किए जाने की संभावना है अथवा अनुज्ञप्तिधारी या उत्पादन कंपनी इस अधिनियम के किन्हीं उपबंधों का उल्लंघन कर रहा/रही है या ऐसा किए जाने की संभावना है तो वह आदेश द्वारा ऐसे निदेश देगा, जो उस शर्त या उपबंध का अनुपालन सुनिश्चित करने के प्रयोजनार्थ आवश्यक हो।

(2) समुचित आयोग, उपधारा (1) के अधीन निदेश देते समय, उस सीमा का सम्यक् ध्यान रखेगा जिस तक ऐसे उल्लंघन के कारण किसी व्यक्ति को हानि या नुकसान होने की संभावना है।

**130. समुचित आयोग द्वारा निदेश जारी किए जाने के लिए प्रक्रिया—**समुचित आयोग, धारा 129 के अधीन कोई निदेश जारी करने से पूर्व—

- (क) संबद्ध अनुज्ञप्तिधारी या उत्पादन कंपनी को विनिर्दिष्ट की जाने वाली रीति से सूचना की तामील करेगा ;
- (ख) उन व्यक्तियों, जो उससे प्रभावित हों या जिनके प्रभावित होने की संभावना हो, का ध्यान उन विषयों की ओर आकर्षित करने के प्रयोजनार्थ विनिर्दिष्ट की जाने वाली रीति से सूचना प्रकाशित करेगा ;
- (ग) संबद्ध अनुज्ञप्तिधारी या उत्पादन कंपनी और ऐसे व्यक्तियों से, जो उससे प्रभावित हैं या जिनके प्रभावित होने की संभावना है, प्राप्त सुझावों और आक्षेपों पर विचार करेगा ।

### भाग 13

### बोर्ड का पुनर्गठन

**131. बोर्ड की संपत्ति का राज्य सरकार में निहित होना—**(1) उस तारीख से जिसको इस अधिनियम के उद्देश्यों और प्रयोजनों को प्रभावी करने के लिए राज्य सरकार द्वारा तैयार की गई अंतरण स्कीम प्रकाशित की जाती है या ऐसी और तारीख जो राज्य सरकार द्वारा नियत की जाए (जिसे इस भाग में इसके पश्चात् प्रभावी तारीख के रूप में निर्दिष्ट किया गया है), कोई संपत्ति, संपत्ति में हित, अधिकार और दायित्व जो प्रभावी तारीख से ठीक पूर्व राज्य विद्युत बोर्ड, (जिसे इसमें इसके पश्चात् बोर्ड कहा गया है) के थे राज्य सरकार और बोर्ड के बीच करार पाए जाने वाले निबंधनों पर राज्य सरकार में निहित होंगे ।

(2) उपधारा (1) के अधीन राज्य सरकार में निहित कोई संपत्ति, संपत्ति में हित, अधिकार और दायित्व राज्य सरकार द्वारा, सरकारी कंपनी या कंपनी या कंपनियों में, इस प्रकार प्रकाशित अंतरण स्कीम के अनुसार, राज्य सरकार की अन्य संपत्ति, संपत्ति में हित, अधिकार और दायित्वों के साथ जो ऐसी स्कीम में अनुबंधित किए जाएं, ऐसे निबंधनों और शर्तों पर जो राज्य सरकार और ऐसी कंपनी या कंपनियां जो, यथास्थिति, राज्य पारेषण उपयोगिता या उत्पादक कंपनी या पारेषण अनुज्ञप्तिधारी या वितरण अनुज्ञप्तिधारी है, के बीच करार पाई जाएं, पुनः निहित की जाएंगी :

परंतु इसके अधीन अंतरित किन्हीं आस्तियों का अंतरण मूल्य, जहां तक हो सके, ऐसी आस्तियों की राजस्व उपयोगिता के आधार पर ऐसे निबंधनों और शर्तों पर अवधारित किया जाएगा जो राज्य सरकार और, यथास्थिति, राज्य पारेषण उपयोगिता या उत्पादक कंपनी या पारेषण अनुज्ञप्तिधारी या वितरण अनुज्ञप्तिधारी के बीच करार पाई जाएं ।

(3) इस धारा में किसी बात के होते हुए भी, जहां—

(क) अंतरण स्कीम में किसी ऐसी संपत्ति या ऐसे अधिकारों का किसी व्यक्ति या उपक्रम को अंतरण अंतर्वलित है, जो राज्य सरकार के पूर्ण स्वामित्व में नहीं हैं, वहां स्कीम ऐसे अंतरण को अंतरिती द्वारा राज्य सरकार को संदत्त किए जाने वाले उचित मूल्य के लिए ही प्रभावी करेगी ;

(ख) किसी प्रकार का संव्यवहार, अंतरण स्कीम के अनुसरण में किया जाता है वहां तीसरे पक्षकारों सहित सभी व्यक्तियों पर आबद्धकर होगी, भले ही ऐसे व्यक्तियों या तीसरे पक्षकारों ने उस पर अपनी सहमति न दी हो ।

(4) राज्य सरकार, उपधारा (2) में निर्दिष्ट ऐसी सरकारी कंपनी या कंपनी या कंपनियां जो राज्य पारेषण उपयोगिता या उत्पादक कंपनी या पारेषण अनुज्ञप्तिधारी या वितरण अनुज्ञप्तिधारी है, (जिसे इसमें इसके पश्चात् अंतरक कहा गया है) से परामर्श करने के पश्चात् ऐसे अंतरक में, ऐसे किसी अंतरिकी में, जो कोई उत्पादन कंपनी या पारेषण अनुज्ञप्तिधारी या वितरण अनुज्ञप्तिधारी है, ऐसी संपत्ति, संपत्ति में हित, अधिकार और दायित्व के, जो इस धारा के अधीन अंतरक में निहित हैं, अंतरण के लिए एक अंतरण स्कीम बनाने और ऐसी स्कीम को इस अधिनियम के अधीन कानूनी अंतरण स्कीम के रूप में प्रकाशित करने की अपेक्षा कर सकेगी ।

(5) इस धारा के अधीन किसी अंतरण स्कीम में,—

(क) समनुषंगियों, संयुक्त उद्यम कंपनियों के गठन या उनके विभाजन, समामेलन, विलयन, पुनर्गठन या ठहरावों के लिए उपबंध हो सकेंगे जो पारिणामिक इकाई की लाभदायकता और व्यवहार्यता का संवर्धन करेंगे, आर्थिक दक्षता सुनिश्चित करेंगे, प्रतियोगिता को प्रोत्साहित करेंगे और उपभोक्ता के हितों का संरक्षण करेंगे;

(ख) संपत्ति, संपत्ति में हित, अधिकारों और दायित्वों को परिभाषित किया जा सकेगा जो—

(i) प्रश्नगत संपत्ति, अधिकारों और दायित्वों को विनिर्दिष्ट करके या उनका वर्णन करके;

(ii) सभी संपत्ति, संपत्ति में हित, अधिकारों और दायित्वों के प्रति निर्देश से जो अंतरक के उपक्रम के वर्णित भाग में समाविष्ट हैं; या

(iii) भागतः एक रूप से और भागतः दूसरे रूप से,

आबंटित किए जाएंगे;

(ग) यह उपबंध किया जा सकेगा कि स्कीम में अनुबंधित या वर्णित कोई अधिकार या दायित्व अंतरक या अंतरिती द्वारा या उसके विरुद्ध प्रवर्तनीय होंगे;

(घ) अंतरक पर, किसी पश्चात्कर्ती अंतरिती के साथ जो स्कीम में अनुबंधित किया जाए, ऐसे लिखित करार करने या उसके पक्ष में ऐसी अन्य लिखित निष्पादित करने का दायित्व अधिरोपित किया जा सकेगा;

(ङ) अंतरिती के कृत्यों और कर्तव्यों का उल्लेख किया जा सकेगा ;

(च) ऐसे अनुपूरक, आनुषंगिक या पारिणामिक उपबंध किए जा सकेंगे जो अंतरक उचित समझे, जिसके अंतर्गत आदेश के प्रभावी होने के बारे में उपबंध भी है; और

(छ) यह उपबंध किया जा सकेगा कि अंतरण नियत अवधि तक अनंतिम होगा।

(6) बोर्ड द्वारा, बोर्ड के साथ या बोर्ड के लिए या राज्य पारेषण उपयोगिता या उत्पादक कंपनी या पारेषण अनुज्ञप्तिधारी या वितरण अनुज्ञप्तिधारी द्वारा, इसके साथ या इनके लिए उपगत सभी ऋण और बाध्यताएं, की गई सभी संविदाएं, और निपटाए जाने वाले सभी विषय या बातें, अंतरण स्कीम के प्रभावी होने से पूर्व, सुसंगत अंतरण स्कीम में विनिर्दिष्ट सीमा तक, बोर्ड द्वारा या बोर्ड के साथ अथवा राज्य सरकार या अंतरिती के लिए उपगत किए गए, या की गई समझी जाएंगी और, यथास्थिति, बोर्ड या अंतरक द्वारा या उनके विरुद्ध संस्थित सभी वाद या अन्य विधिक कार्यवाहियां, यथास्थिति, राज्य सरकार या संबद्ध अंतरिती द्वारा या उसके विरुद्ध जारी रह सकेंगी या संस्थित की जा सकेंगी।

(7) बोर्ड को, प्रभावी तारीख को और उसके पश्चात् किए गए अंतरणों के संबंध में कृत्य और कर्तव्य नहीं सौंपे जाएंगे और वह उनका निष्पादन नहीं करेगा।

**स्पष्टीकरण**—इस भाग के प्रयोजनों के लिए,—

(क) “सरकारी कंपनी” से कंपनी अधिनियम, 1956 (1956 का 1) के अधीन विरचित और रजिस्ट्रीकृत सरकारी कंपनी अभिप्रेत है ;

(ख) “कंपनी” से इस भाग के अधीन स्कीम के अनुसार उत्पादन या पारेषण या वितरण करने के लिए कंपनी अधिनियम, 1956 (1956 का 1) के अधीन विरचित और रजिस्ट्रीकृत कोई कंपनी अभिप्रेत है।

**132. बोर्ड, आदि के विक्रय या अंतरण के आगमों का उपयोग**—उस दशा में जिसमें समुचित सरकार के स्वामित्वाधीन या नियंत्रणाधीन कोई बोर्ड या कोई उपयोगिता किसी ऐसे व्यक्ति को ऐसी रीति में बेचा जाता है या अंतरित किया जाता है जो समुचित सरकार के स्वामित्वाधीन या नियंत्रणाधीन नहीं है, तो ऐसे विक्रय या अंतरण के आगमों का, अन्य सभी शोध्यों से पूर्विकता में, निम्नलिखित क्रम में उपयोग किया जाएगा, अर्थात् :—

(क) ऐसे बोर्ड या उपयोगिता के अधिकारियों और कर्मचारियों, जिन पर पूर्वोक्त विक्रय या अंतरण से प्रभाव पड़ा है, के शोध्य (जिसमें शोध्य सेवानिवृत्ति फायदे भी हैं); और

(ख) अंतरक के ऋण या अन्य दायित्वों को चुकाना जैसा कि विद्यमान उधार प्रसंविदाओं द्वारा अपेक्षित है।

**133. अधिकारियों और कर्मचारियों से संबंधित उपबंध**—(1) राज्य सरकार, अंतरण स्कीम द्वारा, धारा 131 में उपबंधित के अनुसार ऐसे अंतरिती में संपत्ति, अधिकारों और दायित्वों के निहित हो जाने पर, अधिकारियों और कर्मचारियों के, अंतरिती को अंतरण के लिए उपबंध कर सकेगी।

(2) अंतरण स्कीम के अधीन ऐसे अंतरण पर, कार्मिक, अंतरिती के अधीन ऐसे निबंधनों और शर्तों पर जो अंतरण स्कीम के अनुसार अवधारित किए जाएं, पद या सेवा धारण करेंगे :

परंतु अंतरण पर ऐसे निबंधन और शर्तें, किसी भी रूप में उन शर्तों से कम लाभकारी नहीं होंगे जो उनको तब लागू होते यदि अंतरण स्कीम के अधीन अंतरक नहीं होता :

परंतु यह और कि उक्त अंतरण नियत अवधि के लिए अनंतिम हो सकता है।

**स्पष्टीकरण**—इस धारा और अंतरण स्कीम के प्रयोजनों के लिए, “अधिकारियों और कर्मचारियों” पद से ऐसे सभी अधिकारी और कर्मचारी अभिप्रेत हैं जो स्कीम में विनिर्दिष्ट तारीख को, यथास्थिति, बोर्ड या अंतरक के अधिकारी और कर्मचारी हैं।

**134. अंतरण पर प्रतिपूर्ति या नुकसानी का संदाय**—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) में या तत्समय प्रवृत्त किसी अन्य विधि में किसी बात के होते हुए भी और इस अधिनियम में किए गए उपबंधों के सिवाय, धारा 133 की उपधारा (1) में निर्दिष्ट अधिकारियों और कर्मचारियों के नियोजन का अंतरण ऐसे अधिकारियों और कर्मचारियों को इस अधिनियम या किसी अन्य केन्द्रीय या राज्य विधि के अधीन, अंतरण स्कीम में उपबंधित के सिवाय, किसी प्रतिपूर्ति या नुकसानी का हकदार नहीं बनाएगा।

### 135. बिजली की चोरी—<sup>1</sup>[(1) जो कोई बेइमानी से,—

(क) यथास्थिति, किसी अनुज्ञप्तिधारी या प्रदायकर्ता की शिरोपरि, भूमिगत या जल के अंदर की लाइनों या केबिलों या सर्विस तारों या सर्विस सुविधाओं से कोई टैप करेगा, कनेक्शन करेगा या करवाएगा; या

(ख) मीटर से छेड़छाड़ करेगा, बिगाड़े गए मीटर, धारा प्रत्यावर्ती ट्रांसफार्मर, लूप कनेक्शन या किसी अन्य युक्ति या पद्धति को संस्थापित करेगा या उसका उपयोग करेगा, जिससे विद्युत धारा के ठीक-ठीक या उचित रजिस्ट्रीकरण, अंशांकन या मापने में बाधा पड़ती है या उसका किसी रीति से अन्यथा परिणाम निकलता है, जिससे विद्युत की चोरी होती है या विद्युत बर्बाद होती है; या

(ग) किसी विद्युत मीटर, साधित्र, उपस्कर या तार को नुकसान पहुंचाएगा या उसे नष्ट करेगा अथवा उनमें से किसी को इस प्रकार नुकसान पहुंचाएगा या नाश करवाएगा या होने देगा, जिससे कि विद्युत के उचित या ठीक-ठीक मापने में बाधा पड़ती है; या

(घ) बिगाड़े गए मीटर के माध्यम से विद्युत का उपयोग करेगा; या

(ङ) उन प्रयोजनों से, जिनके लिए विद्युत का उपयोग प्राधिकृत किया गया था, भिन्न किसी अन्य प्रयोजन के लिए विद्युत का उपयोग करेगा,

जिससे कि विद्युत खिंचती है या उसका उपभोग होता है या उपयोग होता है तो वह, कारावास से, जिसकी अवधि तीन वर्ष तक की हो सकेगी या जुर्माने से या दोनों से, दंडनीय होगा :

परंतु जहां खींचा गया, उपभोग किया गया, उपयोग किया गया विद्युत भार या खींचे जाने, उपभोग किए जाने, उपयोग किए जाने के लिए, किए गए प्रयास से विद्युत भार—

(i) 10 किलोवाट से अधिक नहीं होता है, वहां प्रथम दोषसिद्धि पर अधिरोपित जुर्माना, विद्युत की ऐसी चोरी के कारण वित्तीय अभिलाभ के तीन गुना से कम नहीं होगा और द्वितीय या पश्चात्कर्ती दोषसिद्धि की दशा में, अधिरोपित जुर्माना, विद्युत की ऐसी चोरी के कारण वित्तीय अभिलाभ के छह गुना से कम नहीं होगा;

(ii) 10 किलोवाट से अधिक नहीं होता है, वहां प्रथम दोषसिद्धि पर अधिरोपित जुर्माना, विद्युत की ऐसी चोरी के कारण वित्तीय अभिलाभ के तीन गुना से कम नहीं होगा और द्वितीय या पश्चात्कर्ती दोषसिद्धि की दशा में, दंडादेश ऐसे, कारावास का, जिसकी अवधि छह मास से कम नहीं हो सकेगी, किन्तु जो पांच वर्ष तक बढ़ाई जा सकेगी और जुर्माने का होगा, जो विद्युत की ऐसी चोरी के कारण वित्तीय लाभ के छह गुना से कम नहीं होगा :

परन्तु यह और कि किसी व्यक्ति की द्वितीय और पश्चात्कर्ती दोषसिद्धि की दशा में, जहां 10 किलोवाट से अधिक का भार, खींचा, उपभोग या उपयोग किया गया है या खींचने का या उपभोग का या उपयोग का प्रयत्न किया गया है, वहां ऐसा व्यक्ति, ऐसी अवधि के लिए, जो तीन मास से कम नहीं होगी, किन्तु जो दो वर्ष तक की हो सकेगी, विद्युत के किसी प्रदाय को प्राप्त करने से भी विवर्जित किया जाएगा और वह किसी अन्य स्रोत या उत्पादन केंद्र से उस अवधि के लिए विद्युत प्रदाय प्राप्त करने से भी विवर्जित होगा :

परंतु यह भी कि यदि यह साबित हो जाता है कि उपभोक्ता के पास ऐसे कृत्रिम साधन या साधन, यथास्थिति, बोर्ड या अनुज्ञप्तिधारी या प्रदायकर्ता द्वारा प्राधिकृत न किए गए साधन विद्युत के खींचने, उपभोग या उपयोग के लिए विद्यमान हैं तो जब तक प्रतिकूल साबित न हो जाए, यह उपधारणा की जाएगी कि, विद्युत का खींचना, उपभोग या उपयोग ऐसे उपभोक्ता द्वारा बेइमानीपूर्वक किया गया है।

(1क) इस अधिनियम के उपबंधों पर प्रतिकूल प्रभाव डाले बिना, यथास्थिति, अनुज्ञप्तिधारी या प्रदायकर्ता, विद्युत की ऐसी चोरी के पता चलने पर विद्युत के प्रदाय को तुरंत रोक सकेगा :

परंतु समुचित आयोग द्वारा, इस प्रयोजन के लिए यथा प्राधिकृत, अनुज्ञप्तिधारी या प्रदायकर्ता का केवल ऐसा अधिकारी या इस प्रकार प्राधिकृत पंक्ति से उच्चतर पंक्ति का, यथास्थिति, अनुज्ञप्तिधारी या प्रदायकर्ता का कोई अन्य प्राधिकारी ही विद्युत के प्रदाय की लाइन को काटेगा :

परंतु यह और कि, यथास्थिति, अनुज्ञप्तिधारी या प्रदायकर्ता का ऐसा अधिकारी, ऐसे काटे जाने के समय से, चौबीस घंटे के भीतर अधिकारिता रखने वाले पुलिस थाने में ऐसे अपराध को किए जाने के संबंध में लिखित रूप में एक शिकायत दाखिल करेगा :

परंतु यह भी कि, यथास्थिति, अनुज्ञप्तिधारी या प्रदायकर्ता, इस अधिनियम के उपबंधों के अनुसार निर्धारित रकम या विद्युत प्रभारों को जमा करने या उसका संदाय करने पर, इस खंड के दूसरे परंतुक में यथा निर्दिष्ट शिकायत को दाखिल करने की बाध्यता पर प्रतिकूल प्रभाव डाले बिना, ऐसे जमा या संदाय के अड़तालीस घंटे के भीतर विद्युत की प्रदाय लाइन को प्रत्यावर्तित करेगा।]

<sup>1</sup> 2007 के अधिनियम सं० 26 की धारा 13 द्वारा प्रतिस्थापित।



(2) राज्य सरकार द्वारा इस निमित्त <sup>1</sup>[यथास्थिति, प्राधिकृत अनुज्ञप्तिधारी या प्रदायकर्ता का कोई अधिकारी—]

(क) ऐसे किसी स्थान या परिसर में, जिसमें उसके पास यह विश्वास करने का कारण है कि विद्युत का अप्राधिकृत उपयोग <sup>2</sup>[किया गया है, किया जा रहा है] प्रवेश कर सकेगा, उसका निरीक्षण कर सकेगा, तोड़कर खोल सकेगा, या तलाशी ले सकेगा; या

(ख) ऐसी सभी युक्तियों, यंत्रों, तारों और किसी अन्य सुकारक या वस्तु की जो विद्युत के अप्राधिकृत उपयोग के लिए प्रयोग <sup>1</sup>[की गई है, की जा रही है] तलाशी ले सकेगा, उसका अभिग्रहण कर सकेगा और उसे हटा सकेगा;

(ग) ऐसी लेखा पुस्तकों या दस्तावेजों की परीक्षा कर सकेगा या उन्हें अभिगृहीत कर सकेगा जो उसकी राय में उपधारा (1) के अधीन अपराध की बाबत किन्हीं कार्यवाहियों के लिए उपयोगी या सुसंगत होगी और ऐसे व्यक्ति को जिसकी अभिरक्षा से ऐसी लेखा पुस्तकें या दस्तावेज अभिगृहीत किए गए हैं, अपनी उपस्थिति में उनकी प्रतियां बनाने या उनसे उद्धरण लेने के लिए अनुज्ञात कर सकेगा।

(3) तलाशी के स्थान का अधिभोगी या उसकी ओर से कोई व्यक्ति, तलाशी के दौरान उपस्थित रहेगा और ऐसी तलाशी के अनुक्रम में अभिगृहीत सभी वस्तुओं की एक सूची तैयार की जाएगी और ऐसे अधिभोगी या व्यक्ति को परिदत्त की जाएगी जो सूची पर हस्ताक्षर करेगा :

परन्तु यह कि किन्हीं घरेलू स्थानों या घरेलू परिसरों का निरीक्षण, तलाशी और अभिग्रहण सूर्यास्त और सूर्योदय के बीच तब तक नहीं किया जाएगा जब तक कि ऐसे परिसर पर कोई अधिभोगी वयस्क पुरुष उपस्थित न हो।

(4) तलाशी और अभिग्रहण से संबंधित दण्ड प्रक्रिया संहिता, 1973 (1974 का 2) के उपबंध यथासंभव, इस अधिनियम के अधीन तलाशी और अभिग्रहण को लागू होंगे।

### 136. विद्युत लाइनों और सामग्री की चोरी—(1) जो कोई बेईमानी से—

(क) किसी टावर, पोल, किसी अन्य संस्थापन या संस्थापन के स्थान या किसी अन्य स्थान या स्थल, जहां वह अधिकारपूर्वक या विधिपूर्वक भंडारित किया गया, जमा किया गया, रखा गया, स्टाक किया गया, स्थित या अवस्थित हो, जिसके अंतर्गत परिवहन के दौरान अवस्थित करना भी है, यथास्थिति, अनुज्ञप्तिधारी या स्वामी की सहमति के बिना कोई इलेक्ट्रिक लाइन, सामग्री या मीटर काटेगा या हटाएगा, या ले जाएगा या अन्तरित करेगा चाहे वह कार्य लाभ या अभिलाभ के लिए किया गया हो या नहीं; या

(ख) किसी विद्युत लाइन, सामग्री या मीटर को स्वामी की सहमति के बिना भंडारित करेगा, कब्जे में रखेगा या अन्यथा अपने परिसर में, अभिरक्षा में या नियंत्रण में रखेगा, चाहे वह कार्य लाभ या अभिलाभ के लिए किया गया हो या नहीं; या

(ग) किसी विद्युत लाइन, सामग्री या मीटर को स्वामी की सहमति के बिना लादेगा, ले जाएगा, या एक स्थान से दूसरे स्थान को ले जाएगा, चाहे वह कार्य लाभ या अभिलाभ के लिए किया गया हो या नहीं,

विद्युत लाइनों और सामग्री की चोरी का अपराध किया गया कहा जाएगा और वह कारावास से, जिसकी अवधि तीन वर्ष तक की हो सकेगी या जुर्माने से या दोनों से दंडनीय होगा।

(2) यदि कोई व्यक्ति जिसे, उपधारा (1) के अधीन दंडनीय किसी अपराध के लिए सिद्धदोष ठहराया गया है, उस उपधारा के अधीन दंडनीय किसी अपराध का पुनःदोषी है, तो वह दूसरे और पश्चात्कर्ती अपराध के लिए, कारावास से, जिसकी अवधि छह मास से कम की नहीं होगी किन्तु जो पांच वर्ष तक की हो सकेगी, दंडनीय होगा और जुर्माने का भी, जो दस हजार रुपए से कम का नहीं होगा, दायी होगा।

**137. चुराई गई संपत्ति प्राप्त करने के लिए दंड—**जो कोई, किसी चुराई गई विद्युत लाइन या सामग्री को यह जानते हुए या यह विश्वास करने का कारण रखते हुए कि वह चुराई गई संपत्ति है, बेईमानी से प्राप्त करेगा, वह दोनों में से किसी भी भांति के कारावास से, जिसकी अवधि तीन वर्ष तक की हो सकेगी, या जुर्माने से, या दोनों से, दंडनीय होगा।

### 138. अनुज्ञप्तिधारी के मीटरों या संकर्मों से छेड़छाड़—(1) जो कोई—

(क) किसी मीटर, सूचक या साधित्र को किसी ऐसी विद्युत लाइन से जिसके माध्यम से अनुज्ञप्तिधारी द्वारा विद्युत प्रदाय की जाती है, अप्राधिकृत रूप से संयोजित करेगा या उसे ऐसी विद्युत लाइन से वियोजित करेगा; या

(ख) किसी मीटर, सूचक या साधित्र को, किसी ऐसी विद्युत लाइन या अन्य संकर्म से, जो किसी अनुज्ञप्तिधारी की संपत्ति है, उस समय अप्राधिकृत रूप से पुनः संयोजित करेगा जब उक्त विद्युत लाइन या अन्य संकर्म काट दिया गया है या वियोजित कर दिया गया है; या

<sup>1</sup> 2007 के अधिनियम सं० 26 की धारा 13 द्वारा प्रतिस्थापित।

<sup>2</sup> 2003 के अधिनियम सं० 57 की धारा 5 द्वारा प्रतिस्थापित।

(ग) किन्हीं संकर्मों को अनुज्ञप्तिधारी के किन्हीं अन्य संकर्मों के साथ संपर्क के प्रयोजन के लिए लगाएगा या लगवाएगा या संयोजित करेगा;

(घ) अनुज्ञप्तिधारी के किसी मीटर, सूचक या साधित्र को विद्वेषपूर्वक हानि पहुंचाएगा या ऐसे किसी मीटर, सूचक या साधित्र की अनुक्रमणिका में जानबूझकर या कपटपूर्वक परिवर्तन, सूचक या साधित्र सूचकांक को परिवर्तित करेगा या किसी ऐसे मीटर, सूचक या साधित्र को सम्यक्तः रजिस्टर करने से निवारित करेगा,

वह कारावास से, जिसकी अवधि तीन वर्ष तक की हो सकेगी या जुर्माने से जो दस हजार रुपए तक हो सकेगा, या दोनों से और जारी रहने वाले अपराध की दशा में दैनिक जुर्माने से, जो पांच सौ रुपए तक हो सकेगा, दंडनीय होगा और यदि यह साबित कर दिया जाता है कि ऐसा संयोजन जैसा खंड (क) में निर्दिष्ट है या ऐसा पुनः संयोजन जैसा खंड (ख) में निर्दिष्ट है या ऐसा संपर्क जैसा खंड (ग) में निर्दिष्ट है करने के लिए या ऐसा परिवर्तन या निवारण करने के लिए जैसा खंड (घ) में निर्दिष्ट है साधन विद्यमान है और वह मीटर, सूचक या साधित्र, उपभोक्ता की अभिरक्षा में या उसके नियंत्रण के अधीन है, चाहे वह उसकी संपत्ति हो या न हो, तो जब तक कि प्रतिकूल साबित नहीं कर दिया जाता यह उपधारणा की जाएगी कि, यथास्थिति, ऐसा संयोजन, पुनः संयोजन, संपर्क, परिवर्तन, निवारण या अनुचित उपयोग ऐसे उपभोक्ता द्वारा जानते हुए और जानबूझकर किया गया है।

139. संकर्मों को उपेक्षापूर्वक तोड़ना या नुकसान पहुंचाना—जो कोई विद्युत के प्रदाय से संयोजित किसी सामग्री को उपेक्षापूर्वक तोड़ेगा, क्षति पहुंचाएगा, नीचे फेंकेगा या नुकसान करेगा वह जुर्माने से, जो दस हजार रुपए तक का हो सकेगा, दंडनीय होगा।

140. संकर्मों को साशय क्षति पहुंचाने के लिए शास्ति—जो कोई विद्युत के प्रदाय को काटने के आशय से किसी विद्युत प्रदाय लाइन या संकर्मों को काटेगा या क्षति पहुंचाएगा या काटने या क्षति पहुंचाने का प्रयत्न करेगा वह जुर्माने से, जो दस हजार रुपए तक का हो सकेगा, दंडनीय होगा।

141. सार्वजनिक लैम्पों का बुझाना—जो कोई किसी सार्वजनिक लैम्प को विद्वेषपूर्वक बुझाएगा, वह जुर्माने से, जो दो हजार रुपए तक का हो सकेगा, दंडनीय होगा।

142. समुचित आयोग द्वारा दिए गए निदेशों के अननुपालन के लिए दंड—यदि किसी व्यक्ति द्वारा समुचित आयोग के समक्ष कोई शिकायत फाइल की जाती है या यदि उस आयोग का समाधान हो जाता है कि किसी व्यक्ति ने इस अधिनियम या उसके अधीन बनाए गए नियमों या विनियमों के किन्हीं उपबंधों का या आयोग द्वारा जारी किए गए किन्हीं निदेशों का उल्लंघन किया है, तो समुचित आयोग ऐसे व्यक्ति को, मामले में सुनवाई का अवसर देने के पश्चात्, किसी अन्य शास्ति पर जिसके लिए वह इस अधिनियम के अधीन दायी होगा, प्रतिकूल प्रभाव डाले बिना, लिखित आदेश द्वारा निदेश दे सकेगा कि ऐसा व्यक्ति शास्ति के रूप में प्रत्येक उल्लंघन के लिए ऐसी रकम का संदाय करेगा जो एक लाख रुपए से अधिक नहीं होगी और लगातार असफलता की दशा में ऐसी अतिरिक्त शास्ति का, प्रत्येक ऐसे दिन के लिए, जिसके दौरान ऐसे निदेश के प्रथम उल्लंघन के पश्चात् असफलता बनी रहती है, संदाय करेगा जो छह हजार रुपए तक हो सकेगी।

143. न्यायनिर्णयन की शक्ति—(1) इस अधिनियम के अधीन न्यायनिर्णयन के प्रयोजन के लिए, समुचित आयोग, अपने सदस्यों में से किसी को, ऐसी रीति में जांच करने के लिए जैसी समुचित सरकार द्वारा, संबंधित किसी व्यक्ति को, कोई शास्ति अधिरोपित करने के प्रयोजन के लिए सुनवाई का अवसर दिए जाने के पश्चात् विहित की जाए, न्यायनिर्णायक अधिकारी नियुक्त करेगा।

(2) जांच करते समय न्यायनिर्णायक अधिकारी को ऐसे किसी व्यक्ति को, जो मामले के तथ्यों और परिस्थितियों से परिचित हैं, समन करने और साक्ष्य देने के लिए उसको हाजिर कराने या कोई ऐसी दस्तावेज प्रस्तुत कराने, जो न्यायनिर्णायक अधिकारी की राय में जांच की विषय-वस्तु के लिए उपयोगी या उससे सुसंगत हो सकती है, की शक्ति होगी और यदि ऐसी जांच पर उसका यह समाधान हो जाता है कि वह व्यक्ति, धारा 29 या धारा 33 या धारा 43 के उपबंधों का पालन करने में असफल रहा है तो वह ऐसी शास्ति अधिरोपित कर सकेगा, जो वह उन धाराओं में से किसी के उपबंधों के अनुसार उचित समझे।

144. न्यायनिर्णायक अधिकारी द्वारा ध्यान में रखी जाने वाली बातें—धारा 29 या धारा 33 या धारा 43 के अधीन शास्ति की मात्रा का न्यायनिर्णयन करते समय, न्यायनिर्णायक अधिकारी, निम्नलिखित कारकों का सम्यक् रूप से ध्यान रखेगा, अर्थात् :—

(क) व्यतिक्रम के परिणामस्वरूप प्राप्त अननुपातिक अभिलाभ या अनुचित फायदों की मात्रा जहां उसकी गणना की जा सकती है;

(ख) व्यतिक्रम का बार-बार किया जाना।

145. सिविल न्यायालय को अधिकारिता का न होना—किसी सिविल न्यायालय को ऐसे किसी विषय की बाबत, जिसका अवधारण करने के लिए धारा 126 में निर्दिष्ट निर्धारण अधिकारी या धारा 127 में निर्दिष्ट अपील प्राधिकारी या इस अधिनियम के अधीन नियुक्त न्यायनिर्णायक अधिकारी को इस अधिनियम द्वारा या के अधीन सशक्त किया गया है, कोई वाद या कार्यवाही ग्रहण

<sup>1</sup> 2003 के अधिनियम सं० 57 की धारा 6 द्वारा प्रतिस्थापित।

करने की अधिकारिता नहीं होगी और इस अधिनियम द्वारा या उसके अधीन प्रदत्त किसी शक्ति के अनुसरण में की गई या की जाने वाली किसी कार्यवाही की बाबत किसी न्यायालय या अन्य प्राधिकारी द्वारा दिया गया कोई व्यादेश अनुदत्त नहीं किया जाएगा।

**146. आदेशों या निदेशों के अनुपालन के लिए दंड**—जो कोई इस अधिनियम के अधीन दिए गए किसी आदेश या निदेश का ऐसे समय के भीतर जो उक्त आदेश या निदेश में विनिर्दिष्ट किया जाए, अनुपालन करने में असफल रहेगा या इस अधिनियम या उसके अधीन बनाए गए किन्हीं नियमों या विनियमों के उपबंधों में से किसी का उल्लंघन करेगा या उल्लंघन करने का प्रयत्न करेगा या दुष्प्रेरण करेगा, वह प्रत्येक अपराध की बाबत ऐसे कारावास से, जिसकी अवधि तीन मास तक की हो सकेगी या जुर्माने से जो एक लाख रुपए तक का हो सकेगा या दोनों से दंडनीय होगा और निरंतर असफल रहने की दशा में ऐसे अतिरिक्त जुर्माने से, जो ऐसे प्रत्येक दिन के लिए जिसके दौरान ऐसी असफलता ऐसे अपराध के प्रथम सिद्धदोष होने के पश्चात् जारी रहती है, पांच हजार रुपए तक का हो सकेगा, दंडनीय होगा :

1[परंतु यह कि इस धारा की कोई बात धारा 121 के अधीन जारी किए गए आदेशों, अनुदेशों या निदेशों को लागू नहीं होगी।]

**147. शास्तियों का अन्य दायित्वों को प्रभावित न करना**—इस अधिनियम के अधीन अधिरोपित शास्तियां, प्रतिकर के संदाय या किसी अनुज्ञप्तिधारी की दशा में उसकी अनुज्ञप्ति के प्रतिसंहरण के संबंध में किसी दायित्व के, जो अपराधी ने उपगत किया हो, अतिरिक्त होंगी न कि उसके अल्पीकरण में।

**148. शास्ति जहां संकर्म सरकार का है**—इस अधिनियम के उपबंध जहां तक लागू हों, उस दशा में भी लागू समझे जाएंगे जिसमें तद्दीन दंडनीय कार्य समुचित सरकार द्वारा प्रदाय की गई विद्युत या उसके संकर्मों के संबंध में किए जाते हैं।

**149. कंपनियों द्वारा अपराध**—(1) जहां इस अधिनियम के अधीन कोई अपराध किसी कंपनी द्वारा किया गया है वहां ऐसा प्रत्येक व्यक्ति जो उस अपराध के किए जाने के समय उस कंपनी के कारबार के संचालन के लिए उस कंपनी का भारसाधक था और उसके प्रति उत्तरदायी था और साथ ही वह कंपनी भी, ऐसे अपराध के दोषी समझे जाएंगे और तदनुसार अपने विरुद्ध कार्यवाही किए जाने और दंडित किए जाने के भागी होंगे :

परंतु इस उपधारा की कोई बात किसी ऐसे व्यक्ति को दंड का भागी नहीं बनाएगी यदि वह यह साबित कर देता है कि अपराध उसकी जानकारी के बिना किया गया था या उसने ऐसे अपराध के किए जाने का निवारण करने के लिए सब सम्यक् तत्परता बरती थी।

(2) उपधारा (1) में किसी बात के होते हुए भी, जहां इस अधिनियम के अधीन कोई अपराध किसी कंपनी द्वारा किया गया है और यह साबित हो जाता है कि वह अपराध कंपनी के किसी निदेशक, प्रबंधक, सचिव या अन्य अधिकारी की सम्मति या मौनानुकूलता से किया गया है या उसकी किसी उपेक्षा के कारण माना जा सकता है वहां ऐसा निदेशक, प्रबंधक, सचिव या अन्य अधिकारी भी उस अपराध का दोषी माना जाएगा और तदनुसार अपने विरुद्ध कार्यवाही किए जाने और दंडित किए जाने का भागी होगा।

**स्पष्टीकरण**—इस धारा के प्रयोजन के लिए,—

(क) “कंपनी” से कोई निगमित निकाय अभिप्रेत है और इसके अंतर्गत कोई फर्म या व्यष्टियों का अन्य संगम भी है; और

(ख) फर्म के संबंध में “निदेशक” से उस फर्म का कोई भागीदार अभिप्रेत है।

**150. दुष्प्रेरण**—(1) जो कोई, इस अधिनियम के अधीन दंडनीय किसी अपराध का दुष्प्रेरण करेगा वह भारतीय दंड संहिता (1860 का 45) में किसी बात के होते हुए भी, उस अपराध के लिए उपबंधित दंड से दंडित किया जाएगा।

(2) इस अधिनियम या तत्समय प्रवृत्त किसी अन्य विधि के अधीन ऐसी कोई शास्ति या जुर्माना, जो अधिरोपित किया जा सकेगा या ऐसी अभियोजन कार्यवाही, जो आरंभ की जा सकेगी, पर प्रतिकूल प्रभाव डाले बिना, यदि बोर्ड का कोई अधिकारी या अन्य कर्मचारी या अनुज्ञप्तिधारी कोई करार करेगा या किसी करार के करने में मौन सम्मति देगा, ऐसा कोई कार्य या बात करने से प्रविरत रहेगा, अनुज्ञा देगा, छिपाएगा या मौन सहमति देगा जिसके द्वारा विद्युत की कोई चोरी की जाती है तो वह कारावास से, जिसकी अवधि तीन वर्ष तक की हो सकेगी या जुर्माने से, या दोनों से दंडनीय होगा।

2[(3) धारा 135 की उपधारा (1), धारा 136 की उपधारा (1), धारा 137 और धारा 138 में किसी बात के होते हुए भी, किसी ऐसे व्यक्ति को, जो विद्युत ठेकेदार, पर्यवेक्षक या कार्यकर्ता के रूप में कार्य करते हुए, धारा 135 की उपधारा (1), धारा 136 की उपधारा (1), धारा 137 या धारा 138 के अधीन दंडनीय किसी अपराध को करने का दुष्प्रेरण करेगा, इस अधिनियम के अधीन बनाए गए या बनाए गए समझे गए नियमों के अधीन जारी की गई अनुज्ञप्ति या सक्षमता प्रमाणपत्र या अनुज्ञापत्र या ऐसा अन्य प्राधिकार, ऐसे दुष्प्रेरण के लिए उसकी दोषसिद्धि पर, अनुज्ञापन प्राधिकारी द्वारा रद्द भी किया जा सकेगा :

परंतु ऐसे रद्द किए जाने का कोई आदेश, ऐसे व्यक्ति को सुने जाने का अवसर प्रदान किए बिना, नहीं किया जाएगा।

<sup>1</sup> 2003 के अधिनियम सं० 57 की धारा 7 द्वारा अंतःस्थापित।

<sup>2</sup> 2007 के अधिनियम सं० 26 की धारा 14 द्वारा अंतःस्थापित।

**स्पष्टीकरण**—इस उपधारा के प्रयोजनों के लिए “अनुज्ञापन प्राधिकारी” से ऐसा अधिकारी अभिप्रेत है, जो तत्समय प्रवृत्त ऐसी अनुज्ञप्ति या सक्षमता प्रमाणपत्र या अनुज्ञापत्र या ऐसा अन्य प्राधिकार जारी या नवीकृत करता है।]

**151. अपराधों का संज्ञान**—कोई न्यायालय, इस अधिनियम के अधीन दंडनीय किसी अपराध का तब के सिवाय संज्ञान नहीं लेगा जब, यथास्थिति, समुचित सरकार या समुचित आयोग या मुख्य विद्युत निरीक्षक या विद्युत निरीक्षक या अनुज्ञप्तिधारी या उत्पादन कंपनी ने इस प्रयोजन के लिए लिखित में परिवाद न किया हो :

<sup>1</sup>[परंतु न्यायालय इस अधिनियम के अधीन दंडनीय किसी अपराध का, दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 173 के अधीन फाइल की गई किसी पुलिस अधिकारी की रिपोर्ट पर भी, संज्ञान ले सकेगा :

परंतु यह और कि धारा 153 के अधीन गठित कोई विशेष न्यायालय, किसी अभियुक्त को विचारण के लिए उसको सुपुर्द किए बिना, किसी अपराध का संज्ञान लेने के लिए सक्षम होगा।]

<sup>2</sup>[**151क. अन्वेषण करने की पुलिस की शक्ति**—इस अधिनियम के अधीन दंडनीय किसी अपराध के अन्वेषण के प्रयोजनों के लिए, पुलिस अधिकारी को, दंड प्रक्रिया संहिता, 1973 (1974 का 2) के अध्याय 12 में यथा उपबंधित सभी शक्तियां होंगी।

**151ख. कतिपय अपराधों का संज्ञेय और अजमानतीय होना**—दंड प्रक्रिया संहिता, 1973 (1974 का 2) में अंतर्विष्ट किसी बात के होते हुए भी, धारा 135 से धारा 140 तक या धारा 150 के अधीन दंडनीय कोई अपराध संज्ञेय और अजमानतीय होगा।]

**152. अपराधों का शमन**—(1) दंड प्रक्रिया संहिता, 1973 (1974 का 2) में अंतर्विष्ट किसी बात के होते हुए भी, समुचित सरकार या उसके द्वारा इस निमित्त प्राधिकृत कोई अधिकारी, किसी उपभोक्ता या व्यक्ति से, जिसने इस अधिनियम के अधीन दंडनीय विद्युत की चोरी का अपराध किया है या जिसके द्वारा किए जाने का समुचित रूप से संदेह है, अपराध के शमन के रूप में नीचे सारणी में यथा विनिर्दिष्ट धनराशि स्वीकार कर सकेगा :—

### सारणी

| सेवा की प्रकृति   | वह दर, जिस पर शमन के लिए धनराशि निम्न विभव (एल.टी.) प्रदाय के लिए प्रति किलोवाट/अश्वशक्ति या उसके भाग और उच्च विभव (एच.टी.) के लिए संविदा की गई मांग के प्रति किलोवाट एम्पीयर (के वी ए) पर संगृहीत की जानी है। |
|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1)               | (2)                                                                                                                                                                                                            |
| 1. औद्योगिक सेवा  | बीस हजार रुपए                                                                                                                                                                                                  |
| 2. वाणिज्यिक सेवा | दस हजार रुपए                                                                                                                                                                                                   |
| 3. कृषि सेवा      | दो हजार रुपए                                                                                                                                                                                                   |
| 4. अन्य सेवाएं    | चार हजार रुपए :                                                                                                                                                                                                |

परन्तु समुचित सरकार, राजपत्र में अधिसूचना द्वारा ऊपर सारणी में विनिर्दिष्ट दरों को संशोधित कर सकेगी।

(2) उपधारा (1) के अनुसार धनराशि का संदाय कर दिए जाने पर उस अपराध के संबंध में अभिरक्षा में रह रहे व्यक्ति को निर्मुक्त कर दिया जाएगा और ऐसे उपभोक्ता या व्यक्ति के विरुद्ध किसी दांडिक न्यायालय में कोई कार्यवाहियां संस्थित नहीं की जाएंगी या जारी नहीं रखी जाएंगी।

(3) उपधारा (1) के अनुसार किसी अपराध का शमन करने के लिए समुचित सरकार या इस निमित्त प्राधिकृत अधिकारी द्वारा धनराशि का ग्रहण किया जाना, दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 300 के अर्थान्तर्गत दोषमुक्ति मानी जाएगी।

(4) उपधारा (1) के अधीन किसी अपराध का शमन, किसी व्यक्ति या उपभोक्ता के लिए एक ही बार अनुज्ञात किया जाएगा।

<sup>1</sup> 2007 के अधिनियम सं० 26 की धारा 15 द्वारा अंतःस्थापित।

<sup>2</sup> 2007 के अधिनियम सं० 26 की धारा 16 द्वारा अंतःस्थापित।

## भाग 15

## विशेष न्यायालय

**153. विशेष न्यायालयों का गठन—**(1) राज्य सरकार, <sup>1</sup>[धारा 135 से धारा 140 तक और धारा 150] में निर्दिष्ट अपराधों के शीघ्र विचारण का उपबंध करने के प्रयोजनों के लिए, राजपत्र में अधिसूचना द्वारा, उतने विशेष न्यायालयों का, जितने ऐसे क्षेत्र या क्षेत्रों के लिए आवश्यक हों और जो अधिसूचना में विनिर्दिष्ट किए जाएं, गठन कर सकेगी।

(2) कोई विशेष न्यायालय एकल न्यायाधीश से मिलकर बनेगा, जो उच्च न्यायालय की सहमति से राज्य सरकार द्वारा नियुक्त किया जाएगा।

(3) कोई व्यक्ति तब तक विशेष न्यायालय के न्यायाधीश के रूप में नियुक्ति के लिए अर्हित नहीं होगा, जब तक ऐसी नियुक्ति से ठीक पहले वह अपर जिला और सेशन न्यायाधीश न रहा हो।

(4) जहां विशेष न्यायालय के न्यायाधीश का पद रिक्त है या ऐसा न्यायाधीश ऐसे विशेष न्यायालय की बैठक के सामान्य स्थान से अनुपस्थित है या वह बीमारी या अन्य कारण से अपने कर्तव्यों के निष्पादन के लिए असमर्थ है वहां विशेष न्यायालय का कोई अत्यावश्यक कार्य—

(क) विशेष न्यायालय की अधिकारिता का प्रयोग करने वाले किसी न्यायाधीश द्वारा, यदि कोई हो,

(ख) जहां कोई ऐसा अन्य न्यायाधीश उपलब्ध न हो वहां उपधारा (1) के अधीन यथाअधिसूचित विशेष न्यायालय की बैठक के सामान्य स्थान पर अधिकारिता रखने वाले जिला और सेशन न्यायाधीश के निदेश के अनुसार,

निपटाया जाएगा।

**154. विशेष न्यायालय की प्रक्रिया और शक्ति—**(1) दंड प्रक्रिया संहिता, 1973 (1974 का 2) में किसी बात के होते हुए भी, धारा 135 से धारा 139 तक के अधीन दंडनीय प्रत्येक अपराध केवल ऐसे विशेष न्यायालय द्वारा विचारणीय होगा जिसकी अधिकारिता के भीतर ऐसा अपराध किया गया था।

(2) जहां किसी जांच या विचारण के अनुक्रम में, किसी न्यायालय को यह प्रतीत होता है कि <sup>2</sup>[धारा 135 से धारा 140 तक और धारा 150] के अधीन दंडनीय कोई अपराध किसी ऐसे अपराध की बाबत ऐसा मामला है जो ऐसे क्षेत्र में उद्भूत हुआ है जो इस अधिनियम के अधीन गठित किसी विशेष न्यायालय द्वारा विचारणीय है तो वह ऐसे मामले को ऐसे विशेष न्यायालय को अंतरित करेगा और तदुपरि ऐसे मामले का इस अधिनियम के उपबंधों के अनुसार ऐसे विशेष न्यायालय द्वारा विचारण और निपटारा किया जाएगा :

परंतु विशेष न्यायालय के लिए यह विधिपूर्ण होगा कि वह ऐसे किसी साक्ष्य पर, यदि कोई हो, कार्य करे, जो किसी विशेष न्यायालय को मामले के अंतरण के पूर्व अभियुक्त की उपस्थिति में किसी न्यायालय द्वारा अभिलिखित किया गया हो :

परंतु यह और कि यदि ऐसे विशेष न्यायालय की यह राय है कि ऐसे साक्षी का, जिसका साक्ष्य पहले ही अभिलिखित कर लिया गया हो, न्यायहित में और परीक्षण, प्रति परीक्षण और पुनः परीक्षण अपेक्षित है तो वह ऐसे किसी साक्षी को पुनः समन कर सकेगा और ऐसे अतिरिक्त परीक्षण, प्रति परीक्षण या पुनः परीक्षण, यदि कोई है, करने के पश्चात् जैसा वह अनुज्ञात करे, साक्षी को उन्मोचित किया जाएगा।

(3) विशेष न्यायालय, दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 260 की उपधारा (1) या धारा 262 में किसी बात के होते हुए भी, <sup>1</sup>[धारा 135 से धारा 140 तक और धारा 150] में निर्दिष्ट अपराध का, उक्त संहिता में विहित प्रक्रिया के अनुसार संक्षिप्त रूप से विचारण कर सकेगा और उक्त संहिता की धारा 263 से धारा 265 तक के उपबंध, जहां तक हो सके, ऐसे विचारण को लागू होंगे :

परंतु यह कि जहां इस उपधारा के अधीन संक्षिप्त विचारण के अनुक्रम में, विशेष न्यायालय को यह प्रतीत हो कि मामले की प्रकृति ऐसी है कि ऐसे मामले का संक्षिप्त रूप से विचारण अवांछनीय होगा वहां विशेष न्यायालय, किसी ऐसे साक्षी को पुनः बुलाएगा जिसका परीक्षण हो चुका हो और ऐसे अपराध के विचारण के लिए उक्त संहिता के उपबंधों में उपबंधित रीति से मामले की पुनः सुनवाई करने के लिए अग्रसर होगा :

परंतु यह और कि इस धारा के अधीन संक्षिप्त विचारण में किसी दोषसिद्धि की दशा में, किसी विशेष न्यायालय के लिए यह विधिपूर्ण होगा कि वह पांच वर्ष से अनधिक अवधि के कारावास का दंडादेश पारित करे।

(4) कोई विशेष न्यायालय, किसी ऐसे अपराध से, प्रत्यक्ष या परोक्ष रूप से सम्बद्ध या संसर्गित समझे जाने वाले किसी व्यक्ति को, साक्ष्य अभिप्राप्त करने की दृष्टि से, उस व्यक्ति को, इस शर्त पर क्षमादान दे सकता है कि वह अपराध के संबंध में और उसके किए जाने में या दुष्प्रेरक के रूप में संबद्ध प्रत्येक अन्य व्यक्ति के संबंध में, ऐसी सब परिस्थितियों का, जिनकी उसे जानकारी हो, पूर्ण और

<sup>1</sup> 2007 के अधिनियम सं० 26 की धारा 17 द्वारा प्रतिस्थापित।

<sup>2</sup> 2007 के अधिनियम सं० 26 की धारा 18 द्वारा प्रतिस्थापित।

सत्य प्रकटन कर दे और इस प्रकार किया गया क्षमादान, दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 308 के प्रयोजनों के लिए उसकी धारा 307 के अधीन प्रदान किया गया क्षमादान समझा जाएगा।

(5) <sup>1</sup>[विशेष न्यायालय, किसी उपभोक्ता या किसी व्यक्ति के विरुद्ध ऊर्जा की चोरी के लिए धन के रूप में सिविल दायित्व का अवधारण करेगा] जो ऐसी रकम से कम नहीं होगा जो ऊर्जा की चोरी के पता लगने की तारीख से पूर्ववर्ती बारह मास की अवधि के लिए या चोरी की सही अवधि के लिए, यदि अवधारित की जाए, इनमें से जो भी कम हो, लागू टैरिफ दर के दुगुना के बराबर होगी और इस प्रकार अवधारित सिविल दायित्व की रकम उसी प्रकार वसूल की जाएगी मानो वह सिविल न्यायालय की डिक्री हो।

(6) उस दशा में जहां विशेष न्यायालय द्वारा अंतिम रूप से इस प्रकार अवधारित सिविल दायित्व उस रकम से कम है जो उपभोक्ता या व्यक्ति द्वारा निक्षिप्त की गई है वहां उपभोक्ता या व्यक्ति द्वारा, यथास्थिति, बोर्ड या अनुज्ञप्तिधारी या संबंधित व्यक्ति के पास इस प्रकार निक्षिप्त अधिक रकम, यथास्थिति, बोर्ड या अनुज्ञप्तिधारी या संबंधित व्यक्ति द्वारा विशेष न्यायालय के आदेश की संसूचना की तारीख से चौदह दिन के भीतर, ऐसे निक्षेप की तारीख से संदाय की तारीख तक की अवधि के लिए भारतीय रिजर्व बैंक की उधार देने की वर्तमान मूल दर से ब्याज के साथ वापस की जाएगी।

**स्पष्टीकरण**—इस धारा के प्रयोजनों के लिए, सिविल दायित्व से <sup>1</sup>[धारा 135 से धारा 140 तक और धारा 150] में निर्दिष्ट किसी अपराध के करने के कारण, यथास्थिति, बोर्ड या अनुज्ञप्तिधारी या संबंधित व्यक्ति को उपगत हानि या नुकसान अभिप्रेत है।

**155. विशेष न्यायालय को सेशन न्यायालय की शक्तियां होना**—इस अधिनियम में जैसा अन्यथा उपबंधित है उसके सिवाय, दंड प्रक्रिया संहिता, 1973 (1974 का 2) जहां तक वह इस अधिनियम के उपबंधों से असंगत न हो, विशेष न्यायालय के समक्ष कार्यवाहियों को लागू होगी और उक्त अधिनियमितियों के उपबंधों के प्रयोजन के लिए विशेष न्यायालय, सेशन न्यायालय समझा जाएगा और उसे सेशन न्यायालय की सभी शक्तियां होंगी तथा विशेष न्यायालय के समक्ष अभियोजन का संचालन करने वाले व्यक्ति को लोक अभियोजक समझा जाएगा।

**156. अपील और पुनरीक्षण**—उच्च न्यायालय, दंड प्रक्रिया संहिता, 1973 (1974 का 2) के अध्याय 29 और अध्याय 30 द्वारा प्रदत्त सभी शक्तियों का, जहां तक वे लागू हों, उसी प्रकार प्रयोग करेगा मानो उच्च न्यायालय की अधिकारिता की स्थानीय सीमाओं के भीतर विशेष न्यायालय, उच्च न्यायालय की अधिकारिता की स्थानीय सीमाओं के भीतर मामलों का विचारण करने वाला, यथास्थिति, कोई जिला न्यायालय या सेशन न्यायालय हो।

**157. पुनर्विलोकन**—विशेष न्यायालय, किसी याचिका पर या अन्यथा और घोर अन्याय का निवारण करने की दृष्टि से, धारा 154 के अधीन पारित अपने निर्णय या आदेश का पुनर्विलोकन कर सकेगा, किन्तु ऐसी कोई पुनर्विलोकन याचिका ऐसे आधार के सिवाय ग्रहण नहीं की जाएगी कि वह ऐसा आदेश था जो तथ्य की त्रुटि, किसी सारवान्, तथ्य की अनभिज्ञता या अभिलेख के देखने से ही त्रुटिपूर्ण होने के आधार पर पारित किया गया था।

परन्तु यह कि विशेष न्यायालय, प्रभावित पक्षकारों की, सुनवाई के बिना किसी पुनर्विलोकन याचिका को अनुज्ञात नहीं करेगा और अपने पूर्वदिश या निर्णय को अपास्त नहीं करेगा।

**स्पष्टीकरण**—इस भाग के प्रयोजनों के लिए, “विशेष न्यायालय” से धारा 153 की उपधारा (1) के अधीन गठित विशेष न्यायालय अभिप्रेत है।

## भाग 16

### विवाद समाधान

#### माध्यस्थम्

**158. माध्यस्थम्**—जहां इस अधिनियम के द्वारा या अधीन कोई मामला माध्यस्थम् द्वारा अवधारित किए जाने के लिए निर्दिष्ट है वहां वह मामला, उस दशा के सिवाय जिसमें अनुज्ञप्तिधारी की अनुज्ञप्ति में स्पष्ट रूप से अन्यथा उपबंधित न हो, ऐसे व्यक्ति या व्यक्तियों द्वारा अवधारित किया जाएगा जिन्हें दोनों में से किसी भी पक्षकार के आवेदन पर समुचित आयोग इस निमित्त नामनिर्दिष्ट करे; किन्तु माध्यस्थम्, सभी अन्य बातों में माध्यस्थम् और सुलह अधिनियम, 1996 (1996 का 26) के उपबंधों के अध्यधीन होगा।

## भाग 17

### अन्य उपबंध

#### संरक्षा खंड

**159. रेल पथों, राजमार्गों, वायुपत्तनों और नहरों, डाकों, घाटों और बंगसारों की संरक्षा**—विद्युत के उत्पादन, पारेषण, वितरण, प्रदाय या प्रयोग में लगा कोई भी व्यक्ति, किसी रेल-पथ, राजमार्ग, वायुपत्तनों, ट्रामपथ, नहर या जलमार्ग अथवा किसी डाँक,

<sup>1</sup> 2007 के अधिनियम सं० 26 की धारा 18 द्वारा प्रतिस्थापित।

घाट या वंगसार को जो किसी स्थानीय प्राधिकारी में निहित हो या उसके द्वारा नियंत्रित हो किसी प्रकार की हानि नहीं पहुंचाएगा अथवा किसी रेल-पथ, वायु मार्ग, ट्रामपथ, नहर या जलमार्ग पर यातायात में विघ्न या बाधा नहीं डालेगा।

**160. तार, टेलीफोन और विद्युत संकेत लाइनों की संरक्षा—**(1) विद्युत के उत्पादन, पारेषण, वितरण, प्रदाय या प्रयोग करने वाला प्रत्येक व्यक्ति (इसके पश्चात् इस धारा में, जिसे “आपरेटर” कहा गया है) अपनी विद्युत लाइनों, वैद्युत संयंत्रों और अन्य संकर्मों को सन्निर्मित करने, बिछाने और लगाने में तथा अपनी प्रणाली के कार्यकरण में सब युक्तियुक्त पूर्वावधानियां बरतेगा जिससे टेलीग्राफ, टेलीफोन या विद्युत संकेतन संचार के प्रयोजन के लिए प्रयुक्त किसी तार या लाइन के कार्यचालन में अथवा ऐसे तार या लाइन की करेन्ट में चाहे प्रेषण द्वारा या अन्यथा हानिकर प्रभाव न पड़े।

(2) जहां आपरेटर और टेलीग्राफ प्राधिकारी के बीच इस बारे में कि क्या आपरेटर ने उपधारा (1) का उल्लंघन करते हुए अपनी विद्युत लाइनों, विद्युत संकर्मों या अन्य संकर्मों को सन्निर्मित किया, बिछाया या लगाया है अथवा अपनी प्रणाली चालित की है अथवा इस बारे में किसी तार, लाइन या करेन्ट के कार्यचालन को उससे हानिकर प्रभाव पड़ा है या नहीं, कोई मतभेद या विवाद उत्पन्न हो जाए तो मामला केन्द्रीय सरकार को निर्दिष्ट किया जाएगा; और केन्द्रीय सरकार उस दशा के सिवाय जिसमें कि उसकी यह राय है कि ऐसी विद्युत लाइनों, संयंत्र या संकर्मों के सन्निर्माण के पश्चात् तार या लाइन, आपरेटर की विद्युत लाइनों, विद्युत संयंत्र या संकर्मों के अयुक्तियुक्त रूप से निकट लगाई गई है, आपरेटर को निदेश दे सकेगी कि वह अपनी प्रणाली में ऐसे परिवर्तन या परिवर्धन करे जैसे इस धारा के उपबंधों के अनुपालन के लिए आवश्यक हों और आपरेटर तदनुसार ऐसे परिवर्तन या परिवर्धन करेगा :

परन्तु इस उपधारा की कोई बात किसी विद्युत लाइन या विद्युत संयंत्र की मरम्मत, नवीकरण या संशोधन को लागू नहीं होगी जब तक कि उस विद्युत लाइन का मार्ग और उसके द्वारा पारेषित विद्युत का परिमाण और स्वरूप परिवर्तित नहीं हो जाता।

(3) जहां आपरेटर इस धारा की अपेक्षाओं का अनुपालन करने में व्यतिक्रम करता है वहां वह उसके कारण हुई किसी हानि या नुकसान के लिए पूरा प्रतिकर देगा और जहां ऐसे प्रतिकर की रकम के बारे में कोई मतभेद या विवाद उत्पन्न होता है वहां मामला माध्यस्थम् द्वारा अवधारित किया जाएगा।

**स्पष्टीकरण—**इस धारा के प्रयोजनों के लिए कोई तार-लाइन हानिकर रूप में प्रभावित समझी जाएगी यदि ऐसी लाइन के द्वारा टेलीग्राफ, टेलीफोन या विद्युत संकेतन संचार, चाहे प्रेषण से या अन्यथा किसी विद्युत लाइन या विद्युत संकर्म या अन्य कार्य द्वारा अथवा उसके किसी प्रयोग द्वारा प्रतिकूल रूप में बाधित हुआ हो।

**161. दुर्घटनाओं की सूचना और जांच—**(1) यदि विद्युत के उत्पादन, पारेषण, वितरण, प्रदाय या प्रयोग के संबंध में अथवा किसी व्यक्ति की विद्युत लाइनों या वैद्युत संयंत्र के किसी भाग में या उसके संबंध में कोई दुर्घटना होती है और उस दुर्घटना के फलस्वरूप मानव या पशु जीवन को हानि अथवा किसी मनुष्य या पशु को कोई क्षति होती है या होनी संभाव्य है तो ऐसा व्यक्ति उस दुर्घटना के होने की और दुर्घटना से वास्तव में हुई किसी ऐसी हानि या क्षति की ऐसे प्ररूप में और इतने समय के अंदर, जो विहित किया जाए, सूचना विद्युत निरीक्षक या पूर्वोक्त किसी व्यक्ति को और ऐसे अन्य प्राधिकारियों को देगा जिन्हें समुचित सरकार साधारण या विशेष आदेश द्वारा निर्दिष्ट करे।

(2) समुचित सरकार यदि ठीक समझती है तो किसी विद्युत निरीक्षक या इस निमित्त उसके द्वारा नियुक्त किसी अन्य व्यक्ति से अपेक्षा कर सकेगी कि वह—

(क) लोक क्षेम को प्रभावित करने वाली किसी ऐसी दुर्घटना की, जो विद्युत के उत्पादन, पारेषण, वितरण, प्रदाय या प्रयोग द्वारा या उसके संबंध में हुई हो जांच करे और रिपोर्ट दे, या

(ख) उस रीति और विस्तार की बाबत जिसमें इस अधिनियम के या तद्वीन बनाए गए नियमों या विनियमों या किसी अनुज्ञप्ति के उपबंधों का जहां तक वे उपबंध किसी व्यक्ति के क्षेम को प्रभावित करते हैं, अनुपालन किया गया है, जांच करे और रिपोर्ट दे।

(3) उपधारा (2) के अधीन जांच करने वाले प्रत्येक विद्युत निरीक्षक या अन्य व्यक्ति को साक्षियों को हाजिर कराने और दस्तावेजों तथा भौतिक पदार्थों को पेश कराने के प्रयोजन के लिए सिविल प्रक्रिया संहिता, 1908 (1908 का 5) के अधीन सिविल न्यायालय की सब शक्तियां प्राप्त होंगी और विद्युत निरीक्षक द्वारा अपेक्षित प्रत्येक व्यक्ति भारतीय दण्ड संहिता (1860 का 45) की धारा 176 के अर्थान्तर्गत वैसा करने के लिए विधिपूर्णतया आबद्ध समझा जाएगा।

**162. मुख्य विद्युत निरीक्षक और विद्युत निरीक्षक की नियुक्ति—**(1) समुचित सरकार, अधिसूचना द्वारा, सम्यक्तः अर्हित व्यक्तियों को मुख्य विद्युत निरीक्षक या विद्युत निरीक्षक नियुक्त कर सकेगी और इस प्रकार नियुक्त प्रत्येक विद्युत निरीक्षक, इस अधिनियम के अधीन ऐसे क्षेत्रों के भीतर या ऐसे संकर्म तथा विद्युत संस्थापनों के वर्ग के संबंध में और ऐसे निर्बंधनों के अधीन रहते हुए, जो समुचित सरकार निदेश दे, मुख्य विद्युत निरीक्षक या विद्युत निरीक्षक की शक्तियों का प्रयोग और कृत्यों का पालन करेगा या ऐसी अन्य शक्तियों का प्रयोग और ऐसे अन्य कृत्यों का पालन करेगा जो विहित किए जाएं।

(2) इस अधिनियम या इसके अधीन बनाए गए किसी नियम में तत्प्रतिकूल अभिव्यक्त उपबंध के न होने पर, मुख्य विद्युत निरीक्षक या विद्युत निरीक्षक के विनिश्चय के विरुद्ध अपील, समुचित सरकार को या यदि समुचित सरकार, साधारण या विशेष आदेश द्वारा ऐसा निदेश दे, तो समुचित आयोग को होगी।

**163. अनुज्ञप्तिधारी की, परिसरों में प्रवेश करने की और अनुज्ञप्तिधारी की फिटिंगों या अन्य साधित्रों को हटाने की शक्ति—**(1) अनुज्ञप्तिधारी या अनुज्ञप्तिधारी द्वारा सम्यक्तः प्राधिकृत कोई अन्य व्यक्ति, युक्तियुक्त समय पर और अधिभोगी को अपने आशय की सूचना देकर किसी ऐसे परिसर में प्रवेश कर सकेगा जिसको उसके द्वारा विद्युत प्रदाय किया जाता है या किया गया है या किसी परिसर या भूमि, उसके नीचे, उसके ऊपर, उसके साथ-साथ, उसके आर-पार, जिससे या जिस पर निम्नलिखित प्रयोजनों के लिए उसके द्वारा विद्युत प्रदाय लाइनें या अन्य संकर्म विधिपूर्ण रूप से बिछाए गए या लगाए हैं—

(क) अनुज्ञप्तिधारी के विद्युत प्रदाय के लिए विद्युत प्रदाय लाइनों, मीटरों, फिटिंगों, संकर्म और साधित्र के निरीक्षण, परीक्षण, मरम्मत या बदलाव के लिए; या

(ख) प्रदाय की गई विद्युत की मात्रा या प्रदाय में अंतर्विष्ट विद्युत की मात्रा सुनिश्चित करने के लिए; या

(ग) जहां विद्युत प्रदाय की अब आवश्यकता नहीं है या जहां अनुज्ञप्तिधारी ऐसे प्रदाय को वापस लेने और काटने के लिए प्राधिकृत है, वहां अनुज्ञप्तिधारी की किसी विद्युत प्रदाय लाइनों, मीटरों, फिटिंगों, संकर्म या साधित्र को हटाने के लिए।

(2) कोई अनुज्ञप्तिधारी या पूर्वोक्त रूप से प्राधिकृत कोई व्यक्ति, कार्यपालक मजिस्ट्रेट द्वारा इस निमित्त किए गए किसी विशेष आदेश के अनुसरण में और अधिभोगी को चौबीस घंटे से अन्यून की लिखित सूचना देने के पश्चात्—

(क) इसमें वर्णित किसी प्रयोजन के लिए उपधारा (1) में निर्दिष्ट किन्हीं परिसरों या भूमि में भी प्रवेश कर सकेगा;

(ख) किसी ऐसे परिसर में जिसको उसके द्वारा विद्युत प्रदाय की जानी है, उपभोक्ता की विद्युत तार फिटिंगों, संकर्म और विद्युत के प्रयोग के लिए साधित्रों की परीक्षा या परीक्षण के प्रयोजन के लिए भी प्रवेश कर सकेगा।

(3) जहां उपभोक्ता, किसी अनुज्ञप्तिधारी या यथापूर्वोक्त किसी प्राधिकृत व्यक्ति को उपधारा (1) या उपधारा (2) के उपबंधों के अनुसरण में उसके परिसर या भूमि में प्रवेश की अनुमति देने से इंकार करता है या जब ऐसा अनुज्ञप्तिधारी या व्यक्ति इस प्रकार प्रवेश कर लेता है तब उसे किसी ऐसे कार्य को जिसका निष्पादन करने के लिए वह उक्त उपधाराओं के अधीन प्राधिकृत है, करने की अनुमति देने से इंकार कर देता है या ऐसे प्रवेश या निष्पादन के लिए युक्तियुक्त सुविधाएं प्रदान करने में असफल रहता है वहां अनुज्ञप्तिधारी, उपभोक्ता को लिखित सूचना की तामील के चौबीस घंटे के पर्यवसान के बाद, उपभोक्ता का विद्युत प्रदाय, उस समय तक के लिए काट सकेगा जब तक ऐसा इंकार या असफलता जारी रहती है, किन्तु उससे अधिक नहीं।

**164. कतिपय मामलों में टेलीग्राफ प्राधिकारी की शक्तियों का प्रयोग—**समुचित सरकार विद्युत लाइनें बिछाने या विद्युत पारेषण के लिए विद्युत संयंत्र लगाने के लिए या संकर्म के उचित समन्वयन के लिए आवश्यक टेलीफोन या तार संचार के प्रयोजन के लिए लिखित रूप में आदेश द्वारा, किसी लोक अधिकारी, अनुज्ञप्तिधारी या इस अधिनियम के अधीन विद्युत प्रदाय करने के कारबार में लगे किसी अन्य व्यक्ति को ऐसी शर्तों और निबंधनों के, यदि कोई हों, जो समुचित सरकार अधिरोपित करना ठीक समझे और भारतीय तार अधिनियम, 1885 (1885 का 13) के उपबंधों के अधीन रहते हुए, सरकार द्वारा टेलीग्राफ के प्रयोजन के लिए स्थापित या अनुरक्षित किया गया हो या इस प्रकार स्थापित या अनुरक्षित किया जाना हो, कोई ऐसी शक्तियां प्रदान कर सकेगा जो टेलीग्राफ प्राधिकारी को टेलीग्राफ लाइनें बिछाने और खंभे लगाने की बाबत, उस अधिनियम के अधीन प्राप्त हैं।

**165. 1894 के अधिनियम सं० 1 की धारा 40 और धारा 41 का संशोधन—**(1) भूमि अर्जन अधिनियम, 1894 की धारा 40 की उपधारा (1) के खंड (ख) और धारा 41 की उपधारा (5) में शब्द “कार्य” में सन्निर्माण किए जाने वाले कार्य के माध्यम से प्रदाय की गई या प्रदाय की जाने वाली विद्युत को भी सम्मिलित समझा जाएगा।

(2) समुचित सरकार, इस निमित्त समुचित आयोग की सिफारिश पर, यदि वह ठीक समझती है, तो किसी व्यक्ति के आवेदन पर, जो कंपनी नहीं है और जो अपने प्रयोजनों के लिए किसी भूमि को प्राप्त करने की इच्छा रखता है, निदेश दे सकेगी कि वह भूमि अर्जन अधिनियम, 1894 (1894 का 1) के उपबंधों के अधीन ऐसी भूमि को उसी रीति और उन्हीं शर्तों पर अर्जित कर सकेगा जिन पर कि वह कंपनी होने पर अर्जित कर सकता था।

## भाग 18

### प्रकीर्ण

**166. समन्वय मंच—**(1) केन्द्रीय सरकार, देश में विद्युत प्रणाली के अबाध और समन्वित विकास के लिए एक समन्वय मंच का गठन करेगी जिसमें केन्द्रीय आयोग का अध्यक्ष, और उसके सदस्य, प्राधिकरण का अध्यक्ष, विद्युत के अंतरराज्यीय पारेषण में लगी उत्पादक कंपनियों और पारेषण अनुज्ञप्तिधारियों के प्रतिनिधि होंगे।

(2) केन्द्रीय सरकार एक विनियामक मंच का भी गठन करेगी जिसमें केन्द्रीय आयोग का अध्यक्ष और राज्य आयोगों के अध्यक्ष होंगे।

(3) केन्द्रीय आयोग का अध्यक्ष, उपधारा (2) में निर्दिष्ट विनियामकों के मंच का अध्यक्ष होगा।

(4) राज्य सरकार, राज्य में विद्युत प्रणाली के अबाध और समन्वित विकास के लिए एक समन्वय मंच का गठन करेगी जिसमें राज्य आयोग का अध्यक्ष, और उसके सदस्य, उक्त राज्य में विद्युत के उत्पादन, पारेषण और वितरण में लगी उत्पादक कंपनियों, पारेषण अनुज्ञप्तिधारियों और वितरण अनुज्ञप्तिधारियों के प्रतिनिधि होंगे।



(5) प्रत्येक जिले में समुचित सरकार द्वारा गठित एक समिति निम्नलिखित के लिए होगी :—

- (क) प्रत्येक जिले में विद्युतीकरण के विस्तार का समन्वय और पुनर्विलोकन करना;
- (ख) विद्युत प्रदाय की क्वालिटी और उपभोक्ता-संतुष्टि का पुनर्विलोकन करना;
- (ग) ऊर्जा दक्षता और उसके संरक्षण का संवर्धन करना ।

**167. कतिपय मामलों में विद्युत लाइनों या विद्युत संयंत्रों को कुर्की से छूट—**जहां कोई विद्युत लाइन या विद्युत संयंत्र जो अनुज्ञप्तिधारी का है, किसी ऐसे परिसर या भूमि में या उसके ऊपर लगाया गया है जो अनुज्ञप्तिधारी के कब्जे में नहीं है वहां ऐसी विद्युत लाइन या विद्युत संयंत्र किसी सिविल न्यायालय की किसी प्रक्रिया के अधीन निष्पादन में या ऐसे व्यक्ति के विरुद्ध जिसके कब्जे में वह है, दिवालियापन की कार्यवाहियों में, लिए जाने के लिए दायी नहीं होगा ।

**168. सद्भावपूर्वक की गई कार्रवाई के लिए संरक्षण—**इस अधिनियम या उसके अधीन बनाए गए नियमों या विनियमों के अधीन सद्भावपूर्वक की गई या की जाने के लिए आशयित किसी बात के लिए कोई भी वाद, अभियोजन या अन्य कार्यवाही समुचित सरकार या अपील अधिकरण या समुचित आयोग या समुचित सरकार के किसी अधिकारी या अपील अधिकरण के किसी सदस्य, अधिकारी या अन्य कर्मचारी या समुचित आयोग के किसी सदस्य, अधिकारियों या अन्य कर्मचारियों या निर्धारण अधिकारी या लोक सेवक के विरुद्ध नहीं होगी ।

**169. अपील अधिकरण, और समुचित आयोग के सदस्यों, अधिकारियों, आदि का लोक सेवक होना—**अपील अधिकरण के अध्यक्ष, अधिकारी और अन्य कर्मचारी और समुचित आयोग के अध्यक्ष, सदस्य, सचिव, अधिकारी और अन्य कर्मचारियों तथा धारा 126 में निर्दिष्ट निर्धारण अधिकारी के बारे में जब वे इस अधिनियम के किन्हीं उपबंधों के अनुसरण में कार्य कर रहे हैं या उनका कार्य करना तात्पर्यित है, यह समझा जाएगा कि वे भारतीय दंड संहिता (1860 का 45) की धारा 21 के अर्थ के अन्तर्गत लोक सेवक हैं ।

**170. अधिनियम के अधीन संदेय शास्ति की वसूली—**इस अधिनियम के अधीन किसी व्यक्ति द्वारा संदेय कोई शास्ति, यदि उसका संदाय नहीं किया गया है, तो उसी प्रकार वसूल की जा सकेगी मानो वह भू-राजस्व की बकाया हो ।

**171. सूचनाओं, आदेशों या दस्तावेजों की तामील—**(1) इस अधिनियम द्वारा या इसके अधीन किसी व्यक्ति को संबोधित किए जाने के लिए अपेक्षित या प्राधिकृत प्रत्येक सूचना, आदेश या दस्तावेज, उसके लिए हस्ताक्षरित अभिस्वीकृति रसीद अभिप्राप्त करने के पश्चात् उसे परिदत्त करके या रजिस्ट्रीकृत डाक द्वारा या परिदत्त के ऐसे साधन द्वारा, जो विहित किया जाए,—

- (क) जहां समुचित सरकार, प्रेषिती हो वहां ऐसे अधिकारी के कार्यालय में, जो समुचित सरकार इस निमित्त विहित करे;
- (ख) जहां समुचित आयोग प्रेषिती हो वहां समुचित आयोग के कार्यालय में;
- (ग) जहां कोई कंपनी प्रेषिती हो वहां कंपनी के रजिस्ट्रीकृत कार्यालय में या कंपनी का रजिस्ट्रीकृत कार्यालय भारत में न होने की दशा में, भारत में कंपनी के प्रधान कार्यालय में;
- (घ) जहां कोई अन्य व्यक्ति प्रेषिती हो वहां उस व्यक्ति के निवास करने या कारबार के प्रायिक या अंतिम ज्ञात स्थान पर,

तामील किया जा सकेगा ।

(2) इस अधिनियम द्वारा या इसके अधीन अपेक्षित या प्राधिकृत प्रत्येक सूचना, आदेश या दस्तावेज के बारे में, जो किसी परिसर के स्वामी या अधिभोगी को संबोधित हो, यह समझा जाएगा कि उसे समुचित रूप से संबोधित है यदि उसे परिसर के (परिसर का नाम देते हुए) स्वामी या अधिभोगी का वर्णन देकर संबोधित है तो परिदत्त करके या परिसर में किसी व्यक्ति को उसकी सत्य प्रतिलिपि देकर तामील किया जा सकेगा या यदि परिसर में कोई व्यक्ति नहीं है जिसको उचित तत्परता से परिदत्त किया जा सके तो परिसर के किसी सहज-दृश्य भाग पर चिपका कर उसे तामील किया जा सकता है ।

**172. संक्रमणकालीन उपबंध—**इस अधिनियम में अंतर्विष्ट तत्प्रतिकूल किसी बात के होते हुए भी,—

(क) निरसित विधियों के अधीन गठित किसी राज्य विद्युत बोर्ड को इस अधिनियम के उपबंधों के अधीन नियत दिन या ऐसी पूर्वतर तारीख से जो राज्य सरकार अधिसूचित करे, एक वर्ष की अवधि के लिए राज्य पारेषण उपयोगिता और अनुज्ञप्तिधारी समझा जाएगा और वह इस अधिनियम और इसके अधीन बनाए गए नियमों तथा विनियमों के उपबंधों के अनुसार राज्य पारेषण उपयोगिता और अनुज्ञप्तिधारी के कर्तव्यों और कृत्यों का पालन करेगा :

परन्तु राज्य सरकार, अधिसूचना द्वारा, राज्य विद्युत बोर्ड को राज्य पारेषण उपयोगिता या अनुज्ञप्तिधारी के रूप में एक वर्ष की उक्त अवधि के पश्चात् ऐसी और अवधि के लिए, जो केन्द्रीय सरकार और राज्य सरकार द्वारा पारस्परिक रूप से विनिश्चित की जाए, कृत्य करते रहने के लिए प्राधिकृत कर सकेगी;

(ख) निरसित विधियों के उपबंधों के अधीन अनुदत्त सभी अनुज्ञप्तियां, प्राधिकार, अनुमोदन, समाशोधन और अनुज्ञाएं नियत तारीख या ऐसी पूर्वतर अवधि से एक वर्ष से अनधिक अवधि के लिए जो समुचित सरकार अधिसूचित करे,

प्रवर्तन में बनी रहेंगी, मानो निरसित विधियां, यथास्थिति, ऐसी अनुज्ञप्तियों, प्राधिकारों, अनुमोदनों, समाशोधनों और अनुज्ञाओं की बाबत प्रवृत्त रही हों और तत्पश्चात् ऐसी अनुज्ञप्ति, प्राधिकार, अनुमोदन, समाशोधन और अनुज्ञा के बारे में यह समझा जाएगा कि वे इस अधिनियम के अधीन अनुज्ञप्तियां, प्राधिकार, अनुमोदन, समाशोधन और अनुज्ञा हैं और इस अधिनियम के सभी उपबंध ऐसी अनुज्ञप्तियों, प्राधिकारों, अनुमोदनों, समाशोधनों और अनुज्ञाओं को तदनुसार लागू होंगे ;

(ग) विद्युत (प्रदाय) अधिनियम, 1948 (1948 का 54) की धारा 5 के अधीन स्थापित राज्य विद्युत बोर्डों के उपक्रम, खंड (क) में विनिर्दिष्ट अवधि की समाप्ति के पश्चात्, इस अधिनियम के भाग 13 के उपबंधों के अनुसार अंतरित किए जा सकेंगे;

(घ) राज्य सरकार, अधिसूचना द्वारा यह घोषित कर सकेगी कि इस अधिनियम के कोई या सभी उपबंध उस राज्य में ऐसी अवधि तक जो नियत तारीख से अधिसूचना द्वारा अनुबंधित की जाए, छह मास से अधिक की नहीं होगी, लागू नहीं होंगे ।

**173. विधियों में असंगतताएं**—इस अधिनियम या इसके अधीन बनाए गए किसी नियम या विनियम अथवा इस अधिनियम के आधार पर प्रभाव रखने वाली किसी लिखत में किसी बात के होते हुए भी, नियम या विनियम का, जहां तक वह उपभोक्ता संरक्षण अधिनियम, 1986 (1986 का 68) या परमाणु ऊर्जा अधिनियम, 1962 (1962 का 33) या रेल अधिनियम, 1989 (1989 का 24) के किन्हीं अन्य उपबंधों से असंगत है, प्रभाव होगा ।

**174. अधिनियम का अध्यारोही प्रभाव**—धारा 173 में अन्यथा उपबंधित के सिवाय, तत्समय प्रवृत्त किसी अन्य विधि में या किसी ऐसी लिखत में जिसका इस अधिनियम से भिन्न किसी विधि के आधार पर प्रभाव है, अंतर्विष्ट किसी असंगत बात के होते हुए भी, इस अधिनियम के उपबंधों का प्रभाव होगा ।

**175. इस अधिनियम के उपबंधों का अन्य विधियों के अतिरिक्त होना न कि उनके अल्पीकरण में**—इस अधिनियम के उपबंध तत्समय प्रवृत्त किसी अन्य विधि के अतिरिक्त हैं न कि उनके अल्पीकरण में ।

**176. केन्द्रीय सरकार की नियम बनाने की शक्ति**—(1) केन्द्रीय सरकार, अधिसूचना द्वारा, इस अधिनियम के उपबंधों को कार्यान्वित करने के लिए, नियम बना सकेगी ।

(2) विशिष्टता और पूर्वगामी शक्ति की व्यापकता पर प्रतिकूल प्रभाव डाले बिना, ऐसे नियमों में निम्नलिखित सभी या किन्हीं विषयों के लिए उपबंध हो सकेगा, अर्थात् :—

(क) वह समय जिसके भीतर प्रारूप राष्ट्रीय विद्युत योजना के संबंध में आक्षेप और सुझाव धारा 3 की उपधारा (4) के परंतुक के अधीन, प्राधिकरण द्वारा आमंत्रित किए जाएंगे;

(ख) धारा 14 के छठे परंतुक के अधीन <sup>1</sup>[पूँजी पर्याप्तता, उधार पात्रता या आचार संहिता से संबंधित अतिरिक्त अपेक्षाएं];

(ग) धारा 15 की उपधारा (1) के अधीन अनुज्ञप्ति प्रदान करने के लिए आवेदन की फीस का संदाय;

(घ) धारा 26 की उपधारा (2) के अधीन राष्ट्रीय भार प्रेषण केन्द्र का गठन और उसके कृत्य;

(ङ) धारा 67 की उपधारा (2) के अधीन स्वामी या अधिभोगी की संपत्ति को प्रभावित करने वाले अनुज्ञप्तिधारियों के संकर्म;

(च) ऐसे अन्य मामले जो धारा 68 की उपधारा (2) के खंड (ग) के अधीन विहित किए जाएं;

(छ) धारा 70 की उपधारा 14 के अधीन प्राधिकरण के अधिवेशनों में उपास्थित होने के लिए अन्य सदस्यों को संदेय भत्ते और फीस;

(ज) धारा 70 की उपधारा (15) के अधीन प्राधिकरण के अध्यक्ष और सदस्यों की सेवा के अन्य निबंधन और शर्तें;

(झ) धारा 73 के अधीन केन्द्रीय विद्युत प्राधिकरण के कृत्य और कर्तव्य;

(ञ) धारा 89 की उपधारा (2) के अधीन केन्द्रीय आयोग के अध्यक्ष और सदस्यों के वेतन, भत्ते और सेवा की अन्य शर्तें;

(ट) धारा 89 की उपधारा (3) के अधीन वह प्ररूप और रीति जिसमें और वे प्राधिकारी जिनके समक्ष पद और गोपनीयता की शपथ ली जाएगी;

(ठ) धारा 90 की उपधारा (2) के परंतुक के अधीन केन्द्रीय सरकार द्वारा विहित की जाने वाली प्रक्रिया;

(ड) धारा 94 की उपधारा (1) के खंड (छ) के अधीन विहित किए जाने के लिए अपेक्षित कोई अन्य विषय;

<sup>1</sup> 2007 के अधिनियम सं० 26 की धारा 19 द्वारा प्रतिस्थापित ।

(ढ) वह प्ररूप जिसमें केन्द्रीय आयोग धारा 100 की उपधारा (1) के अधीन अपना वार्षिक लेखा विवरण तैयार करेगा;

(ण) वह प्ररूप जिसमें और वह समय जब केन्द्रीय आयोग धारा 101 की उपधारा (1) के अधीन अपनी वार्षिक रिपोर्ट तैयार करेगा;

(त) वह प्ररूप जिसमें और वह समय जब केन्द्रीय आयोग धारा 106 के अधीन अपना बजट तैयार करेगा;

(थ) धारा 111 की उपधारा (2) के अधीन अपील फाइल करने का प्ररूप, ऐसे प्ररूप के सत्यापन की रीति और उसकी फीस;

(द) धारा 115 के अधीन अपील अधिकरण के अध्यक्ष और अपील अधिकरण के सदस्यों को संदेय वेतन और भत्ते और उनकी सेवा के अन्य निबंधन और शर्तें;

(ध) धारा 119 की उपधारा (3) के अधीन अपील अधिकरण के अधिकारियों और कर्मचारियों के वेतन और भत्ते तथा सेवा की अन्य शर्तें;

(न) वे अतिरिक्त विषय जिनकी बाबत अपील अधिकरण, धारा 120 की उपधारा (2) के खंड (i) के अधीन सिविल न्यायालय की शक्तियों का प्रयोग कर सकेगा;

(प) वह प्राधिकारी, जिसको धारा 127 की उपधारा (1) के अधीन अपील की जाएगी;

(फ) धारा 143 की उपधारा (1) के अधीन किसी न्यायनिर्णायक अधिकारी द्वारा जांच करने की रीति;

(ब) वह प्ररूप जिसमें और वह समय जब धारा 161 की उपधारा (1) के अधीन किसी प्रयोजन के लिए किसी व्यक्ति को या केन्द्रीय सरकार को सूचनाओं की तामील की जाएगी;

(भ) धारा 162 की उपधारा (1) के अधीन निरीक्षकों द्वारा प्रयोग की जाने वाली शक्तियां और पालन किए जाने वाले कृत्य;

(म) धारा 171 की उपधारा (1) के अधीन तामील किए जाने वाली प्रत्येक सूचना, आदेश या दस्तावेज के परिदान की रीति;

(य) कोई अन्य विषय जो विहित किया जाना अपेक्षित है या विहित किया जाए।

**177. प्राधिकरण की विनियम बनाने की शक्तियां—**(1) प्राधिकरण, अधिसूचना द्वारा, इस अधिनियम के उपबंधों को, साधारणतया कार्यान्वित करने के लिए ऐसे विनियम बना सकेगा, जो इस अधिनियम और नियमों से संगत हों।

(2) विशिष्टतया और उपधारा (1) द्वारा प्रदत्त शक्तियों की व्यापकता पर प्रतिकूल प्रभाव डाले बिना ऐसे विनियमों में निम्नलिखित किन्हीं या सभी विषयों के लिए उपबंध किया जा सकेगा, अर्थात्:—

(क) धारा 34 के अधीन गिड मानक;

(ख) धारा 53 के अधीन सुरक्षा और विद्युत प्रदाय से संबंधित उचित उपाय;

(ग) धारा 55 के अधीन मीटरों का संस्थापन और प्रचालन;

(घ) धारा 70 की उपधारा (9) के अधीन कारबार के संव्यवहार के लिए प्रक्रिया के नियम;

(ङ) धारा 73 के खंड (ख) के अधीन विद्युत संयंत्रों और विद्युत लाइनों के तथा गिड से संयोजकता के सन्निर्माण के लिए तकनीकी मानक आंकड़े;

(च) वह प्ररूप और रीति जिसमें और वह समय जब राज्य सरकार और अनुज्ञप्तिधारी, धारा 74 के अधीन आंकड़े, विवरणियां या अन्य जानकारी देंगे; और

(छ) कोई अन्य विषय जिसे विनिर्दिष्ट किया जाना है या किया जा सकेगा।

(3) इस अधिनियम के अधीन प्राधिकरण द्वारा बनाए गए सभी विनियम पूर्व प्रकाशन की शर्तों के अधीन होंगे।

**178. केन्द्रीय आयोग की विनियम बनाने की शक्ति—**(1) केन्द्रीय आयोग, अधिसूचना द्वारा, इस अधिनियम के उपबंधों को साधारणतया कार्यान्वित करने के लिए इस अधिनियम और नियमों से सुसंगत विनियम बना सकेगी।

(2) विशिष्टतया और उपधारा (1) में अन्तर्विष्ट शक्ति की व्यापकता पर प्रतिकूल प्रभाव डाले बिना, ऐसे विनियमों में निम्नलिखित सभी या किन्हीं विषयों का उपबंध हो सकेगा, अर्थात्:—

(क) धारा 14 के प्रथम पंरतुक के अधीन विनिर्दिष्ट की जाने वाली अवधि;

- (ख) धारा 15 की उपधारा (1) के अधीन आवेदन का प्ररूप और रीति;
- (ग) धारा 15 की उपधारा (2) के अधीन सूचना की रीति और विशिष्टियां;
- (घ) धारा 16 के अधीन अनुज्ञप्ति की शर्तें;
- (ङ) धारा 18 की उपधारा (2) के खंड (क) के अधीन सूचना की रीति और विशिष्टियां;
- (च) धारा 18 की उपधारा (2) के खंड (ग) के अधीन अनुज्ञप्ति में किए जाने वाले परिवर्तनों या संशोधनों का प्रकाशन;
- (छ) धारा 28 की उपधारा (2) के अधीन ग्रीड संहिता;
- (ज) धारा 28 की उपधारा (4) के अधीन उत्पादन कंपनियों या पारेषण, उपयोगिताओं या अनुज्ञप्तिधारियों से फीस और प्रभार का उद्ग्रहण और संग्रहण;
- (झ) धारा 36 के परन्तुक के अधीन मध्यक्षेपी पारेषण प्रसुविधाओं की बाबत दर, प्रभार और निबंधन और शर्तें;
- (ञ) धारा 38 की उपधारा (2) के खंड (घ) के उपखंड (ii) के अधीन पारेषण प्रभारों और अधिभार का संदाय;
- (ट) धारा 38 की उपधारा (2) खंड (घ) के उपखंड (ii) के दूसरे परन्तुक के अधीन अधिभार और प्रति सहायिकी में कटौती <sup>1</sup>\* \* \*;
- (ठ) धारा 40 के खंड (ग) के उपखंड (ii) के अधीन पारेषण प्रभारों और किसी अधिभार का संदाय;
- (ड) धारा 40 के खंड (ग) के उपखंड (ii) के दूसरे परन्तुक के अधीन अधिभार और प्रति सहायिकी में कटौती <sup>1</sup>\* \* \*;
- (ढ) धारा 41 के परन्तुक के अधीन पारेषण और चक्रण प्रभारों को कम करने के लिए उपयोग में लाए जाने वाले अन्य कारबार से राजस्व का अनुपात;
- (ण) धारा 52 की उपधारा (2) के अधीन विद्युत व्यापारी के कर्तव्य;
- (त) धारा 57 की उपधारा (1) के अधीन किसी अनुज्ञप्तिधारी या अनुज्ञप्तिधारियों के वर्ग के निष्पादन के मानक;
- (थ) वह अवधि जिसके भीतर धारा 59 की उपधारा (1) के अधीन अनुज्ञप्तिधारी द्वारा जानकारी दी जानी है;
- <sup>2</sup>[(द) धारा 61 के खंड (छ) के अधीन प्रतिसहायिकियां कम करने की रीति;]
- (ध) धारा 61 के अधीन टैरिफ के अवधारण के लिए निबंधन और शर्तें;
- (न) धारा 62 की उपधारा (2) के अधीन अनुज्ञप्तिधारी या उत्पादन कंपनी द्वारा दिए जाने वाले व्यौरे;
- (प) धारा 62 की उपधारा (5) के अधीन टैरिफ और प्रभारों से प्रत्याशित राजस्व की संगणना के लिए प्रक्रियाएं;
- (फ) धारा 64 की उपधारा (1) के अधीन केन्द्रीय आयोग के समक्ष आवेदन करने की रीति और उसके लिए संदेय फीस;
- (ब) धारा 64 की उपधारा (2) के अधीन आवेदन के प्रकाशन की रीति;
- (भ) धारा 64 की उपधारा (4) के अधीन उपांतरणों या शर्तों सहित टैरिफ आदेश, जारी करना;
- (म) धारा 66 के अधीन विनिर्दिष्ट वह रीति जिसके द्वारा विद्युत में बाजार का जिसके अंतर्गत व्यापार भी है, विकास किया जाएगा;
- (य) धारा 91 की उपधारा (1) के अधीन केन्द्रीय आयोग के सचिव की शक्तियां और कर्तव्य;
- (यक) धारा 91 की उपधारा (3) के अधीन केन्द्रीय आयोग के सचिव, अधिकारियों और अन्य कर्मचारिवृन्द की सेवा के निबंधन और शर्तें;
- (यख) धारा 92 की उपधारा (1) के अधीन कारबार के संव्यवहार के लिए प्रक्रिया के नियम;
- (यग) किसी अनुज्ञप्तिधारी या उत्पादन कंपनी द्वारा रखी जाने वाली न्यूनतम जानकारी और ऐसी जानकारी रखने की रीति जो धारा 128 की उपधारा (8) के अधीन रखी जानी है;
- (यघ) धारा 130 के अधीन सूचना की तामील और प्रकाशन की रीति;

<sup>1</sup> 2007 के अधिनियम सं० 26 की धारा 20 द्वारा लोप किया गया।

<sup>2</sup> 2007 के अधिनियम सं० 26 की धारा 20 द्वारा प्रतिस्थापित।

(यड) कोई अन्य विषय जो विनियमों द्वारा विनिर्दिष्ट किया जाना है या किया जाए।

(3) केन्द्रीय आयोग द्वारा इस अधिनियम के अधीन बनाए गए सभी विनियम पूर्व प्रकाशन की शर्तों के अधीन होंगे।

**179. नियमों और विनियमों का संसद् के समक्ष रखा जाना**—केन्द्रीय सरकार द्वारा बनाया गया प्रत्येक नियम, प्राधिकरण द्वारा बनाया गया प्रत्येक विनियम और केन्द्रीय आयोग द्वारा बनाया गया प्रत्येक विनियम, बनाए जाने के पश्चात्, यथाशीघ्र, संसद् के प्रत्येक सदन के समक्ष, जब वह ऐसी कुल तीस दिन की अवधि के लिए सत्र में हो, जो एक सत्र में अथवा दो या अधिक आनुक्रमिक सत्रों में पूरी हो सकेगी रखा जाएगा और यदि उस सत्र के या पूर्वोक्त आनुक्रमिक सत्रों के ठीक बाद के सत्र के अवसान के पूर्व दोनों सदन उस नियम या विनियम में कोई परिवर्तन करने के लिए सहमत हो जाएं कि वह नियम या विनियम नहीं बनाया जाना चाहिए तो ऐसा नियम या विनियम, यथास्थिति, तत्पश्चात् केवल ऐसे परिवर्तित रूप में ही प्रभावी होगा या उसका कोई प्रभाव नहीं होगा, तथापि उस नियम या विनियम के ऐसे परिवर्तित या निष्प्रभाव होने से पहले उसके अधीन की गई किसी बात की विधिमान्यता पर प्रतिकूल प्रभाव नहीं पड़ेगा।

**180. राज्य सरकारों की नियम बनाने की शक्तियां**—(1) राज्य सरकार, अधिसूचना द्वारा, इस अधिनियम के उपबंधों को कार्यान्वित करने के लिए नियम बना सकेगी।

(2) विशिष्टतया और पूर्वगामी शक्तियों की व्यापकता पर प्रतिकूल प्रभाव डाले बिना, ऐसे नियमों में निम्नलिखित किन्हीं या सभी विषयों के लिए उपबंध किया जा सकेगा, अर्थात् :—

(क) धारा 15 की उपधारा (1) के अधीन अनुज्ञप्ति मंजूर करने के लिए आवेदन की फीस का संदाय;

(ख) धारा 67 की उपधारा (2) के अधीन अन्य व्यक्तियों की संपत्ति को प्रभावित करने वाले अनुज्ञप्तिधारियों के संकर्म;

(ग) ऐसे अन्य विषय जो धारा 68 की उपधारा (2) के खंड (ग) के अधीन विहित किए जा सकेंगे;

(घ) धारा 89 की उपधारा (2) के अधीन राज्य आयोग के अध्यक्ष और सदस्यों के वेतन, भत्ते और उनकी सेवा के अन्य निबंधन और शर्तें;

(ङ) वह प्ररूप और रीति जिसमें तथा वह प्राधिकारी जिसके समक्ष धारा 89 की उपधारा (3) के अधीन पद और गोपनीयता की शपथ ली जाएगी;

(च) कोई अन्य विषय जो धारा 94 की उपधारा (1) के खंड (छ) के अधीन राज्य आयोग द्वारा विहित किया जाना अपेक्षित है;

(छ) धारा 103 की उपधारा (3) के अधीन निधि के उपयोजन की रीति;

(ज) वह प्ररूप जिसमें और वह समय जब राज्य आयोग धारा 104 की उपधारा (1) के अधीन अपना वार्षिक लेखा तैयार करेगा;

(झ) वह प्ररूप जिसमें और वह समय जब राज्य आयोग धारा 105 की उपधारा (1) के अधीन अपनी वार्षिक रिपोर्ट तैयार करेगा;

(ञ) वह प्ररूप जिसमें और वह समय जब राज्य आयोग धारा 106 के अधीन अपना बजट तैयार करेगा;

(ट) धारा 126 की उपधारा (2) के अधीन निर्धारण के अनन्तिम आदेश की तामील की रीति;

(ठ) धारा 143 की उपधारा (1) के अधीन किसी न्यायनिर्णायक अधिकारी द्वारा जांच करने की रीति;

(ड) वह प्ररूप, जिसमें और वह समय जिस पर धारा 161 की उपधारा (1) के अधीन किसी वैद्युत निरीक्षक को सूचना की तामील की जानी है;

(ढ) धारा 171 की उपधारा (1) के अधीन प्रत्येक सूचना, आदेश या दस्तावेज के परिदान की रीति; और

(ण) कोई अन्य विषय जो विहित किए जाने के लिए अपेक्षित है या विहित किया जाए।

**181. राज्य आयोगों की विनियम बनाने की शक्तियां**—(1) राज्य आयोग, अधिसूचना द्वारा, साधारणतया, इस अधिनियम के उपबंधों को कार्यान्वित करने के लिए ऐसे विनियम बना सकेंगे, जो इस अधिनियम और नियमों से संगत हों।

(2) विशिष्टतया और उपधारा (1) में अन्तर्विष्ट शक्तियों की व्यापकता पर प्रतिकूल प्रभाव डाले बिना, ऐसे विनियमों में निम्नलिखित किन्हीं या सभी विषयों के लिए उपबंध किया जा सकेगा, अर्थात् :—

(क) धारा 14 के प्रथम परंतुक के अधीन विनिर्दिष्ट की जाने वाली अवधि;

(ख) धारा 15 की उपधारा (1) के अधीन आवेदन का प्ररूप और रीति;

(ग) धारा 15 की उपधारा (2) के अधीन प्रकाशित की जाने वाली अनुज्ञप्ति के लिए आवेदन की रीति और विशिष्टियां;

(घ) धारा 16 के अधीन अनुज्ञप्ति की शर्तें;

(ङ) धारा 18 की उपधारा (2) के खंड (क) के अधीन सूचना की रीति और विशिष्टियां;

(च) धारा 18 की उपधारा (2) के खंड (ग) के अधीन अनुज्ञप्ति में किए जाने वाले परिवर्तनों या संशोधनों का प्रकाशन;

(छ) धारा 32 की उपधारा (3) के अधीन उत्पादन कंपनियों या अनुज्ञप्तिधारियों से फीस और प्रभारों का उद्ग्रहण और संग्रहण;

(ज) धारा 36 के परंतुक के अधीन मध्यक्षेपी पारेषण प्रसुविधाओं की बाबत दर, प्रभार तथा निबंधन और शर्तें;

(झ) धारा 39 की उपधारा (2) के खंड (घ) के उपखंड (ii) के अधीन पारेषण प्रभारों और अधिभार का संदाय;

(ञ) धारा 39 की उपधारा (2) के खंड (घ) के उपखंड (ii) के दूसरे परंतुक के अधीन अधिभार और प्रतिसहायिकी में कटौती <sup>1</sup> \* \* \*

(ट) धारा 39 की उपधारा (2) के खंड (घ) के उपखंड (ii) के चौथे परंतुक के अधीन अधिभार के संदाय की रीति और उपयोग;

(ठ) धारा 40 के खंड (ग) के उपखंड (ii) के अधीन पारेषण प्रभारों और किसी अधिभार का संदाय;

(ड) धारा 40 के खंड (ग) के उपखंड (ii) के दूसरे परंतुक के अधीन अधिभार और प्रतिसहायिकी में कटौती <sup>1</sup> \* \* \*

(ढ) धारा 40 के खंड (ग) के उपखंड (ii) के चौथे परंतुक के अधीन अधिभार के संदाय की रीति;

(ण) धारा 41 के परंतुक के अधीन पारेषण और चक्रण प्रभारों को कम करने के लिए प्रयुक्त किए जाने वाले अन्य कारबारों से राजस्व का अनुपात;

(त) धारा 42 की उपधारा (2) के तीसरे परंतुक के अधीन अधिभार और प्रतिसहायिकियों में कटौती <sup>1</sup> \* \* \*

(थ) धारा 42 की उपधारा (4) के अधीन चक्रण प्रभारों पर अतिरिक्त प्रभारों का संदाय;

(द) धारा 42 की उपधारा (5) के अधीन मार्गदर्शक सिद्धांत;

(ध) धारा 42 की उपधारा (7) के अधीन शिकायतों के निपटारे का समय और उसकी रीति;

(न) धारा 43 की उपधारा (1) के अधीन विनिर्दिष्ट प्रयोजनों के लिए राज्य आयोग द्वारा विनिर्दिष्ट की जाने वाली अवधि;

(प) धारा 45 की उपधारा (2) के अधीन वह पद्धति और सिद्धान्त जिसके द्वारा विद्युत के लिए प्रभार नियत किए जाएंगे;

(फ) धारा 47 की उपधारा (1) के अधीन वितरण अनुज्ञप्तिधारी को संदेय युक्तियुक्त प्रतिभूति;

(ब) धारा 47 की उपधारा (4) के अधीन प्रतिभूति पर ब्याज का संदाय;

(भ) धारा 50 के अधीन विद्युत प्रदाय संहिता;

(म) धारा 51 के परंतुक के अधीन चक्रण प्रभारों को कम करने के लिए प्रयुक्त किए जाने वाले अन्य कारबारों से राजस्व का अनुपात;

(य) धारा 52 की उपधारा (2) के अधीन विद्युत व्यापारी के कर्तव्य;

(यक) धारा 57 की उपधारा (1) के अधीन किसी अनुज्ञप्तिधारी या किसी वर्ग के अनुज्ञप्तिधारियों द्वारा निष्पादन के मानक;

(यख) वह अवधि जिसके भीतर धारा 59 की उपधारा (1) के अधीन अनुज्ञप्तिधारी द्वारा जानकारी दी जानी है;

<sup>2</sup>[(यग) धारा 61 के खंड (छ) के अधीन प्रतिसहायिकियां कम करने की रीति;]

(यघ) धारा 61 के अधीन टैरिफ के अवधारण के लिए निबंधन और शर्तें;

<sup>1</sup> 2007 के अधिनियम सं० 26 की धारा 21 द्वारा लोप किया गया।

<sup>2</sup> 2007 के अधिनियम सं० 26 की धारा 21 द्वारा प्रतिस्थापित।

(यड) धारा 62 की उपधारा (2) के अधीन अनुज्ञप्तिधारी या उत्पादन कंपनी द्वारा दिए जाने वाले व्यौरे;

(यच) धारा 62 की उपधारा (5) के अधीन टैरिफ और प्रभारों से प्रत्याशित राजस्व की संगणना करने के लिए कार्य पद्धतियां और प्रक्रियाएं;

(यछ) धारा 64 की उपधारा (1) के अधीन राज्य आयोग के समक्ष आवेदन करने की रीति और उसके लिए संदेय फीस;

(यज) धारा 64 की उपधारा (3) के अधीन उपान्तरणों या शर्तों के साथ टैरिफ आदेश का जारी करना;

(यझ) धारा 66 के अधीन विनिर्दिष्ट वह रीति जिसके द्वारा विद्युत बाजार, जिसके अंतर्गत व्यापार भी है, का विकास किया जाएगा;

(यञ) धारा 91 की उपधारा (1) के अधीन राज्य आयोग के सचिव की शक्तियां और कर्तव्य;

(यट) धारा 91 की उपधारा (2) के अधीन राज्य आयोग के सचिव, अधिकारियों और अन्य कर्मचारिवृन्द की सेवा के निबंधन और शर्तें;

(यठ) धारा 92 की उपधारा (1) के अधीन कारबार के संव्यवहार की प्रक्रिया के नियम;

(यड) धारा 128 की उपधारा (8) के अधीन किसी अनुज्ञप्तिधारी या उत्पादन कंपनी द्वारा रखी जाने वाली न्यूनतम जानकारी और ऐसी जानकारी रखने की रीति;

(यढ) धारा 130 के अधीन सूचना की तामील और प्रकाशन की रीति;

(यण) धारा 127 की उपधारा (1) के अधीन अपील का प्ररूप तथा वह रीति जिसमें ऐसा प्ररूप सत्यापित किया जाएगा और ऐसी अपील करने के लिए फीस; और

(यत) कोई अन्य विषय जो विनिर्दिष्ट किया जाना है या विहित किया जाए।

(3) इस अधिनियम के अधीन राज्य आयोग द्वारा बनाए गए सभी विनियम पूर्व प्रकाशन की शर्त के अधीन होंगे।

**182. नियमों और विनियमों का राज्य विधान-मंडल के समक्ष रखा जाना**—राज्य सरकार द्वारा बनाया गया प्रत्येक नियम और राज्य आयोग द्वारा बनाया गया प्रत्येक विनियम, बनाए जाने के पश्चात् यथाशीघ्र, जहां विधान-मंडल दो सदनों से मिलकर बना है वहां प्रत्येक सदन के समक्ष और जहां ऐसे विधान-मंडल में एक सदन है वहां उस सदन के समक्ष रखा जाएगा।

**183. कठिनाइयों को दूर करने की शक्ति**—(1) यदि इस अधिनियम के उपबंधों को प्रभावी करने में कोई कठिनाई उत्पन्न होती है तो केन्द्रीय सरकार, प्रकाशित आदेश द्वारा ऐसे उपबंध बना सकेगी जो इस अधिनियम के उपबंधों से असंगत न हों और कठिनाई को दूर करने के लिए आवश्यक प्रतीत हों :

परन्तु इस धारा के अधीन ऐसा कोई आदेश, इस अधिनियम के प्रारंभ की तारीख से दो वर्ष की समाप्ति के पश्चात् नहीं किया जाएगा।

(2) इस धारा के अधीन किया गया प्रत्येक आदेश उसके किए जाने के पश्चात् यथाशीघ्र, संसद् के प्रत्येक सदन के समक्ष रखा जाएगा।

**184. कतिपय मामलों में अधिनियम के उपबंधों का लागू न होना**—इस अधिनियम के उपबंध रक्षा, परमाणु ऊर्जा से संव्यवहार करने वाले केन्द्रीय सरकार के मंत्रालय या विभाग अथवा ऐसे अन्य समरूप मंत्रालयों या विभागों या उपक्रमों या बोर्डों या संस्थाओं को जो ऐसे मंत्रालयों या विभागों के नियंत्रणाधीन हैं जो केन्द्रीय सरकार द्वारा अधिसूचित किए जाएं, लागू नहीं होंगे।

**185. निरसन और व्यावृत्ति**—(1) इस अधिनियम में जैसा उपबंधित है उसके सिवाय भारतीय विद्युत अधिनियम, 1910 (1910 का 9) विद्युत (प्रदाय) अधिनियम, 1948 (1948 का 54) और विद्युत विनियामक आयोग अधिनियम, 1998 (1998 का 14) इसके द्वारा निरसित किए जाते हैं।

(2) ऐसे निरसन के होते हुए भी,—

(क) निरसित विधियों के अधीन की गई कोई बात या कार्रवाई या किए जाने के लिए तात्पर्यित कोई बात या कार्रवाई, जिसके अन्तर्गत बनाया गया कोई नियम या जारी की गई कोई अधिसूचना या किया गया निरीक्षण, आदेश या निकाली गई सूचना या की गई कोई नियुक्ति, पुष्टि या घोषणा या मंजूर की गई कोई अनुज्ञप्ति, अनुज्ञा, प्राधिकार या छूट या निष्पादित किया गया कोई दस्तावेज या लिखत या दिया गया कोई निदेश, जहां तक वह इस अधिनियम के उपबंधों से असंगत नहीं है, इस अधिनियम के तत्स्थानी उपबंधों के अधीन किया गया समझा जाएगा ;

(ख) भारतीय विद्युत अधिनियम, 1910 (1910 का 9) की धारा 12 से धारा 18 तक और उनके अधीन बनाए गए नियमों में अंतर्विष्ट उपबंध तब तक प्रभावी रहेंगे जब तक इस अधिनियम की धारा 67 से धारा 69 के अधीन नियम नहीं बनाए जाते हैं;

(ग) भारतीय विद्युत अधिनियम, 1910 (1910 का 9) की धारा 37 के अधीन बनाए गए भारतीय विद्युत नियम, 1956 जैसे कि वे निरसन के पूर्व विद्यमान इस अधिनियम की धारा 53 के अधीन विनियमों के बनाए जाने तक प्रवर्तन में बने रहेंगे;

(घ) विद्युत (प्रदाय) अधिनियम, 1948 की धारा 69 की उपधारा (1) के अधीन बनाए गए सभी नियम तब तक प्रवृत्त बने रहेंगे जब तक ऐसे नियमों का, यथास्थिति, विखंडन या उपांतरण नहीं कर दिया जाता है;

(ङ) अनुसूची में विनिर्दिष्ट अधिनियमितियों के अधीन किसी राज्य सरकार द्वारा इस अधिनियम के प्रारंभ के पूर्व जारी किए गए सभी निदेश उस अवधि के लिए लागू रहेंगे, जिसके लिए राज्य सरकार द्वारा ऐसे निदेश जारी किए गए थे।

(3) अनुसूची में विनिर्दिष्ट अधिनियमितियों के उपबंध, जो इस अधिनियम के उपबंधों से असंगत नहीं हैं, उन राज्यों को लागू होंगे जिनमें ऐसी अधिनियमितियां लागू हैं।

(4) केन्द्रीय सरकार, जब कभी आवश्यक समझे, अधिसूचना द्वारा अनुसूची का संशोधन कर सकेगी।

(5) उपधारा (2) में यथा अन्यथा उपबंधित के सिवाय, उस धारा में विशिष्ट विषयों के उल्लेख से यह नहीं माना जाएगा कि उससे निरसन के प्रभाव के संबंध में, साधारण खंड अधिनियम, 1897 (1897 का 10) की धारा 6 के साधारण रूप में लागू होने पर प्रतिकूल प्रभाव डालेगा या प्रभाव पड़ता है।

## अनुसूची

### अधिनियमितियां

#### [धारा 185 की उपधारा (3) देखिए]

1. उड़ीसा विद्युत सुधार अधिनियम, 1995 (1995 का उड़ीसा अधिनियम सं० 2)
2. हरियाणा विद्युत सुधार अधिनियम, 1997 (1997 का हरियाणा अधिनियम सं० 10)
3. आंध्र प्रदेश विद्युत सुधार अधिनियम, 1998 (1998 का आंध्र प्रदेश अधिनियम सं० 30)
4. उत्तर प्रदेश विद्युत सुधार अधिनियम, 1999 (1999 का उत्तर प्रदेश अधिनियम सं० 24)
5. कर्नाटक विद्युत सुधार अधिनियम, 1999 (1999 का कर्नाटक अधिनियम सं० 25)
6. राजस्थान विद्युत सुधार अधिनियम, 1999 (1999 का राजस्थान अधिनियम सं० 23)
7. दिल्ली विद्युत सुधार अधिनियम, 2000 (2001 का दिल्ली अधिनियम सं० 2)
8. मध्य प्रदेश विद्युत सुधार अधिनियम, 2000 (2001 का मध्य प्रदेश अधिनियम सं० 4)



# **UTTARAKHAND ELECTRICITY REGULATORY COMMISSION**

‘Vidyut Niyamak Bhawan’, Near I.S.B.T., P.O.-Majra, Dehradun-248171

## **NOTIFICATION**

June 18, 2018

### **Uttarakhand Electricity Regulatory Commission (Terms and Conditions of Intra-State Open Access) (Second Amendment) Regulations, 2018**

**No. UERC/F(9)-II/RG/UERC/2018/421:** In exercise of the powers conferred by section 181, read with sections 39, 40, 42 and 86 of the Electricity Act, 2003 (36 of 2003), and all other powers enabling it in this behalf, and after previous publication, the Uttarakhand Electricity Regulatory Commission hereby makes the following amendments in the UERC (Terms and Conditions of Intra-State Open Access) Regulations, 2015, (Principal Regulations), namely:-

#### **1. Short Title, Extent and Commencement**

- (1) These Regulations may be called the Uttarakhand Electricity Regulatory Commission (Terms and Conditions of Intra-State Open Access) (Second Amendment) Regulations, 2018.
- (2) These Regulations shall come into force from 01.04.2018.

#### **2. Amendment in the Regulation 22 of the Principal Regulation shall be read as:**

##### **22. Cross subsidy surcharge**

- (1) If open access facility is availed by any consumer, then such consumer, in addition to transmission and/or wheeling charges, shall pay cross subsidy surcharge determined by the Commission. Cross subsidy surcharge determined on Per Unit basis shall be payable, each month, by such consumer based on the actual energy drawn during the month through open access. The amount of surcharge shall be paid to the distribution licensee.
- (2) The consumers availing Open Access through dedicated lines even without involving licensee's Transmission and/or Distribution System shall be liable to pay same surcharge as determined under this Regulation.

- (3) The consumers availing Open Access exclusively on interstate transmission system shall also pay the same surcharge as determined under this Regulation.

Provided that no cross subsidy surcharge shall be levied on energy drawn by such consumers, through open access, during the period of power cut imposed by the distribution licensee.

Provided further that such surcharge shall not be levied on a person who has established a captive generation plant for carrying the electricity to the destination of his own use.

Provided also that in case power supply position or the load of such consumers, seeking open access, changes substantially, the Commission may review the Cross Subsidy Surcharge as and when required.

- (4) The cross subsidy surcharge for open access consumers shall be determined in accordance with the following formula:

Surcharge formula:  $S = T - C$

Where,

S is the cross subsidy surcharge;

T is the retail tariff payable by the relevant category of such consumers;

C is the average cost of supply of distribution licensee

By order of the Commission,

(Neeraj Sati)  
Secretary

**UTTARAKHAND ELECTRICITY REGULATORY COMMISSION****NOTIFICATION**

August 16, 2023

**UERC (Tariff and Other Terms for Supply of Electricity from Renewable Energy Sources and non-fossil fuel based Co-generating Stations) Regulations, 2023**

No. F-9 (34)/RG/UERC /2023/543: In exercise of the powers conferred under section 61(h), 86(1)(e) read with section 181 (zd) & (zp) of the Electricity Act, 2003, and all other powers enabling it in this behalf, and after previous publication, the Uttarakhand Electricity Regulatory Commission hereby makes the following regulations, namely:

**CHAPTER 1****PRELIMINARY****1. Short title and commencement**

- (1) These regulations may be called the Uttarakhand Electricity Regulatory Commission (Tariff and Other Terms for Supply of Electricity from Renewable Energy Sources and non-fossil fuel based Co-generating Stations) Regulations, 2023.
- (2) These regulations shall come into force with effect from the date of notification, and unless reviewed earlier or extended by the Commission, shall remain in force for a period of 5 years from the date of commencement.

**2. Scope and extent of application**

- (1) These regulations shall apply in all cases where supply of electricity is being made from Renewable Energy Based Generating Stations, commissioned after coming effect of these Regulations, to the distribution licensees or local rural grids within the State of Uttarakhand: Provided that in cases of Wind, Small Hydro projects, Biomass power based on Rankine cycle, Non-Fossil Fuel based cogeneration projects, Solar PV, Canal Bank & Canal Top Solar PV projects, Solar Thermal power projects, Grid Interactive Roof Top and Small Solar PV plants, Biomass gasifier and Biogas, Municipal Solid Waste and Refuse Derived Fuel based power project these Regulations shall apply subject to the fulfillment of eligibility criteria specified in Regulation 4 of these Regulations;

Provided further that Regulations in Chapter 4 & 5 (except clause (B) & (C) of sub-

Regulation (1) of Regulation 27) of these Regulations shall not be applicable for generating stations commissioned prior to coming into effect of these Regulations and their existing tariffs shall continue to be applicable;

Provided also that clause (d) of sub-Regulation (3) of Regulation 11, 2<sup>nd</sup> & 3<sup>rd</sup> proviso of sub-Regulation 7 of Regulation 15 shall be applicable to such stations commissioned prior to coming into effect of these Regulations;

Provided that the tariff computation norms shall be in accordance with the Regulations prevalent during the year of commissioning of those stations;

Provided also that normative levelised tariff of 12 paise/unit, over and above the generic tariff for solar thermal/PV generating stations and normative levelized tariff of 5 paisa/unit, over and above the generic tariff for Small Hydro Plants as specified in Regulation 16(1)(c) shall also be applicable to such stations commissioned prior to coming into effect of these Regulations;

Provided also that the Regulations other than those in Chapter 4 and 5 shall apply to other generating stations located in the State of Uttarakhand, which are based on Renewable Sources of Energy including non-fossil fuel based Co-generation and which transmit and/or supply electricity to any person other than the distribution licensee of the State utilizing State Transmission and/or Distribution System.

- (2) The existing projects, which are at present supplying power to third party shall have the option to switch over to supply to the distribution licensee subject to provisions of Regulation 7 of these Regulations or the local rural grid, at generic tariffs as was applicable at the time of commissioning of their project or seek determination of project specific tariff from the Commission. The option shall be for the balance life of the project and shall not be allowed to be changed once it is exercised.
- (3) The generic tariff specified for Wind, Solar PV and Solar Thermal power projects under these Regulations shall be the maximum tariff and the distribution licensee/UREDA shall invite tariff based competitive bids from generators/developers for procurement of power from these generators/developers. The distribution licensee shall enter into a PPA with the generators/developers bidding lower tariff.

Provided that implementation of Canal Bank and Canal Top Solar Power Plants by the eligible government organisation shall be done through tariff based competitive bidding process. In such cases PPA for sale of power from these plants shall be signed with

distribution licensee at a tariff which shall be 8% higher than the tariff quoted by L-1 bidder, however, the tariff plus a margin of 8% shall not exceed the generic tariff determined by the Commission for the year of commissioning.

Provided further that in no case PPA for purchase of power by the distribution licensee shall be executed at a tariff exceeding the ceiling tariff as specified by the Commission in accordance with the regulations.

- (4) The generating stations covered under these Regulations shall be deemed to be the generating station of a generating company and all functions, obligations & duties assigned to such generating company under the Electricity Act, 2003 shall apply to these generating stations.

### 3. Definitions

- (1) Unless the context otherwise requires, the words used in these Regulations shall have the following meaning:

- (i) "Act" means the Electricity Act, 2003 (36 of 2003);
- (ii) "Auxiliary energy consumption" or 'AUX' in relation to a period in case of a generating station means the quantum of energy consumed by auxiliary equipment of the generating station and transformer losses within the generating station, expressed as a percentage of the sum of gross energy generated at the generator terminals of all the units of the generating station;
- (iii) "Banking" means the process under which a captive generating station supplies power to the grid not with the intention of selling it either to a third party or to a licensee, but with the intention of exercising his eligibility to draw back this power from the grid for its own use.
- (iv) "Billing cycle or Billing period" means a period of one month for which electricity bills shall be prepared for each Eligible Consumers/Prosumers by the licensee;
- (v) "Biomass" means waste produced during agricultural and forestry operations (for example straws, stalks, pine needle and lantana) or produced as a by-product of processing operations of agricultural produce (e.g., husks, shells, de-oiled cakes, etc); wood produced in dedicated energy plantations or recovered from wild bushes/weeds; and the wood waste produced in some industrial operations.

- (vi) "Biomass gasification" means a process of incomplete combustion of biomass resulting in production of combustible gases consisting of a mixture of Carbon monoxide (CO), Hydrogen (H<sub>2</sub>) and traces of Methane (CH<sub>4</sub>), which is called producer gas;
- (vii) "Biogas" means a gas created when organic matter like crop residues, sewage and manure breaks down in an oxygen-free environment (ferments);
- (viii) "Canal Bank Solar PV plants" means the Solar PV power plants installed on the banks of the canal.
- (ix) "Canal Top Solar PV Plants" means the Solar PV power plants installed on the top of the canal.
- (x) "Capacity Utilisation Factor (CUF)" shall mean the total energy sent out during the period expressed as a percentage of installed capacity reduced by the normative auxiliary consumption in that period.

$$CUF = \frac{ESO \times 10^7}{IC \times (100 - AUX) \times H} \%$$

Where,

ESO- Energy Sent Out Ex-bus, i.e. at interconnection point, in MU during the period,

IC- Installed capacity in MW,

AUX - % Normative Auxiliary Consumption

H - Number of hours in the period

- (xi) "Capital Cost" means capital cost as defined under Regulation 15(1) of these Regulations.
- (xii) "Captive Generating Plant" means a power plants set up by any person to generate electricity primarily for his own use and includes a power plant set up by any cooperative society or association of persons for generating electricity primarily for use of members of such cooperative society or association where not less than twenty six percent of the ownership is held by the captive user(s), and not less than fifty one percent of the aggregate electricity generated in such plant, determined on an annual basis, is consumed for the captive use. "Captive User" means the end user of the electricity generated in a Captive Generating Plant primarily for his own use and the term "captive



use" shall be construed accordingly.

- (xiii) "Check Meter" means a meter, which shall be connected to the same core of the current transformer (CT) and voltage transformer (VT) to which Meter of the RE generator is connected and shall be used for accounting and billing of electricity in case of failure of main meter.
- (xiv) "Commission" means the Uttarakhand Electricity Regulatory Commission;
- (xv) "Control Period or Review Period" means the period during which the norms for determination of tariff specified in these Regulations shall remain valid;
- (xvi) "Date of commercial operation or Commissioning (CoD)" in relation to a unit means the date declared by the generator on achieving maximum continuous rating through a successful trial run and in relation to the generating station, the date of commercial operation means the date of commercial operation of the last unit or block of generating station and expression 'commissioning' shall be construed accordingly.

Provided that in case of Small Hydro Plants the date of commissioning shall not be linked to achieving maximum continuous rating, nevertheless the generator will have to demonstrate the same within three years of commissioning.

The date of commissioning of Solar PV plant shall be considered as the date of first injection of power into the licensee's grid after completion of the project in all respect subsequent to compliance of initial three prerequisites, i.e.

- (i) installation of energy meter as certified by the concerned Executive engineer of the distribution licensee;
- (ii) project completion report as verified by UKEDA and
- (iii) issuance of Clearance Certificate by the Electrical Inspector

Provided that minimum 75% Performance Ratio based on the rated installed capacity in kW or MW is demonstrated within Three months from the date of first injection of power into licensee's grid on compliance of aforesaid three pre-requisites.

- (xvii) Provided further, that if the specified limit of Performance Ratio is not achieved within Three months from the date of first injection of power into licensee's grid on compliance of aforesaid three pre-requisites, the actual date of demonstration of minimum 75% Performance Ratio, based on the rated installed capacity in kW or MW, shall be considered the commissioning date of the Solar PV plant. "Deemed Generation" means the energy which a generating station was capable of generating but could not generate

due to conditions of grid or power system, beyond the control of the generating station resulting in spillage of renewable resources."

- (xviii) "Deemed Generation" means the energy which a generating station was capable of generating but could not generate due to conditions of grid or power system, beyond the control of the generating station resulting in spillage of renewable resources.
- (xix) "Design Energy" means the quantum of energy which can be generated in a 90% dependable year with 95% installed capacity of the hydro generating station;
- (xx) "Distribution Code" means the UERC (Distribution Code) Regulations, 2018 specified under Section 14 of the Electricity Act 2003, read with Section 181 of the said Act and clause 18 of Distribution and Retail Supply License as amended from time to time;
- (xxi) "Eligible Consumer" means a consumer of electricity, in the area of supply of the distribution licensee, who has a rooftop or small solar system in its premises to offset part or all of its electrical requirements;
- (xxii) "Eligible Government organization" means organisation of Government of India or State Government or any Public Sector Undertaking of the Govt. of India or any State Government.
- (xxiii) "Expenditure incurred" means the fund, whether the equity or debt or both, actually deployed and paid in cash or cash equivalent for creation or acquisition of a useful asset and does not include commitments or liabilities for which no payment has been released.
- (xxiv) "Feed-in-Tariff" means the Generic Tariff determined by the Commission for generation from Solar Energy based projects for Gross Metering in accordance with the principles laid down under these regulations.
- (xxv) "Force Majeure Event" with respect to any party, any event or circumstance which is not within the reasonable control of, or due to an act or omission of, that party and which, by the exercise of reasonable care and due diligence, that party is not able to prevent, including, without limiting the generality of the foregoing:
  - i. Acts of God like lightning, landslide, storm, action of the elements, earthquakes, flood, drought and natural disaster or exceptionally adverse weather conditions;
  - ii. Any act of public enemy, wars (declared or undeclared), blockades, embargo, insurrections, riots, revolution, sabotage, terrorist or military action, vandalism and



- civil disturbance;
- iii. Unavoidable accident, fire, explosion, radioactive contamination and toxic dangerous chemical contamination;
- iv. Any shutdown or interruption of the grid, which is required or directed by the State or Central Government or by the Commission or the State Load Despatch Centre; and any shut down or interruption, which is required to avoid serious and immediate risks of a significant plant or equipment failure.
- (xxvi) "Green Energy" means the electrical energy from renewable sources of energy including hydro and storage (if the storage uses renewable energy) or any other technology as may be notified by the Government of India from time to time and shall include any mechanism that utilizes green energy to replace fossil fuels including production of green hydrogen or green ammonia or any other source, as may be, determined by the Central Government.
- (xxvii) "Grid interactive roof top solar PV plants (GRPV)/ Grid interactive small solar PV plants (GSPV)" means Solar PV plant installed on the rooftop of a building and includes plants installed on open contiguous land within the premises and connected to the grid under net metering arrangement having maximum capacity as specified under these Regulations.
- (xxviii) "Group Net Metering" means an arrangement whereby surplus energy is generated and injected from a solar power plant through net meter and such surplus energy exported shall be adjusted in more than one electricity service connection(s) of the same consumer either at the same or different premise located within the same distribution licensee's area of supply;
- (xxix) "Gross Calorific Value" or "GCV" in relation to a fuel used in generating station means the heat produced in kCal by complete combustion of one kilogram of solid fuel or one litre of liquid fuel or one standard cubic meter of gaseous fuel, as the case may be;
- (xxx) "Gross Metering" means a mechanism whereby the total solar energy generated from GRPV/GSPV of a Prosumer and the total energy consumed by the Prosumer are accounted separately through metering arrangements and for the billing purpose, the total energy consumed by the Prosumer is accounted at the applicable retail tariff and total solar power generated is accounted for at feed-in-tariff determined by the Commission.

- (xxxi) "Gross Station Heat Rate" or "GSHR" means the heat energy input in kCal required to generate one kWh of electrical energy at generator terminals of a thermal generating station;
- (xxxii) "Hybrid Solar Thermal Power Plant" means the solar thermal power plant that uses other forms of energy input sources alongwith solar thermal energy for electricity generation, and wherein not less than 75% of electricity is generated from solar energy component.
- (xxxiii) "Hybrid Wind Solar Power Plant" means the hybrid plant where Solar photovoltaic (PV) array coupled with a wind turbine and configured to operate at the same point of grid connection.
- (xxxiv) "Indian Electricity Grid Code (IEGC)" means the Grid Code specified by the Central Electricity Regulatory Commission under clause (h) of sub-section (1) of section 79 of the Act;
- (xxxv) "Infirm Power" means electricity generated during trial runs prior to commercial operation of a unit of a generating station;
- (xxxvi) "Installed Capacity" or "IC" means the summation of the name plate capacities of the units in the generating station or the capacity of the generating station (reckoned at the generator terminals);
- (xxxvii) "Inter-connection Point" in respect of all the RE based generating stations, except GRPV/GSPV, shall mean interface point of line isolator on outgoing feeder on HV side of generator transformer in the switching yard of renewable energy generating facility with the transmission system or distribution system.  
  
 Provided that in respect of GRPV/GSPV, Inter-connection Point shall mean the interface of solar power generation facility under net metering arrangement with the network of licensee and shall normally be the point where export/import meter is installed to measure the energy transfer between the licensee and the eligible consumer/Prosumer.
- (xxxviii) "MNRE" means the Ministry of New and Renewable Energy of the Government of India;
- (xxxix) "Municipal solid waste" means and includes commercial and residential wastes generated in a municipal or notified areas in either solid or semi-solid form excluding industrial hazardous wastes but including treated bio-medical wastes;.

- (xi) "Net-metering" means a mechanism whereby solar energy exported by the GRPV/GSPV of a Prosumer is deducted from energy imported from the Grid in units (kWh) to arrive at the net imported or exported energy and the net energy import or export is billed or credited or carried-over by the distribution licensee on the basis of the applicable retail tariff by using a single bidirectional energy meter for net-metering at the point of supply.
- (xii) "Net-meter" means an appropriate bi-directional energy meter capable of recording both import from the grid and export of electricity to the grid by the Solar Prosumer.
- (xiii) "Non-fossil Fuel Based Co-generation" means the process in which more than one form of energy (such as steam and electricity) are produced in a sequential manner by use of biomass provided the project may qualify to be a co-generation project if it fulfills the eligibility criteria as specified in Regulation 4(2)(e).
- (xiv) "Non-Peak Hour" means other than Peak hours as may be decided by the Commission from time to time.
- (xv) "Open Access" means the non-discriminatory provision for the use of transmission lines or distribution system or associated facilities with such lines or system by any licensee or consumer or a person engaged in generation in accordance with the regulations specified by the Appropriate Commission;
- (xvi) "Open Access Regulations" means the Uttarakhand Electricity Regulatory Commission (Terms and Conditions of Intra-State Open Access) Regulations, 2015 as amended from time to time;
- (xvii) "Operation and Maintenance Expenses" or "O&M Expenses" means the expenditure incurred in operation and maintenance of the generating station or part thereof, including the expenditure on manpower, repairs, spares, consumables, insurance and overheads;
- (xviii) "Parallel Operation Charges" means charges determined by the Commission and to be recovered for cost of arranging the parallel operation from the concerned consumer of distribution licensee and/or transmission licensee, as the case may be, for availing the parallel operation.
- (xix) "Peak Hours/Off Peak Hours" means particular hours of the day as may be decided by the Commission from time to time;

- (xlix) "Performance Ratio" (PR) means the ratio of plant output versus installed plant capacity at any instance with respect to the radiation measured.

$$PR = \frac{\text{Measure output in kW}}{\text{Installed Plant capacity in kW}} \times \frac{1000 \text{ W/m}^2}{\text{Measured radiation intensity in W/m}^2}$$

- (l) "Power Purchase Agreement" or "PPA" means a long term agreement between a generating company and a distribution licensee for supply of power on the terms and conditions specified therein and with the provision that the tariff for sale of power shall be as determined by the Commission from time to time;
- (li) "Premises" means the land, building or infrastructure or part or combination thereof including the rooftops or/and elevated areas owned by the Eligible Consumer;
- (lii) "Project/Plant" means a generating station and the evacuation system upto inter-connection point, as the case may be, and in case of a small hydro generating station includes all components of generating facility such as dam, intake water conductor system, power generating station and generating units of the scheme, as apportioned to power generation;
- (liii) "Prosumer" means a person who consumes electricity from the grid and can also inject electricity into the grid of distribution licensee, using same point of supply.
- (liv) "Refuse Derived Fuel" or RDF means segregated combustible fraction of solid waste other than chlorinated plastics in the form of pellets or fluff produced by drying, de-stoning, shredding, dehydrating, and compacting combustible components of solid waste that can be used as fuel;
- (lv) "Renewable Energy" means grid quality electricity generated from renewable energy sources.
- (lvi) "Renewable Energy Based Generating Stations and Non-fossil Fuel Based Co-generating Stations" means the power plants other than the conventional generating stations generating grid quality electricity from Renewable Energy Sources.
- (lvii) "Renewable Energy Sources" means renewable sources such as small hydro, wind, solar including integration with combined cycle biomass, bio fuel co-generation, urban or municipal waste and other such sources as approved by MNRE.
- (lviii) "Small Hydro Plant" means Hydro Power projects with station capacity/installed capacity upto and including 25 MW.



- (lix) "Solar PV Plant (SPV)" means project designed for the supply of entire solar energy to distribution licensee and excludes Solar PV plants installed under Net-metering arrangement.
- (lx) "Solar Thermal Power Project" means the project that uses sunlight for conversion into electricity through concentrated Solar Power Technology based on either line focus or point focus principle.
- (lxi) "Saleable Energy" means the quantum of energy available for sale (ex-bus) after allowing for free energy, if any, to the home State;
- (lxii) "State Grid Code" means the Uttarakhand Electricity Regulatory Commission (State Grid Code) Regulations, 2016 specified by Uttarakhand Electricity Regulatory Commission under clause (h) of sub-section (1) of section 86 of the Act;
- (lxiii) "Tariff period" means the period for which tariff is to be determined by the Commission on the basis of norms specified under these Regulations;
- (lxiv) "Third party owner" means a developer who generates solar energy from its plant established in the Premises of Eligible Consumer and who has entered into a lease/commercial agreement with such Eligible Consumer;
- (lxv) "Useful Life" in relation to a unit of a generating station including evacuation system shall mean the following duration from the date of commercial operation (CoD) of such generation facility, namely:-

|                                                                                                                                                             |          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| (i) Wind energy power project                                                                                                                               | 25 years |
| (ii) Biomass power project including<br>Municipal Solid Waste (MSW) and<br>Refuse Derived Fuel (RDF) based power projects<br>With rankine cycle technology. | 25 years |
| (iii) Non-fossil fuel cogeneration project                                                                                                                  | 25 years |
| (iv) Small Hydro Plant                                                                                                                                      | 40 years |
| (v) Solar PV/Solar thermal/GRPV/GSPV /<br>Canal bank/Canal top<br>Solar PV plants.                                                                          | 25 years |
| (vi) Biomass Gasifier based power project                                                                                                                   | 25 years |

(vii) Biogas based power project

25 years

Provided that where the operation of a plant was stopped due to a force majeure event, the life of the plant shall be extended by the period of such stoppage and, accordingly, the PPA shall be extended accordingly.

(lxvi) "Virtual Net Metering" means an arrangement whereby entire energy generated from Solar Energy based plant installed at Consumers premises or any other location is injected through Solar Energy Meter and the energy exported is adjusted in either one or more than one electricity service connection(s) of participating Consumer(s) located within the same Distribution Licensee's area of supply

(lxvii) "Year" means a financial year.

(2) Save as aforesaid and unless repugnant to the context or if the subject matter otherwise requires, words and expressions used in these regulations and not defined, but defined in the Electricity Act, 2003 or the UERC (State Grid Code) Regulations or the Commission's Regulations on determination of Tariff shall have the meanings assigned to them respectively in the Act or the State Grid Code or the Commission's Regulations as amended from time to time on determination of Tariff.

## CHAPTER 2

## GENERAL CONDITIONS

## 4. Eligibility Criteria for qualifying as Generating Station based on Non-Conventional/ Renewable Energy Source

- (1) For the purposes of these Regulations, generation from all types of Renewable Energy Sources and non-fossil fuel based Co-generating Plants, as approved by Ministry of New and Renewable Energy (MNRE), Government of India shall be considered and such generating stations shall be collectively referred to as RE Based Generating Stations and Co-generating Stations.
- (2) At present, generation from following sources and technologies shall qualify to be covered under these Regulations:
  - (a) Small hydro project- Generating Stations being developed in accordance with the prevalent policies of the State Government in this regard and using new plant and machinery with capacity lower than or equal to 25 MW, at single location.
  - (b) Wind power project - located at the wind sites having minimum annual mean Wind Power Density (WPD) of 200 Watt/m<sup>2</sup> measured at hub height of 50 meters and using new wind turbine generators.
  - (c) Solar PV, Canal bank & Canal top Solar PV, Solar Thermal, Agro-voltaic and GRPV/GSPV - Based on Technologies approved by MNRE.
  - (d) Biomass/Biogas power project - Biomass power projects using new plant and machinery based on Rankine Cycle technology and using biomass fuel sources, without use of fossil fuel;
  - (e) Non-fossil fuel based Co-generating Stations - The project shall qualify to be termed as a non-fossil fuel based co-generation project, if it is using new plant and machinery and is in accordance with the definition and also meets the qualifying requirement outlined below:

Topping cycle mode of co-generation - Any facility that uses non-fossil fuel input for the power generation and also utilizes the thermal energy generated for useful heat applications in other industrial activities simultaneously.

Provided that for the co-generation facility to qualify under topping cycle mode, the

sum of useful power output and one half the useful thermal output be greater than 45% of the facility's energy consumption, during season.

**Explanation-** For the purposes of this clause,

- (i) 'Useful power output' is the gross electrical output from the generator. There will be an auxiliary consumption in the cogeneration plant itself (e.g. the boiler feed pump and the FD/ID fans). In order to compute the net power output it would be necessary to subtract the auxiliary consumption from the gross output. For simplicity of calculation, the useful power output is defined as the gross electricity (kWh) output from the generator.
- (ii) 'Useful Thermal Output' is the useful heat (steam) that is provided to the process by the cogeneration facility.
- (iii) 'Energy Consumption' of the facility is the useful energy input that is supplied by the fuel (normally bagasse or other such biomass fuel).
- (iv) 'Topping cycle' means a cogeneration process in which thermal energy produces electricity followed by useful heat application in industrial activities.
- (f) Biomass Gasifier based Power Project - The project shall qualify to be termed as a biomass gasifier based power project, if it is using new plant and machinery and having a Grid connected system that uses 100% producer gas engine, coupled with gasifier technologies approved by MNRE.
- (g) Biogas based Power Project - The project shall qualify to be termed as a biogas based power project, if it is using new plant and machinery and having grid connected system that uses 100% Biogas fired engine, coupled with Biogas technology for co-digesting agriculture residues, manure and other bio waste as may be approved by MNRE.
- (h) Municipal solid waste based power projects - The project shall qualify to be termed as a Municipal solid waste based power project, if it is using new plant and machinery based on Rankine cycle technology and using Municipal solid waste as fuel sources.
- (i) Refuse derived fuel based power projects - The project shall qualify to be termed as a Refuse derived fuel based power project, if it is using new plant and machinery based on Rankine cycle technology and using Refuse derived fuel as fuel sources.
- (j) Hybrid Wind-Solar power Plant- The project shall qualify to be termed as a hybrid Wind-Solar power plant, if Solar photovoltaic (PV) array coupled with a wind turbine



and configured to operate at the same point of grid connection.

- (3) Any new source or technology would qualify as 'renewable energy', only after such source/technology is based on scientifically proven technology approved by MNRE or any competent authorities under the central ministry. Further, the Commission shall determine tariffs separately for each technology after the approval of such scientifically proven technology by competent authority under the central ministry.

#### 5. Environmental and other Clearances

- (1) The RE Based Generating Stations and Co-generating Stations shall abide by the emission standards/environmental norms as may be set by the Union/State Government, and for that purpose it shall obtain all the required environmental and pollution clearances from the Central/State Pollution Control authorities, wherever applicable.
- (2) The RE Based Generating Stations and Co-generating Stations shall obtain necessary clearances from the State Government/Uttarakhand Renewable Energy Development Agency (UREDA), wherever necessary.

#### 6. Obligations and Duties of the Generating Station

- (1) RE Based Generating Stations and Co-generating Stations shall indicate the capacity of its generating plant in the 'Detailed Project Report' (DPR) keeping in view the potential of electricity generation available from such source and its optimal utilization. It shall further be obliged to submit the DPR, progress of construction and details regarding commissioning of the generating plant or any other related information to the Commission in such form and manner as may be required by the Commission.
- (2) The RE Based Generating Stations and Co-generating Stations shall:
- (a) Ensure that all the Government and other statutory dues are paid by it within the stipulated time.
  - (b) Submit the technical details concerning the generation and/or transmission as may be specified by the Authority/Commission for carrying out studies relating to cost and efficiency.
  - (c) Submit the information in respect to generation, demand met, capacity availability, capacity utilization factor, auxiliary consumption, specific heat rate and specific oil consumption or on any other parameters etc. yearly basis or as may be directed by the Commission from time to time.

- (d) Submit audited annual accounts alongwith the copy of income tax returns filed on yearly basis to the Commission.

Provided that in case the generator is having more than one generating station in operation, it shall maintain and submit plant wise details of O&M expenses alongwith the audited accounts on yearly basis to the Commission.

- (e) Shall establish a communication and data transfer system with State Load Dispatch Centre and Co-ordinate with State Load Dispatch Centre and the Regional Load Dispatch Center in respect to:

- (i) Scheduling;
- (ii) Exchange of data of quantity of electricity transmitted through the grid;
- (iii) Real time grid operation and dispatch of electricity in accordance with IEGC and State Grid Code.

- (3) The RE Based Generating Stations and Co-generating Stations shall abide by the grid discipline and install adequate protection equipment for safety of its system and human life. It shall not be entitled for any compensation in the event of grid failure or any interruptions or damage to the plant or its associated sub-station and transmission line on account of any occurrence in the grid.

- (4) The RE Based Generating Stations and Co-generating Stations shall establish, operate and maintain generating station, the associated substation and dedicated transmission lines, if it exercises the option to establish the line. These shall be in accordance with:

- (a) The technical standards for construction of electrical plants, electric lines and connectivity with the grid as specified by the Authority (section 73 (b) of the Electricity Act, 2003).
- (b) Safety requirements for construction, operation and maintenance of electrical plants and electric lines as specified by the Authority (section 73 (c) of the Electricity Act, 2003).
- (c) Grid standards for operation and maintenance of transmission lines as specified by Central Electricity Regulatory Commission/Central Electricity Authority or the State Transmission Utility (section 73 (d) of the Electricity Act, 2003).
- (d) The conditions for installation of meters for supply of electricity as specified by the Authority or the State Transmission Utility (section 73 (e) of the Electricity Act, 2003).

- (5) The RE Based Generating Stations and Co-generating Stations shall ensure the compliance of the 'TEGC', the State Grid Code and the Distribution Code as amended from time to time.
- (6) The RE Based Generating Stations and Co-generating Stations shall ensure compliance of any general or specific direction issued and regulations made by the Commission for the generating companies.
- (7) All Power Purchase Agreements (PPAs) signed by the generating stations existing on the date of notification of these regulations shall be amended in accordance with these regulations, if inconsistent with these Regulations, and such amended PPAs shall be valid for entire life of the RE Based Generating Stations and Co-generating Stations.
- (8) The RE Based Generating Stations and Co-generating Stations shall coordinate with State Transmission Utility/Distribution Licensee for the purpose of planning and coordination relating to intra-state transmission/distribution system as provided under the Act.
- (9) The RE Based Generating Stations and Co-generating Stations shall be under obligation to comply with the directions issued to it by the State Load Dispatch Centre failing which the plant shall be liable for appropriate action under the Electricity Act, 2003.
- (10) The RE Based Generating Stations and Co-generating Stations shall pay fee and charges to the State Load Dispatch Centre as may be specified or directed by the Commission from time to time.
- (11) In case of dispute with reference to quality of electricity or safe, secure and integrated operation of the grid or in relation to any direction issued by the State Load Dispatch Centre, the matter shall be referred to the Commission for adjudication.

## 7. Sale of Power

- (1) All RE Based Generating Stations and Co-generating Stations shall be allowed to sell power, over and above the capacity required for their own use, to the distribution licensee provided that distribution licensee is willing to enter into a PPA or to local rural grids at the rates determined by the Commission or to any consumer/person within the State or outside the State at mutually agreed rates (provided that such consumer has been allowed Open Access under Open Access Regulations).
- (2) The distribution licensee on an offer made by the said RE based Generating Stations and Co-generating Stations may enter into a power purchase agreement in conformity with these Regulations and relevant provisions of other Regulations and the Act. However, if the

distribution licensee intends to purchase power from such generator it shall sign the PPA within two months of offer made by the generating company. Otherwise, if the distribution licensee is not willing to purchase power from such generator it shall intimate the same to the generating company within one month of offer made by it.

Provided that where a GRPV/GSPV plant, is installed in the Premises, by a third party who intends to sell net energy (i.e. after adjustment of entire consumption of owner of the premise) to the distribution licensee, a tripartite agreement will have to be entered into amongst the third Party, the Eligible Consumer and such Distribution Licensee.

- (3) The distribution licensee shall make an application for approval of power purchase agreement entered into with the generating company in such form and manner as specified in these regulations and UERC (Conduct of Business) Regulations, 2014 as amended from time to time within one month of the date of signing the PPA.

Provided further that the application for approval of PPA should be accompanied with an unconditional Technical Feasibility Report and the connectivity agreement signed with the Transmission/Distribution licensee shall form part of the PPA.

#### 8. Green Energy (procurement of green energy from distribution licensee)

- (1) Any consumer may elect to purchase green energy either upto a certain percentage of the consumption or its equivalent to 100% of its entire consumption and they may place a requisition for this with the distribution licensee, who shall procure such quantity of green energy and supply it and the consumer shall have the flexibility to give separate requisition for categories specified in Chapter-3 of these regulations.
- (2) The consumer may purchase on a voluntary basis, more renewable energy, than he is obligated to do and for ease of implementation, this may be in steps of twenty five percent and going upto hundred percent.
- (3) The tariff for the green energy shall be specified by the Commission in the Tariff Orders of Distribution Licensee which shall comprise of the average pooled power purchase cost of the renewable energy, cross-subsidy charges if any, and service charges covering the prudent cost of the distribution licensee for providing the green energy.
- (4) Any requisition for green energy from a distribution licensee shall be for a minimum period of one year.



- (5) The green energy purchased from distribution licensee or from Renewable Energy sources other than distribution licensee in excess of Renewable Purchase Obligation of the obligated entity shall be counted towards Renewable Purchase Obligation compliance of the distribution licensee.
- (6) The accounting of renewable energy supplied at distribution level shall be on a monthly basis.

## 9. Open Access

- (1) Non-discriminatory Open access in State Transmission/Distribution System shall be allowed to all RE based Generating stations and Co-generating Stations for captive use and to those covered under Regulation 7(1), which shall be subject to the provisions of the Open Access Regulations.

Provided that the 'open access' shall be allowed subject to the availability of surplus capacity in the State Transmission/Distribution System.

Provided that the captive power plants shall be required to pay Parallel Operation Charges to Distribution Licensee and/or Transmission Licensee, as the case may be, for utilization of grid support from Distribution Licensee and/or Transmission Licensee. The Commission shall specify the Parallel Operation Charges in its Tariff Orders for distribution licensee or transmission licensee, as the case may be, on annual basis.

Provided that levy of Open Access Charges on captive projects shall be governed by the relevant provisions of the Act and policies issued by Central/State Government from time to time.

- (2) Such open access shall be subject to payment of transmission/wheeling charges and adjustment of average transmission/distribution losses in kind as determined in accordance with the Regulation 41 of these Regulations.
- (3) If any question arises as to the availability of surplus capacity in the State transmission system or the State distribution system, the matter shall be adjudicated and decided by the Commission.

## CHAPTER 3

## RENEWABLE PURCHASE OBLIGATION (RPO)

## 10. Minimum Quantum of electricity to be purchased by distribution licensees from 'non-fossil fuel based co-generation and generation of electricity from renewable energy sources'

- (1) In line with the provisions of the Act, National Electricity Policy, the Tariff Policy to promote development of renewable and non-conventional sources of energy, all existing and future distribution licensees, captive users and open access customers, hereinafter referred to as "Obligated Entity", in the State shall be obliged to procure minimum percentage of their total electricity requirement for own consumption, as indicated below, from eligible renewable energy sources as defined under Regulation 4. The same shall be called the Renewable Purchase Obligation (RPO) of the Obligated Entities.

| Year    | Wind RPO | Hydro Purchase Obligation (HPO) | Other RPO |                  |                    |
|---------|----------|---------------------------------|-----------|------------------|--------------------|
|         |          |                                 | Solar RPO | Other than Solar | Total of Other RPO |
| 2023-24 | 1.60%    | 0.66%                           | 5.00%     | 19.81%           | 24.81%             |
| 2024-25 | 2.46%    | 1.08%                           | 5.31%     | 21.06%           | 26.37%             |
| 2025-26 | 3.36%    | 1.48%                           | 5.68%     | 22.49%           | 28.17%             |
| 2026-27 | 4.29%    | 1.80%                           | 6.02%     | 23.84%           | 29.86%             |
| 2027-28 | 5.23%    | 2.15%                           | 6.33%     | 25.10%           | 31.43%             |
| 2028-29 | 6.16%    | 2.51%                           | 6.59%     | 26.10%           | 32.69%             |
| 2029-30 | 6.94%    | 2.82%                           | 6.77%     | 26.80%           | 33.57%             |

- (a) Wind RPO shall be met only by energy produced from Wind Power Projects (WPPs), commissioned after 31<sup>st</sup> March 2022.
- (b) HPO shall be met only by energy purchased from HPPs (including PSPs and Small Hydro Projects (SHPs)), commissioned after 8<sup>th</sup> March 2019.
- (c) Other RPO shall be met by energy produced from any RE power project not mentioned in (a) and (b) above.

Percentage RPO as stipulated above denotes Minimum Quantum of purchase from non-fossil fuel based co-generation and generation of electricity from renewable energy sources' as a percentage of total energy purchased from all sources/generated by the Obligated Entity during the year for own consumption.

Where, total energy purchased for different obligated entities shall be as under:

- a. For Discoms, total energy purchased from all sources during the year for own consumption; and
- b. For Open Access consumers, total energy purchase through Open Access shall be metered consumption recorded at drawl/consumption point during the year for own consumption.
- c. For Captive users, total energy purchased shall be metered consumption recorded at drawl/consumption point during the year for own consumption.

Provided that HPO obligation of the Distribution licensee may also be met out of the free power being provided to the State from HPPs (including PSPs and SHPs), commissioned after 8<sup>th</sup> March 2019 as per agreement at that point of time excluding the contribution towards LADE, if consumed within the Discom. Free Power (not that contributed for Local Area Development) shall be eligible for HPO benefit.

Provided that any shortfall remaining in achievement of Solar RPO category in a particular year can be met with excess energy consumed from eligible HPP (including PSPs and SHPs), commissioned after 8<sup>th</sup> March 2019 beyond 'HPO' for that year or with excess energy consumed from eligible 'Other than Solar RPO' under category of Other RPO for that year.

Provided further that any shortfall remaining in achievement of 'Other than Solar RPO' under 'Other RPO' category in a particular year can be met with either the excess energy consumed from Wind Power Plants, commissioned after 31<sup>st</sup> March 2022 beyond 'Wind RPO' for that year or with excess energy consumed from eligible HPPs (including PSPs and SHPs), commissioned after 8<sup>th</sup> March 2019 beyond 'HPO' for that year or with excess energy consumed from solar plants beyond 'Solar RPO' for that year or partly from all above three category..

Provided further that any shortfall in achievement of 'Wind RPO' in a particular year can be met with excess energy consumed from Hydro Power Plants, which is in excess of 'HPO' for that year and vice versa.

- (2) For the purpose of this RPO framework, for every obligated entity, own consumption would mean gross energy consumed or purchased by the obligated entity from all sources for its own use or for the purpose of supply to its consumers within its area of supply, excluding any inter-se sale of electricity amongst the Licensees or outside consumers.

- (3) Distribution licensee shall be eligible to utilise the gross Solar energy generated from the GRPV/GSPV of non-obligated entities for meeting its 'Solar RPO' compliance based on the gross energy generated meter reading of such GRPV/GSPV.
- (4) The following percentage of total energy consumed shall be solar/wind energy alongwith/through storage.

| Financial Year | Storage<br>(on Energy basis) |
|----------------|------------------------------|
| 2023-24        | 1.0%                         |
| 2024-25        | 1.5%                         |
| 2025-26        | 2.0%                         |
| 2026-27        | 2.5%                         |
| 2027-28        | 3.0%                         |
| 2028-29        | 3.5%                         |
| 2029-30        | 4.0%                         |

- (5) The Energy Storage Obligation shall be calculated in energy terms as a percentage of total consumption of electricity and shall be treated as fulfilled only when and at least 85% of the total energy storage in the Energy Storage System (ESS), on an annual basis, is procured from renewable energy sources.
- (6) The Energy Storage Obligation to the extent of energy stored from RE sources shall be considered as a part of fulfilment of the total RPO as mentioned under sub-regulation (1) of this regulation.
- (7) UREDA will maintain the data related to compliance of RPO Obligation.



## CHAPTER 4

## TARIFF- GENERAL PRINCIPLES

## 11. Tariffs

- (1) The tariff determined under these Regulations shall be applicable for sale of electricity to the distribution licensees and to local rural grids only. The Commission shall as far as possible be guided by the principles and methodologies, if any, specified by the CEREC, National Electricity Policy and the Tariff policy.
- (2) The RE Based Generating Stations and Co-generating Stations, except those mentioned under second Proviso to sub- Regulation (1) of Regulation 2, may opt for the generic tariff, as determined based on norms specified in these Regulations for different technologies, or may file a petition before the Commission for determination of "Project Specific Tariff". For this purpose, RE Based Generating Stations and Co-generating Stations shall give its option to the distribution licensee at least 3 months in advance of date of commissioning of the project or commissioning of the first unit, in case of multiple units. This option once exercised shall not be allowed to be changed during the validity period of the PPA.

Provided that the option of seeking project specific tariff shall not be available to the following:

- (i) Any type of solar power plant,
- (ii) Wind Energy Power Plants; and
- (iii) Other RE based power projects having installed capacity upto 1 MW.

Provided further that if generating company does not give its option to the distribution licensee within above stipulated time, generic tariff shall be applicable based on the date of commissioning of the project or commissioning of the first unit, in case of multiple units.

- (3) Project Specific Tariff, on case to case basis, shall be determined by the Commission in the following cases:
  - (a) For projects opting to have their tariffs determined on the basis of actual capital cost instead of normative capital cost as specified for different technologies under Chapter 5 subject to 1<sup>st</sup> Proviso of Regulation 11(2) above, the CUF (generation) for recovery of fixed charges shall be taken as that envisaged in the approved DPR or the normative CUF specified under Chapter 5 for the relevant technology, whichever is higher;

- (b) Other hybrid projects include renewable-renewable or renewable-conventional sources, for which renewable technology is approved by MNRE;
- (c) Projects having old plant and machinery or equipment;
- (d) The RE generating company for meeting the expenditure on Renovation, Modernisation and Up-gradation (RMU) for the purpose of extension of life beyond the useful life of its RE based power plant shall make an application before the Commission for in-principle approval of the proposal alongwith a DPR giving complete scope, cost-benefit analysis, estimated life extension from a reference date, financial package, phasing of expenditure, schedule of completion and other details as required by the Commission and the Commission while fixing their tariffs, shall be guided by the tariff norms specified in the Regulations based on actual capital cost subsequent to the completion of the RMU activities and such other factors considered relevant by the Commission;
- (e) Any other new renewable energy technologies approved by MNRE.

Provided that the Commission while determining the Project Specific Tariff shall be guided by the provisions of Chapter 4 & 5 of these Regulations for technologies specifies therein.

## 12. Control Period or Review Period

- (1) The Control Period or Review Period under these Regulations shall be of five years, of which the first year shall be the financial year 2023-24.

Provided that the benchmark capital cost of Solar PV, Canal Bank & Canal Top Solar PV, Solar Thermal, Municipal Solid Waste based power projects, Refuse Derived Fuel based power projects and Grid interactive Roof Top and Small Solar PV projects may be reviewed annually by the Commission.

Provided further that the tariff determined as per these Regulations for the RE projects commissioned during the Control Period, shall continue to be applicable for the entire Tariff Period.

## 13. Tariff and PPA Period

- (1) The Tariff Period for Renewable Energy power projects shall be equal to Useful life of the Project as specified in Regulation 3(1)(lxiii) of these Regulations.

- (2) Tariff period under these Regulations shall be considered from the date of commercial operation or commissioning of the renewable energy plant.
- (3) The PPA shall be required to be executed with distribution licensee for the entire Tariff Period.

#### 14. Petition and proceedings for determination of Project Specific Tariff

- (1) The RE Based Generating Stations and non-fossil fuel based Co-generating Stations may make an application for fixation of Project Specific Tariff based on actual Capital Cost in respect of the completed units of the RE Based Generating Stations and Co-generating Stations in such formats and alongwith such information as the Commission may require from time to time.

Provided that for Project Specific Tariff determination, the RE Based Generating Stations and Co-generating Stations shall submit the DPR and the break-up of Capital Cost items along with its petition.

- (2) Till fixation of final tariff, a RE Based Generating Station or Co-generating Station may either accept the generic tariff as provisional tariff or make an application for determination of provisional tariff in advance of the anticipated date of completion of the project based on the capital expenditure actually incurred up to the date of making the application or a date prior to making of the application, duly audited and certified by the statutory auditors. The provisional tariff as may be determined by the Commission may be charged from the Commercial Operation Date (CoD) of the respective unit of the generating station.

Provided that the RE Based Generating Stations and Co-generating Stations shall be required to make a fresh application for determination of final tariff based on actual capital expenditure incurred up to the date of commercial operation or commissioning of the generating station within 18 months from the actual CoD.

- (3) A petition for determination of project specific tariff shall be accompanied by such fee as specified in the UERC (Fee and Fines) Regulations, 2002, as amended from time to time, and shall be accompanied by:
  - (a) Information in forms 1.1, 1.2, 2.1 and 2.2 as the case may be, and as appended in these regulations;
  - (b) Detailed project report outlining technical and operational details, site specific aspects, premise for capital cost and financing plan etc;

- (c) A Statement of all applicable terms and conditions and expected expenditure for the period for which tariff is to be determined;
  - (d) A statement containing full details of calculation of any subsidy and incentive received, due or assumed to be due from the Central Government and/or State Government. This statement shall also separately include the proposed tariff calculated with and without consideration of the subsidy and incentive;
  - (e) Auditor's certificate indicating year wise and component/asset wise expenditure incurred towards project cost and IDC & IEDC alongwith duly audited and certified copies of annual accounts by the statutory auditors.; and
  - (f) Details of loans including statements of the financial institutions from the date of first drawal and the certificate from the lender(s) that the project has not been classified as NPA and in case the project has been classified as NPA, determination of project specific tariff will be denied;
  - (g) Any other information that the Commission requires the Petitioner to submit.
- (4) The proceedings for determination of tariff shall be in accordance with the UERC (Conduct of Business Regulations), 2014.

#### 15. Tariff Structure

- (1) The tariff for renewable energy technologies shall be single part tariff (in Rs./kWh) and ex-bus, i.e. after auxiliary consumption and transformation losses at the interconnection point as defined in Regulation 3(1)(xxxiv).

Provided that for renewable energy technologies having fuel cost component, like biomass/biogas/biomass gasifier power projects, Refuse derived fuel and non-fossil fuel based cogeneration, tariff with two components, namely fixed cost component and fuel cost component, shall be determined.

- (2) The Tariff shall consist of the following fixed cost components:

- (a) Return on equity;
- (b) Interest on loan capital;
- (c) Depreciation;
- (d) Interest on working capital;
- (e) Operation and maintenance expenses;



(3) The generic tariff is being determined separately for each kind of renewable source and for each type of renewable technology for which norms have been specified in these Regulations.

(4) The generic tariff is based on normative parameters as per the norms specified in these Regulations for each type of source and the year of commissioning of the plant. Tariff in respect of a RE Based Generating Stations and Co-generating Stations under these Regulations shall be applicable for the whole generating station.

Provided that the generic tariff for supply of electricity from the plant, having more than one unit commissioned during currency of different control period, shall be based on weighted average of the tariffs specified under different Regulations for the total capacity of the plant.

(5) The levelised tariffs for the useful life of the project shall be specified for the RE Based Generating Stations and Co-generating Stations.

Provided that for renewable energy technologies having tariff (in Rs./kWh) with two components, for fixed cost component tariff may be determined on levelised basis considering the year of commissioning of the project while the fuel cost component shall be specified on year of operation basis.

(6) For the purpose of levelised tariff computation, the discount factor equivalent to weighted average cost of capital shall be considered. For determination of weighted average cost of capital, the pre-tax return on equity would be adjusted for tax at the applicable rates.

(7) The tariffs determined under these regulations being levelised, any shortfall or gain due to performance or other reasons is to be borne/retained by the RE Based Generating Stations and Co-generating Stations and no true up of any parameter, including additional capitalisation for whatsoever reasons, shall be taken up during the validity of the tariff for projects opting generic tariff or those opting project specific tariff. The tariff for supply of electricity between the period of synchronization and the commissioning of the unit (Infirm Power) shall be equal to 50% of fixed cost component of levelised generic tariff for the useful life of the project. However, renewable energy technologies having fuel cost component, like biomass/biogas/biomass gasifier power projects, Refuse derived fuel and non-fossil fuel based cogeneration, shall also be entitled to get the fuel cost component of tariff for that year in addition to 50% of the levelised generic tariff.

Provided that where project specific tariff is being determined the revenue generated from infirm power shall be used to reduce the capital cost of the project after giving credit for cost of fuel consumed, wherever applicable;

Provided that any additional expenditure of capital nature which becomes necessary for restoration works only on account of damages caused by natural calamities (but not due to flooding of power house attributable to the negligence of the generating company), after prudence check by the Commission, shall be allowed as additional capitalisation after duly adjusting the proceeds from any insurance scheme for all the generating stations covered under these Regulations. For additional capital expenditure admitted, as above, appropriate adjustment in tariff shall be allowed for balance life of that project based on the norms given in Chapters 4 & 5 of the Regulations;

Provided that additional capitalisation on this account would only be allowed if appropriate and adequate insurance cover was available for the generating station at the time of occurrence of natural calamities referred to above. The generating company shall intimate the Commission and Distribution Licensee within seven days from the occurrence of any such force majeure event resulting into shut down of plant. The Commission may in such case direct the distribution licensee and State nodal agency to visit the damaged plant and assess the nature & type of damages and restoration works required in coordination with the generator/developer.

## 16. Financial Principles

### (1) Capital Cost

- (a) The norms for the Capital Cost as specified in the subsequent technology specific provisions in Chapter 5 shall include the expenditure incurred or projected to be incurred, initial spares, interest during construction (IDC) and financing charges, incidental expenditure during construction (IEDC), any gain or loss on account of foreign exchange risk variation during construction on loans arrived in the manner specified in sub-regulation (2) below upto the date of commercial operation or commissioning of the project, as admitted by the Commission after prudence check. The capital cost shall also include the expenditure incurred or projected to be incurred towards the switchyard etc. upto the point of interconnection (i.e. it does not include cost of dedicated line and associated equipment from point of interconnection upto the nearest sub-station of transmission or distribution licensee to which generating station

is connected).

- (b) In case of additional costs on account of IDC, Finance charges and IEDC due to delay in achieving the Schedule CoD, the generating company shall be required to furnish detailed justification with supporting documents for such delay including the details of IDC, Finance Charges and IEDC during the period of delay and liquidated damages recovered or recoverable corresponding to the delay:

Provided that if the delay is not attributable to the generating company and is due to uncontrollable factors, such expenditures may be allowed after due prudence check;

Provided further that where the delay is attributable to an agency or contractor or supplier engaged by the generating company, the liquidated damages recovered from such agency or contractor or supplier shall be kept in view while computing the capital cost.

- (c) In case individual generating company opts to construct, at its own cost, the evacuation infrastructure from point of inter-connection to the nearest sub-station of transmission or distribution licensee to which the generating station is connected, it shall be allowed a normative levelised tariff of 7 paise/unit over and above the generic tariff determined at the point of inter-connection. However, in case of a solar generating company a normative levelised tariff of 14 paise/unit over and above the generic tariff determined at the point of inter-connection shall be allowed. The said normative tariff for evacuation infrastructure has been arrived at considering the cost of line and equipments specified under UERC (The Electricity Supply code, Release of New Connections and Related matters) Regulations, 2020 as per normative cost given below:

- |                                                       |                     |
|-------------------------------------------------------|---------------------|
| (i) Upto 3MW, 11 kV S/C                               | - Rs. 8.00 lakh/km  |
| (ii) Above 3MW and upto 13 MW, 33 kV S/C              | - Rs. 12.50 lakh/km |
| (iii) Above 13 MW and upto 25 MW, 33 kV 2 x S/C or DC | - Rs. 25.00 lakh/km |

Provided that in case more than one generating stations construct, at its own cost, a common evacuation infrastructure including pooling switching station, in accordance with Regulation 43 of these Regulations, for evacuation of power of their generation, then the above normative levelised tariff shall be apportioned among all such generating stations on the basis of their installed capacity.

Provided further that where the transmission line from inter-connection point to nearest sub-station is partly constructed by distribution licensee and partly by generating company, normative levelised tariff of 7 paisa/kWh or 14 paisa/kWh, as the case may be, shall be as per length of the line constructed by the generating company in proportion to the overall length of the line i.e. from inter-connection point to sub-station of the distribution/transmission licensee.

- (d) The distribution licensee will have to pay the additional tariff, specified above to, the generating company(s) provided ownership of such lines remains with such generating company(s). However, the first option shall be given to the distribution licensee for either buying the evacuation infrastructure of the generating company(s) at the depreciated cost indicated in the latest audited accounts of the said company(s), or pay additional tariff as per these regulations.

Provided that the distribution licensee will be required to exercise the option within one year from the date of commissioning of the generating station(s).

## (2) Debt-Equity Ratio

- (1) The debt-equity ratio for generic and project specific tariff shall be as follows:

(a) For generic tariff debt-equity ratio shall be 70:30.

(b) For project specific tariff, the following provisions shall apply:

If the equity actually deployed is more than 30% of the capital cost, equity in excess of 30% shall be treated as normative loan:

Provided that where equity actually deployed is less than 30% of the capital cost, the actual equity shall be considered for determination of tariff;

Provided further that the equity invested in foreign currency shall be designated in Indian rupees on the date of each investment;

- (2) Subsidy available from MNRE, to the extent specified under Regulation 25, shall be considered to have been utilized towards pre-payment of debt leaving balance loan and 30% equity to be considered for determination of tariff:

Provided further that it shall be assumed that the original repayments shall not be affected by this prepayment.



- (3) The amount of subsidy shall be considered for each renewable source as per the applicable policy of MNRE. If the amount of subsidy is increased or reduced by MNRE, then necessary corrections in tariffs would be carried out by the Commission provided the reduction in subsidy amount is not due to the inefficiency of the generating company.

#### 17. Interest on loan capital

- (1) The loans arrived at in the manner indicated in Regulation 16(2) shall be considered as gross normative loan for calculation of interest on loan. The normative loan outstanding as on 1<sup>st</sup> April of every year shall be worked out by deducting the cumulative repayment up to 31<sup>st</sup> March of previous year from the gross normative loan.
- (2) For the purpose of computation of generic tariff, the normative interest rate shall be considered as average State Bank of India (SBI) Marginal Cost of Funds based Lending Rate (MCLR) (one year tenor) prevalent during the last available six months plus 300 basis points. For the purpose of computation of project specific tariff, interest rate shall be considered as lower of the actual interest payable to the financial institutions or the average State Bank of India (SBI) Marginal Cost of Funds based Lending Rate (MCLR) (one year tenor) prevalent during the last available six months from the date of Petition plus 300 basis points.
- (3) Notwithstanding any moratorium period availed by the generating company, the repayment of loan is being considered from the first year of commercial operation of the project and shall be equal to the annual depreciation allowed.
- (4) Normative period of loan repayment shall be taken as 15 years.

#### 18. Depreciation

- (1) For the purpose of tariff, depreciation shall be computed in the following manner, namely:
- (a) The value base for the purpose of depreciation shall be the capital cost of the project as admitted by the Commission in accordance with sub-regulation (2) below.
- (b) The Salvage value of the asset shall be considered as 10% and depreciation shall be allowed up to maximum of 90% of the Capital Cost of the asset.
- (c) The depreciation rate for the first 15 years of the Tariff Period shall be 4.67% per annum and the remaining depreciation shall be spread over the remaining useful life of the project from 16<sup>th</sup> year onwards considering salvage value of the project as 10% of the

project cost.

- (d) Depreciation shall be chargeable from the first year of commercial operation.
- (2) 75% of the Capital subsidy received by the generator shall be reduced from the capital cost for depreciation purposes.

#### 19. Return on Equity

- (1) The value base for the equity shall be as determined under Regulation 16(2).
- (2) The normative Return on Equity (Post tax) shall be 16% for the Renewable energy source based power projects. The normative Return on Equity shall be grossed up by the latest available notified Minimum Alternative Tax (MAT) rate for the first 15 years of the Tariff Period and by the latest available notified Corporate Tax rate for the remaining Tariff Period to work out the pre-tax RoE.

#### 20. Interest on Working Capital

- (1) The Working Capital requirement in respect of Wind energy projects, Small hydro power, Solar PV, Canal Bank and Canal Top Solar PV, Solar thermal and GRPV/GSPV power projects shall be computed in accordance with the following:

- (a) Operation & Maintenance expenses for one month;
- (b) Receivables equivalent to 45 days of energy charges for sale of electricity calculated on the normative CUF:

Provided that for determination of project specific tariff, sale of electricity will be calculated based on the CUF envisaged in the approved DPR or the normative CUF specified for the relevant technology under Chapter 5, whichever is higher.

- (c) Maintenance spare @ 15% of operation and maintenance expenses.
- (2) The Working Capital requirement in respect of biomass power projects, municipal solid waste based power projects, refused derived fuel based power projects and non-fossil fuel based co-generation projects shall be computed in accordance with the following:
  - (a) Fuel costs for four months equivalent to normative CUF;
  - (b) Operation & Maintenance expense for one month;
  - (c) Receivables equivalent to 45 days of fixed and variable charges for sale of electricity calculated on the normative CUF:

Provided that for determination of project specific tariff, CUF will be taken as the CUF envisaged in the approved DPR or the normative CUF specified for the relevant technology under Chapter 5, whichever is higher.

(d) Maintenance spare @ 15% of operation and maintenance expenses;

- (3) Interest on Working Capital shall be at interest rate equivalent to the normative interest rate of three hundred and fifty (350) basis points above the average State Bank of India (SBI) Marginal Cost of Funds based Lending Rate (MCLR) (one year tenor) prevalent during the last available six months.

## 21. Operation and Maintenance expenses

- (1) Operation and maintenance expenses for the year of commissioning shall be determined based on normative O&M expenses specified by the Commission under Chapter 5 for different technologies for the first Year of Control Period, i.e. for FY 2023-24. These expenses shall be escalated @ 5.72% p.a. to arrive at O&M expenses for the ensuing years.
- (2) Normative O&M expenses allowed for the year of commissioning shall be escalated at the rate of 5.72% p.a. to determine the O&M expenses for the different years of the Tariff Period.

## 22. CDM benefits

- (1) The proceeds of carbon credit from approved CDM project shall be shared between generating company and concerned beneficiaries in the following manner, namely-
- (a) 100% of the gross proceeds on account of CDM benefit to be retained by the project developer in the first year after the date of commercial operation or commissioning of the generating station;
- (b) In the second year, the share of the beneficiaries shall be 10% which shall be progressively increased by 10% every year till it reaches 50%, where after the proceeds shall be shared in equal proportion, by the generating company and the beneficiaries.
- (c) The CDM benefits shall not be considered for determination of levelised or yearly tariff and total amount of proceeds shall be remitted directly by the generating company to the distribution licensee for each financial year within one month of its receipt alongwith auditor's certification in accordance with above provisions.

## 23. Rebate

For payment of bills of the generating company through Letter of Credit or any other mode

within the specified period below, a rebate shall be allowed to the distribution licensee as follows:

| No. of days from the date of presentation of bill within which payment is credited in generating company account | Applicable Rebate (%) |
|------------------------------------------------------------------------------------------------------------------|-----------------------|
| Within 7 days                                                                                                    | 1.65                  |
| From 8 <sup>th</sup> day to 15 <sup>th</sup> day                                                                 | 1.50                  |
| From 16 <sup>th</sup> day to 23 <sup>rd</sup> day                                                                | 1.35                  |
| From 24 <sup>th</sup> day to 30 <sup>th</sup> day                                                                | 1.25                  |

Explanation: The number of days shall be counted consecutively without considering any holiday. However, in case the last day is official holiday, last day for the purpose of rebate shall be construed as the immediate succeeding working day.

#### 24. Late Payment Surcharge

In case the payment of bills is delayed beyond a period of 45 days from the date of billing, a late payment surcharge at the rate of 1.25% per month or part thereof shall be levied by the generating company.

Provided that the existing PPAs should be read as amended to be in conformity with the above sub-regulation 23 and 24 of these Regulations.

#### 25. Subsidy or incentive by the Central/ State Government

The Commission shall take into consideration any incentive or subsidy offered by the Central or State Government, including accelerated depreciation benefit if availed by the generating company, for the renewable energy power plants while determining the tariff under these Regulations.

Provided that only 75% of the capital subsidy for the financial year of commissioning as per applicable scheme of MNRE shall be considered for tariff determination.

Provided that the following principles shall be considered for ascertaining income tax benefit on account of accelerated depreciation, if availed, for the purpose of tariff determination:

- Assessment of benefit shall be based on capital cost admitted, accelerated depreciation rate as per relevant provisions under Income Tax Act and corporate income tax rate.
- Capitalisation of RE projects during second half of the fiscal year. Per unit benefit shall be derived on levelised basis at discount factor equivalent to Post Tax weighted average cost of capital.



- (c) It shall be assumed that the generating company shall avail the benefit of accelerated depreciation and the onus of establishing, to the satisfaction of distribution licensee, that it is not entitled for this benefit shall be that of such generating company. The auditor's certificate in this regard shall be considered sufficient for this purpose.

Provided further that where Central Government or the State Government has notified any Generation Based Incentive Scheme for a particular kind of renewable technology such technology based generating stations shall be assumed to have availed the benefit of such a scheme and their tariffs shall automatically be treated as reduced by the amount of GBI per unit.

## 26. Taxes and Duties

Tariff determined under these regulations shall be including direct taxes on income but exclusive of other taxes and duties as may be levied by the appropriate Government.

Provided that the taxes, duties and cess levied by the appropriate Government other than direct taxes shall be allowed as pass through on actual incurred basis.

## 27. Applicability of Tariff

- (1) The tariff shall be allowed to be recovered in the following manner:

### A. For Small Hydro Power Plants opting generic tariff:

- (a) Till the actual CUF is less than or equal to annual CUF of 40%, tariffs would be payable at the levelised generic rates specified in the Regulations arrived at based on the normative CUF of 40%.
- (b) For generation beyond annual CUF of 40%, following will apply:
  - (i) For generation beyond annual CUF of 40% but upto annual CUF of 45%, tariff shall be Rs. 1.50/kWh.
  - (ii) For generation beyond annual CUF of 45%, incentive shall be equal to the levelised generic rates specified in the Regulations at CUF of 45% reduced by Rs. 0.75 per kWh. Such reduction of Rs. 0.75/kWh shall be made from the subsequent monthly bills only till the actual annual CUF reaches 55%.
  - (iii) For generation beyond actual annual CUF of 55%, incentive shall be equal to the levelised generic rates specified in the Regulations at CUF of 45%.

### B. For generators opting for project specific tariffs, the tariff for generation beyond the applicable CUF (i.e. the CUF envisaged in the approved DPR or the normative CUF

specified for the relevant technology under Chapter 5, whichever is higher), shall be allowed to be recovered at the project specific tariff approved by the Commission.

- C. For additional capitalization as allowed by the Commission for restoration work, the tariff for generation beyond the applicable CUF to the generating station shall be allowed to be recovered at the project specific tariff approved by the Commission for such restoration work.

The annual CUF shall be calculated in accordance with the principles specified in Regulation 3(1)(viii) of the Regulations.

## 28. Applicability of Merit Order to RE Sources

Since RE Sources are dependent on vagaries of nature and are of small capacities, the principle of merit order dispatch/purchase shall not be applicable to supply of power from such sources to the distribution licensee or local rural grids within the State, i.e. they shall be treated as must run stations.

## CHAPTER 5

## TECHNOLOGY SPECIFIC PARAMETERS

## 29. Small Hydro Generating Plant

- (1) The technology specific parameters for determination of generic tariffs for Small Hydro Generating Stations commissioned or to be commissioned on or after 01.04.2023 shall be as follows:

| Project Size         | Capital Cost<br>(Rs. Lakh/MW) | O&M Expenses<br>for year of<br>commissioning<br>(Rs. Lakh/MW) | Capacity<br>Utilization Factor*<br>(%)       | Auxiliary<br>Consumption<br>(%) |
|----------------------|-------------------------------|---------------------------------------------------------------|----------------------------------------------|---------------------------------|
| Upto 5 MW            | 1150                          | 59.43                                                         | Generic Tariff- 40%<br>Project Specific- 45% | 1%                              |
| > 5 MW & upto 15 MW  | 1125                          | 53.33                                                         |                                              |                                 |
| > 15 MW & upto 25 MW | 1100                          | 47.54                                                         |                                              |                                 |

\* for the recovery of Annual Fixed Charges.

NOTE: For the purpose of this Regulation, normative CUF is based on Energy Sent Out at interconnection point and for tariff purposes energy net of free power to the home State, if any, committed by the developer shall be factored. For generic tariff determination, home State share has been taken as 18% from 16<sup>th</sup> year onwards.

- (2) Normative O&M expenses allowed at the commencement of the Control Period, i.e. FY 2023-24 under these regulations shall be escalated at the rate specified under these Regulations for Tariff Period.

## 30. Biomass Power Projects based on Rankine Cycle Technology

- (1) The technology specific parameters for determination of generic tariffs for Biomass Power Projects based on Rankine Cycle Technology commissioned or to be commissioned on or after 01.04.2023 shall be as below:

## (a) Capital Cost:

| Biomass Rankine Cycle Projects                                                                         | Capital Cost for the year<br>of commissioning of<br>project (Rs. Lakh/MW) |
|--------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| Projects [other than rice straw and juliflora (plantation) based projects] with water cooled condenser | 559                                                                       |
| Projects [other than rice straw and juliflora (plantation) based projects] with air cooled condenser   | 600                                                                       |
| For rice straw and juliflora (plantation) based projects with water cooled condenser                   | 611                                                                       |
| For rice straw and juliflora (plantation) based projects with air cooled condenser                     | 652                                                                       |

**(b) Operation and Maintenance expenses**

Normative O&M expenses for the first year of the Control period shall be Rs. 55.85 Lakh/MW. The Normative O&M expenses allowed for the year of commissioning shall be escalated at the rate of 5.72% per annum for subsequent years.

**(c) Station Heat Rate**

The Station Heat Rate of biomass power projects shall be

- (i) For projects using travelling grate boilers: 4200 kCal/kWh,
- (ii) For projects using AFBC boilers: 4125 kCal/kWh

**(d) Plant Load Factor**

- (1) For the purpose of determination of tariff, the Plant Load Factor shall be considered as 80%.

**(e) Auxiliary Consumption**

The normative auxiliary consumption shall be as follows:

- (i) For projects using water-cooled condenser: 10%
- (ii) For projects using air-cooled condenser: 12%

**(f) Use of Fossil Fuel and Monitoring Mechanism for the use of fossil fuel**

- (1) The use of fossil fuels shall not be allowed.

Provided that for the biomass power projects commissioned on or before 31.03.2023, the use of fossil fuels to the extent of 15% in terms of calorific value on annual basis shall be allowed for the tariff period from the date of commissioning.

- (2) The Project developer shall furnish a monthly fuel usage statement and monthly fuel procurement statement duly certified by Chartered Accountant to the beneficiary (with a copy to appropriate agency appointed by the Commission for the purpose of monitoring the fossil and non-fossil fuel consumption) for each month, alongwith the monthly energy bill.
- (3) Non-compliance with the conditions of fossil fuel usage by the project developer, during any financial year, shall result in withdrawal of applicability of tariff as per these Regulations for such biomass based power project. However, such



defaulting biomass power project shall continue to sell power to the distribution licensee and the rate during the financial year in which default occurred shall be the rate lower by Rs. 1.50/kWh of the applicable variable tariff specified by the Commission.

(g) **Calorific Value**

The Calorific Value of the biomass fuel used for the purpose of determination of tariff shall be at 3100 kCal/kg.

(h) **Fuel Cost**

Biomass Fuel Price for the first year of the Control Period, i.e FY 2023-24 shall be taken as Rs. 3005/MT, unless specifically reviewed by the Commission. For each subsequent year of the Tariff Period, the normative escalation factor of 5% on previous year's fuel cost shall be applicable to determine the fuel cost for different years of the Tariff Period.

**31. Non-fossil fuel based Cogeneration Projects**

- (1) A project shall qualify as a non-fossil fuel based Co-generation project, if it is in accordance with the eligible criteria as specified under Regulation 4(2)(e) of these regulations.
- (2) The technology specific parameters for determination of generic tariffs for Non-fossil fuel based Cogeneration Projects commissioned or to be commissioned on or after 01.04.2023 shall be as follows:

| Capital Cost      | O&M Expenses<br>for year of<br>commissioning | Station<br>Heat Rate | Calorific value<br>of fuel | Auxiliary<br>Consumption | Plant Load<br>Factor |
|-------------------|----------------------------------------------|----------------------|----------------------------|--------------------------|----------------------|
| (Rs. Lakh/<br>MW) | (Rs. Lakh/MW)                                | (kCal/kWh)           | (kCal/kg)                  |                          |                      |
| 492               | 29.52                                        | 3600                 | 2250                       | 8.5%                     | 45%                  |

- (3) Fuel Cost (P) for the first year of the Control Period, i.e. FY 2023-24 shall be taken as Rs. 2493/MT, unless specifically reviewed by the Commission. For each subsequent year of Tariff Period, the normative escalation factor of 5% on previous year's fuel shall be applicable to determine the fuel cost for different year of Tariff Period.
- (4) For use of biomass other than bagasse in co-generation projects, the biomass prices as specified under Regulation 30(1)(h) shall be applicable.

**32. Biomass Gasifier Power Projects**

- (1) The technology specific parameters for determination of generic tariffs for Biomass Gasifier

Power Projects commissioned or to be commissioned on or after 01.04.2023 shall be as follows:

| Type of Project                                   | Capital Cost<br>(Rs. Lakh/MW) | O&M Expenses for<br>year of commissioning<br>(Rs. Lakh/MW) | Specific Fuel<br>Consumption<br>Kg/kWh | Auxiliary<br>Consumption | Capacity<br>Utilization<br>Factor |
|---------------------------------------------------|-------------------------------|------------------------------------------------------------|----------------------------------------|--------------------------|-----------------------------------|
| Pine leaves based<br>Biomass Gasifier<br>projects | 625.00                        | 132.00                                                     | 1.50                                   | 10%                      | 85%                               |
| Other Biomass<br>Gasifier Projects                | 592                           | 73.76                                                      | 1.25                                   |                          |                                   |

- (2) Fuel Price (P) for the first year of the Control Period, i.e. FY 2023-24 shall be taken as Rs. 3005/MT for all type of Biomass Gasifier based power projects, unless specifically reviewed by the Commission. For each subsequent year of the Tariff Period, the normative escalation factor of 5% on previous year's fuel cost shall be applicable to determine the fuel cost for different years of the Tariff Period.

(3) Fuel Mix

- (a) The Biomass Gasifier based Power Plant shall be designed in such a way that it uses different types of non-fossil fuels available within the vicinity of Biomass Power Project such as crop residues, agro-industrial residues, forest residues etc. and other biomass fuels as may be approved by MNRE.
- (b) The Biomass Gasifier based Power Generating Companies shall ensure fuel management plan to ensure adequate availability of fuel to meet the respective project requirements.

### 33. Biogas based Power Projects

- (1) The norms for tariff determination specified hereunder are for grid connected Biogas based Power Projects that uses 100% Biogas fired engine, coupled with Biogas technology for co-digesting agriculture residues, manure and other bio waste as may be approved by MNRE. The technology specific parameters for determination of generic tariffs for Biogas based Power Projects commissioned or to be commissioned on or after 01.04.2018 shall be as follows:

| Capital Cost<br>(Rs. Lakh/MW) | O&M Expenses for<br>year of commissioning<br>(Rs. Lakh/MW) | Specific Fuel<br>Consumption<br>(kg/kWh) | Auxiliary<br>Consumption | Capacity<br>Utilization<br>Factor |
|-------------------------------|------------------------------------------------------------|------------------------------------------|--------------------------|-----------------------------------|
| 1185                          | 71.00                                                      | 3.00                                     | 12%                      | 90%                               |

- (2) Feed stock price (P) for the first year of the Control Period, i.e. FY 2023-24 shall be taken as Rs. 1693/MT (net of any cost recovery from digester effluent), unless specifically reviewed by the Commission. For each subsequent year of the Tariff Period, the normative escalation factor of 5% on previous year's fuel cost shall be applicable to determine the fuel cost for different years of the Tariff Period.

#### 34. Solar PV Power Project

Norms for Solar Photovoltaic (PV) power project under these Regulations shall be applicable for grid connected PV systems that directly convert solar energy into electricity and exclusively installed for the purpose of sale of entire electricity to distribution licensee and are based on the technologies such as crystalline silicon or thin film etc. as may be approved by MNRE. The technology specific parameters for determination of generic tariffs for Solar PV Power Projects commissioned or to be commissioned on or after 01.04.2023 shall be as follows:

| Capital Cost  | O&M Expenses for year of commissioning | Capacity Utilization |
|---------------|----------------------------------------|----------------------|
| (Rs. Lakh/MW) | (Rs. Lakh/MW)                          | Factor               |
| 345.11        | 16.24                                  | 19 %                 |

#### 35. Canal bank Solar PV Plants and Canal top Solar PV Plants

Norms for canal bank Solar PV Power Plants and canal top Solar PV Power Plants under these Regulations shall be applicable for grid connected PV systems that directly convert solar energy into electricity and are based on the technology specific parameters for determination of generic tariffs for such power projects commissioned or to be commissioned on or after 01.04.2023 shall be as follows:

| Type Solar PV Plant       | Capital Cost   | O&M Expenses for year of commissioning | Capacity utilization |
|---------------------------|----------------|----------------------------------------|----------------------|
|                           | (Rs. Lakh/ MW) | (Rs. Lakh/MW)                          | Factor               |
| Canal Bank Solar PV Plant | 400.00         | 16.24                                  | 19%                  |
| Canal Top Solar PV Plant  | 425.00         |                                        |                      |

#### 36. Solar Thermal Power Project

Norms for Solar thermal power under these Regulations shall be applicable for Concentrated solar power (CSP) technologies viz. line focusing or point focusing, as may be approved by MNRE, and uses direct sunlight, concentrating it several times to reach higher energy densities and thus higher temperatures whereby the heat generated is used to operate a conventional power cycle to generate electricity. The technology specific parameters for determination of generic tariffs for Solar Thermal Power Projects commissioned or to be commissioned on or after

01.04.2023 shall be as below:

| Capital Cost  | O&M Expenses for year of commissioning | Capacity Utilization Factor | Auxiliary Consumption |
|---------------|----------------------------------------|-----------------------------|-----------------------|
| (Rs. Lakh/MW) | (Rs. Lakh/MW)                          |                             |                       |
| 1200          | 22.14                                  | 23%                         | 10%                   |

**37. Grid Interactive Roof-top Solar PV Plants (GRPV)/Grid Interactive Small Solar PV Plants (GSPV)**

- (1) The technology specific parameters for determination of generic tariff for GRPV/GSPV commissioned or to be commissioned on or after 01.04.2023 shall be as below:

| Project Size          | Capital Cost | O&M Expenses for year of commissioning | Capacity Utilization Factor |
|-----------------------|--------------|----------------------------------------|-----------------------------|
|                       | (Rs./kW)     | (Rs./kW)                               |                             |
| Upto 10 kW            | 47691        | 2149                                   | 19 %                        |
| >10 kW & upto 100 kW  | 43753        | 1912                                   |                             |
| >100 kW & upto 500 kW | 41276        | 1735                                   |                             |
| >500 kW and upto 1 MW | 40074        | 1624                                   |                             |

- (2) GRPV/GSPV can be installed for injecting power into the distribution system of a licensee by any Eligible consumer:

Provided that the maximum GRPV/GSPV installed capacity at any Eligible Consumer's premises shall be upto a maximum of 100% of consumer's sanctioned load/contract demand;

Provided that in case of Domestic Consumer, such installed capacity of GRPV/GSPV shall be irrespective of consumer's sanctioned load/contract demand;

Provided, the maximum installed capacity of GRPV/GSPV at the premises of eligible consumer shall not be more than 1 MW.

- (3) Injection from GRPV/GSPV owned by the Eligible consumer or by third party shall be settled on Net Energy basis at the end of each Billing period.
- (4) The tariff, as per tariff orders of the Commission, in respect of the supply of electricity to the consumers by the distribution licensee shall be applicable for the Net Energy supplied by the licensee in a billing period if the supplied energy by the licensee is more than the energy injected by the GSPV/GSPV of the consumer or by third party:

Provided that such eligible consumer shall be exempted from payment of monthly minimum charges/monthly minimum consumption guarantee charges, if any, equivalent to the capacity of GRPV/GSPV installed at the premises;



Provided further that no open access charges including surcharges shall be leviable on such eligible consumers for the captive use of power.

- (5) If in a billing period the supplied energy by the licensee is less than the energy injected by the GRPV/GSPV of the consumer/prosumer or the third party, subject to provisions in sub-Regulation (3) above, the licensee would pay to such prosumer at the generic tariff as may be specified by the Commission or at the rate discovered through tariff based bidding process whichever is lower for such Net Energy supplied to it.
- (6) Provisions of Deemed Generation shall not be applicable on GRPV/GSPV.
- (7) The cumulative capacity of GRPV/GSPV which can be connected to a single transformer shall not exceed the capacity of such transformer.
- (8) In case any augmentation is required for the purpose of connecting GRPV/GSPV, Distribution Licensee shall facilitate and bear the capital expenditure on account of such system strengthening/augmentation upto the interconnection point from nearest sub-station.
- (9) Virtual Net Metering Framework shall be applicable for consumers under domestic category, offices of Government /Local Authorities.

### 38. Wind Energy Project

- (1) The technology specific parameters for determination of generic tariffs for Wind Projects commissioned or to be commissioned on or after 01.04.2023 shall be as below:

| Capital Cost<br>(Rs. Lakh/MW) | O&M Expenses<br>(Rs. Lakh/MW) | Annual Mean Wind<br>Power Density<br>(W/m <sup>2</sup> ) | Capacity<br>Utilization<br>Factor |
|-------------------------------|-------------------------------|----------------------------------------------------------|-----------------------------------|
| 515                           | 12.55                         | Upto 220                                                 | 22%                               |
|                               |                               | 221-275                                                  | 24%                               |
|                               |                               | 276-330                                                  | 28%                               |
|                               |                               | 331-440                                                  | 33%                               |
|                               |                               | >440                                                     | 35%                               |

#### NOTE:

- (a) For applicability of tariff, the generating company shall provide duly validated information on annual mean wind power density. The annual mean wind power density specified above, shall be measured at 100 meter hub-height.
- (b) For the purpose of classification of wind energy project into particular wind zone class, as per MNRE guidelines for wind measurement, wind mast either put-up by National Institute of Wind Energy (NIWE) or a private developer duly validated by NIWE

would be normally extended 10 km from the mast-point to all directions for uniform terrain and limited to appropriate distance in complex terrain with regard to complexity of the site. Based on such validation by NIWE, State Nodal Agency should certify zoning of the proposed wind farm complex.

### 39. Municipal Solid Waste based Projects

- (1) The norms for tariff determination specified hereunder are for power projects which use Municipal Solid Waste (MSW) and Refuse Derived Fuel (RDF) and are based on Rankine cycle technology application, combustion or incineration, Bio-methanation, Pyrolysis and High end gasifier technologies. Norms regarding Capital Cost, Plant Load Factor, Auxiliary Consumption etc. shall be for the projects commissioned or to be commissioned on or after 01.04.2023 shall be as follows:

| Project | Capital Cost  | O&M Expenses for year of commissioning                                                   | Plant Load Factor                                                       | Auxiliary Consumption | Station Heat Rate | Calorific value |
|---------|---------------|------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|-----------------------|-------------------|-----------------|
|         | (Rs. Lakh/MW) | (Rs Lakh/MW)                                                                             |                                                                         |                       | kcal/kWh          | kcal/kg         |
| MSW     | 1500          | 6% of the project cost for 1 <sup>st</sup> year and shall be escalated @ 5.72% per annum | 65% during stabilization & first year.<br>75% from second year onwards. | 15%                   | 4200              |                 |
| RDF     | 900           | 6% of the project cost for 1 <sup>st</sup> year and shall be escalated @ 5.72% per annum | 65% during stabilization & first year.<br>80% from second year onwards. | 15%                   | 4200              | 2500            |

#### NOTE:

- (a) No fuel cost shall be considered for determination of tariff for the power projects using Municipal Solid Waste.
- (b) RDF Fuel Price (P) for the first year after notification of these Regulations shall be taken as Rs. 2297/MT, unless specifically reviewed by the Commission. For each subsequent year of the Tariff Period, the normative escalation factor of 5% on previous year's fuel cost shall be applicable to determine the fuel cost for different years of the Tariff Period.

### 40. Generic Tariffs

The generic tariffs for the above-mentioned technologies are given in Annexure-I.

## CHAPTER 6

### MISCELLANEOUS

#### 41. Virtual Net Metering and Group Net Metering

- (1) The capacity of the renewable energy plant under Group Net Metering or Virtual Net Metering framework to be installed by any consumer(s) shall not be less than 5 kW and more than 75 kW.
- (2) The Procedure for billing and energy accounting of electricity connection(s) under Group Net Metering shall be in accordance with the provision of these regulations.

##### A. Procedure for billing and energy accounting under Group Net Metering

- (3) Where the export of units during any billing period exceeds the import of units at the connection where solar power plant is located, such surplus units injected into the grid shall be adjusted against the energy consumed in the monthly bill of the service connection(s) in a sequence indicated in the priority list provided by the consumer. The sequence of priority for adjustment shall be deemed to be with the service connection where the solar power plant is located.
- (4) The priority list for adjustment of the balance surplus energy against other electricity connection(s) may be revised by the consumer once in every financial year with an advance notice of two months.
- (5) The electricity consumption in any time block (e.g., peak hours, non-peak hours, etc.) shall be first compensated with the electricity generation in the similar time blocks in the same billing cycle of the consumer where the solar power plant is located and any surplus units injected shall be adjusted against the energy consumed in the monthly bill of service connection(s) in a sequence indicated in the priority list provided by the consumer as if the surplus generation/ Energy Credit occurred during the non peak time block of Time of Day (ToD) consumers and normal time block for Non-ToD consumers.
- (6) Where during any billing period the export of units either in Non-ToD tariff or ToD Tariff exceeds the import of units by the electricity service connection(s), such surplus units injected by the consumer shall be billed to licensee at the generic tariff as may be specified by the Commission or at the rate discovered through tariff based bidding process whichever is lower.

**B. Procedure for billing and energy accounting under Virtual Net Metering Framework**

- (1) The energy generated from solar power plant shall be credited in the monthly electricity bill of each participating consumer(s) as per the ratio of procurement from solar power plant indicated under the agreement/MoU entered by the consumer(s).
- (2) The consumer(s) shall have the option to change the share of credit of electricity from solar power plant subject to the ratio of procurement from solar power plant indicated under the agreement/MoU entered by the consumer(s) once in the financial year with an advice notice of two months.
- (3) Where the service connection of any participating consumer(s) is disconnected due to any reason under any law for the time being in force, the unadjusted units/remaining credits of that consumer shall be paid by the distribution licensee at the end of financial year.
- (4) The electricity consumption in any time block (eg. Peak hours, non-peak hours, etc.) shall be first compensated with the electricity generation in the similar time blocks in the same billing cycle of the participating consumer(s). Any surplus generation over consumption in any time block in a billing cycle shall be accounted as if the surplus generation/ energy credits occurred during the non-peak time block.
- (5) Where the units credited during any billing period of any participating consumer exceeds the import of units by that consumer, licensee would be billed at the generic tariff as may be specified by the Commission or at the rate discovered through tariff based bidding process whichever is lower for such surplus.

**42. Transmission Charges, Wheeling Charges and Losses**

- (1) **Transmission Charges:** For non-discriminatory 'open access' to the intra-State transmission system for carrying the electricity generated by the RE Based Generating Stations or Co-generating Stations to the destination of use, the RE generator or the consumer, as the case may be, shall have to pay the transmission charges and wheeling charges for use of intra-state transmission system and distribution system which shall be calculated based on the principles specified in UERC (Terms and Conditions of Intra-State Open Access) Regulations, 2015 read with amendments from time to time:

Provided that no Transmission and Wheeling Charges are payable for sale of electricity to distribution licensee or to local rural grid within the State;



Provided further that where a generating company proposes to supply electricity outside the State, such generating company, in addition to transmission/wheeling charges specified above, shall have to bear the transmission/wheeling charges determined by the Commission on case to case basis for the dedicated lines and substation of the transmission/distribution licensee used only for evacuation of such power;

Provided further that where more than one generating company proposes to supply electricity outside the State over common dedicated transmission/distribution system of transmission/distribution licensee for evacuation of their power, such generating companies, in addition to transmission/wheeling charges specified above, shall have to bear the full transmission/wheeling charges determined by the Commission on case to case basis for such dedicated lines and substation of the transmission/distribution licensee used only for evacuation of such power on pro-rata basis of installed capacity.

- (2) In addition to Transmission and Wheeling Charges, the losses in the intra-State Transmission/ Distribution System and dedicated lines and sub-stations, if applicable as above, shall be adjusted in kind based on the principles specified in UERC (Terms and Conditions of Intra-State Open Access) Regulations, 2015 read with amendments from time to time.

Provided further that no losses shall be adjusted in kind for sale of electricity to distribution licensees within the State or to local rural grid.

#### 43. Evacuation of Power

- (1) Distribution Licensees shall provide connectivity to the RE Based Generating Stations having capacity upto 25 MW at its nearest distribution sub-station preferably within a range of 10 kilometers from the location of such generating station. They may further mutually agree to provide connectivity at appropriate voltage level subject to technical feasibility and technical standards for construction of electrical lines and connectivity with the grid as may be specified by CEA.

Provided further that where more than one RE based Generating Stations having cumulative installed capacity less than 25 MW are located in a cluster/area and for the purpose of evacuation, these generating stations agree to pool their generation at a common pooling switching station to be constructed by them at their own cost and further beyond such pooling switching station, the Distribution Licensee shall provide connectivity at its nearest sub-station. They may further mutually agree to provide connectivity at appropriate

voltage level subject to technical feasibility and technical standards for construction of electricity lines and connectivity with the grid as may be specified by CEA. However, such generating stations shall be eligible for additional levelised tariff as specified under Regulation 16(1)(c) of these Regulations, only if they construct the line from pooling sub-station to the nearest sub-station at their own costs.

- (2) Transmission Licensee shall provide connectivity to the RE Based Generating Stations having installed capacity more than 25 MW, at its nearest transmission sub-station preferably within a range of 10 kilometers from the location of such generating station. They may further mutually agree to provide connectivity at appropriate voltage level subject to technical feasibility and technical standards for construction of electrical lines and connectivity with the grid as may be specified by CEA:

Provided that any RE based Generating Station having capacity upto 25 MW is willing to connect and evacuate power through 132 kV & above transmission system, it may do so subject to consent of the Transmission Licensee.

Provided further that where more than one RE based Generating Stations having cumulative installed capacity more than 25 MW are located in a cluster/area and for the purpose of evacuation, these generating stations agree to pool their generation at a common pooling switching station to be constructed by them at their own cost and further beyond such pooling switching station, the Transmission Licensee shall provide connectivity at its nearest sub-station. They may further mutually agree to provide connectivity at appropriate voltage level subject to technical feasibility and technical standards for construction of electricity lines and connectivity with the grid as may be specified by CEA. However, such generating stations shall be eligible for additional levelised tariff as specified under Regulation 16(1)(c) of these Regulations, only if they construct the line from pooling sub-station to the nearest sub-station at their own costs.

- (3) In case RE based Generating Stations exercise the option to construct the evacuation system including the line upto the nearest substation of Transmission/Distribution Licensee, the required bay, terminal equipments, associated synchronization equipments and above pooling switching station, if any, etc. the cost of such evacuation system shall be borne by such generating stations:

Provided that such Generating Stations may also get the work of construction of the power evacuation system carried out by State transmission/distribution licensee;

Provided further that the land for extending the bay shall be provided by the owner of the transmission or distribution sub-station, as the case may be, free of cost.

#### 44. Maintenance of Transmission lines and Equipment

- (1) The Generating Stations shall be responsible for the maintenance of terminal equipment at the generating end and the dedicated transmission lines including pooling Switching station, if any, owned by such generating stations. However, transmission/distribution licensees, as the case may be, may carry out maintenance of the dedicated transmission line including pooling switching station, if any, if so desired by the generating company(s), on mutually agreed charges.
- (2) The Distribution Licensee or the Transmission Licensee or the state transmission utility, as the case may be, shall be responsible for maintenance of the terminal equipment(s) at the sub-station of the concerned licensee.

#### 45. SLDC Charges

For sale to person other than the Distribution Licensees or to Local Rural Grid principles of optimum scheduling and dispatch as per IEGC and State Grid Code scheme shall apply and for this purpose RE based Generating Stations shall be required to pay such fee to the SLDC as specified under UERC (Terms and Conditions of Intra-State Open Access) Regulations, 2015.

#### 46. Connectivity and Metering arrangement for GRPV/GSPV

- (1) GRPV/GSPV shall be allowed connectivity at the following voltage level in the distribution system of the licensee:
  - (i) Load upto 4 kW: low voltage single phase supply.
  - (ii) Load >4 kW and upto 75 kW: low voltage three phase supply.
  - (iii) Load >75 kW and upto 1000 kW: at 11 kV.
- (2) If any dispute arises about connectivity of such sources with the grid, the matter shall be referred to the Commission whose decision in this regard shall be final.
- (3) Supply of electricity to the consumer(s) from the licensee's sources and that to the licensee's distribution system from the roof-top Solar PV sources shall be measured either by two separate meters, the readings of which shall be used in each billing period for settlement on Net basis or alternatively by an export-import type meter suitable for directly measuring

the Net exchange.

- (4) The cost of switch gear, metering and protection arrangement at generator end shall have to be borne by the owner of solar generators. However, Check Meter with same specification of Main Meter shall be provided by distribution licensee:

Provided that Check Meter and related equipments can be procured by such plant owner. However, the cost of Check Meter shall be refunded by the licensee to such plant owner. The cost of the check meter to be refunded would be, lower of the following:

- a. Actual cost of meter; or
  - b. Highest rate discovered through Competitive Bidding Process of licensee escalated by 25%.
- (5) For interconnection of Grid interactive Roof Top and Small Solar PV Plants with the distribution licensee's grid, the relevant provisions of the Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2010 as amended from time to time shall apply.
  - (6) The Grid interactive Roof Top and Small Solar PV Plants shall be responsible for safe operation, maintenance and rectification of defect of its system up to the interconnection point beyond which the responsibility of safe operation, maintenance and rectification of any defect in the system including the meters shall rest with the distribution licensee.
  - (7) The eligible consumer shall be solely responsible for any incidents/accident to human being/ animals whatsoever (fatal/nonfatal/departamental/non-departamental/damages to material of the licensee) that may occur due to back feeding from the solar plant when the grid supply is off and such consumer shall not only bear the cost of the damages to the material of the licensee but also compensate for the life of any human being/ animals in case of such incidents/accidents. The distribution licensee reserves the right to disconnect the consumer's installation at any time in the event of such exigencies to prevent accident or damage to man and material.

#### 47. Metering Arrangement

- (1) For sale to Distribution Licensees or Local rural Grid, RE based Generating Station shall provide meters at the point of interconnection (as defined under these regulations complying with the Regulations on installation of meters specified by CEA.
- (2) For sale to person other than the Distribution Licensees or Local Rural Grid RE based



Generating Station shall provide ABT compatible Special Energy Meters at the point of interconnection complying with the Regulation on installation of meters specified by CEA.

#### 48. Energy Accounting and Billing

The State Load Dispatch Centre shall carry out scheduling and accounting of energy sent out by the generators and the same shall be communicated to the utilities interacting with the grid as per the scheme framed by SLDC in pursuance of the provisions of IEGC, State Grid Code and Open Access Regulations. Billing for open access transactions shall be done in accordance with the Open Access Regulations.

Provided that in case of sale to the distribution licensee of the area, the power purchase agreement may provide for joint meter reading and in such cases, energy accounting and billing shall be done by the generating station in coordination with the concerned distribution licensee.

#### 49. Purchase of Electricity by the Generating station including Start up Power

- (1) Any person, who establishes, maintains and operates a generating station and normally does not need power from the licensee round the year, may purchase electricity from a generating company or a distribution licensee in case his plant is not in a position to generate electricity to meet the requirement of his own use or for start up and consequently power is required to be drawn from distribution licensee:

Provided that in case electricity generated from the plant is being exclusively sold to the State Distribution Licensee, the electricity (in kWh) procured by the Generating Station from the State Distribution Licensee to meet its requirement of his own use or for startup power, will be adjusted from the electricity sold to the Distribution Licensee on month to month basis. The Distribution Licensee shall make the payment for net energy sold to it by the Generating Company, i.e. difference of the total energy injected into the grid and energy drawn from the grid by the Generating Company.

In case the energy supplied by the distribution licensee is more than the energy injected by the generating company, the net energy (in kWh) thereof shall be charged as per the tariff determined by the Commission for temporary supply under appropriate "Rate Schedule of tariff" for Industrial Consumers considering maximum demand during the month as the contracted demand for that month. The Fixed/Demand charges for that month shall be payable for the number of days during which such supply is drawn.

Provided further that in case electricity generated from the plant is sold to third party other than the Distribution Licensee, then such purchase of electricity by the generating company from the distribution licensee, shall be charged as per the tariff determined by the Commission for temporary supply under appropriate "Rate Schedule of tariff" for Industrial Consumers considering maximum demand during the month as the contracted demand for that month. The Fixed/Demand charges for that month shall be payable for the number of days during which such supply is drawn.

**50. Banking of Power (Applicable only in case of Captive RE sources Generating Plants & Non-fossil fuel based Co-generating Stations)**

- (1) The Generating Stations shall be allowed to bank power within a period of one calendar month, for the purpose of withdrawal of the banked power in the event of emergency or shut down or maintenance of the plant, subject to following conditions:
  - (a) Banking of energy upto 100%, as agreed between the plant and the distribution licensee, shall be allowed during the period declared by the Commission as peak hours from time to time in its Tariff Orders.
  - (b) Withdrawal of power shall be allowed only during the period other than the period declared by the Commission as peak hours from time to time in its Tariff Orders.
  - (c) The plants shall provide ABT compliant Special Energy Meters and the monthly settlement of energy sales shall be done based on Power supplied during the peak hours as per SEM meter readings shall be considered as banked power.
  - (d) Upon introduction of intra-state ABT in the State, the banking as well as withdrawal of banked energy shall be subject to day ahead scheduling.
  - (e) The power withdrawn by the plant as ascertained by SEM readings, which could not be considered as withdrawal from banked power, shall be considered as power purchased by the plant.
  - (f) The purchase of power by these plants under clause (e) or otherwise shall be charged as per the provisions of Regulation 49 above.
  - (g) A Generating Station shall be allowed to withdraw power that was banked during a particular financial year in the same year.

- (h) The banked power remaining unutilized on the expiry of the financial year would be treated as sale and the financial settlement shall be made at the tariff determined by the Commission in its Tariff Order for the year during which the power was banked or at the generic tariff specified by the Commission in case of a Non-fossil fuel based Co-generating Stations. No banking charges shall be deducted from such unutilized banked energy.
- (i) Banking charges shall be adjusted in kind @ 8% of the energy banked.
- (j) In case of a Non-fossil fuel based Co-generating Stations, which is not a captive generating plant, the facility of banking shall apply only if it has a PPA with the distribution licensee in the State.
- (k) The energy banked during non-peak hours (TOD slots) shall be permitted to be drawn during non-peak hours (TOD slots) by only paying the banking charges and from non-peak hours (TOD slot) to peak hours (TOD slot) by paying charges in kind @ equivalent to % of difference between the Peak hours energy charge rate and Normal hours energy charge rate (as defined in the respective Tariff Orders issued by the Commission) of the energy banked in addition to the above banking charges specified under these regulations.

#### 51. Deemed Generation

(Applicable only in case of Small Hydro Generating Plants & Solar PV Plants & Solar Thermal Projects excluding Solar power plants installed under net metering arrangement)

- (1) After the COD of the Project, loss of generation at the Station on account of reasons attributed to the following, or any one of the following, shall count towards Deemed Generation:
  - Non availability of evacuation system beyond the Interconnection Point; and
  - Receipt of backing down instructions from the SLDC.

Provided that the following shall not count towards Deemed Generation:

- (i) The loss of generation at the Station on account of aforesaid factor(s) but attributed to the Force Majeure event(s);
- (ii) The loss of generation at the Station due to the interruptions/outages attributed to the aforesaid factor(s) during the period in which the total duration of such outages/interruptions, other than that excluded under above, is within the limit of:

- 48 hours in a month in case of small hydro project, and
- 12 hours in a month in case of solar PV and Solar Thermal Project.
- Provided that for working out the ceiling of 12 Hrs. in a month for Solar PV and Solar Thermal Projects, the interruptions/outages occurring during 18.00 hours in the evening to 6.00 hours in the morning shall not be counted;

The distribution licensee shall be required to maintain the voltages at the point of interconnection with the project within the limits stipulated hereunder, with reference to declared voltage:

- In the case of 11 kV Voltage level, +6% and -9%; and,
- In the case of 33 kV and above Voltage level, as per State Grid Code.

Any loss in generation due to variations in the voltage beyond the limits specified above shall be reckoned as deemed generation provided such loss of generation results in reduction of more than 25% of capacity output.

- (2) The period of outage/interruption on account of such factor(s) specified in sub-Regulation 1 and 2 above, shall be reconciled on monthly basis and the loss of generation at the station towards Deemed Generation after accounting for the events specified under sub-Regulation 1 (i) & (ii) above, shall be computed on following considerations:
  - (i) The recovery on the above account shall be admissible if the actual energy generated during the year is less than the normative CUF specified in the Regulation for small hydro projects and Solar PV and solar thermal projects (in case of project opting for generic tariff) or the CUF considered for recovery of fixed charges (in case of project specific tariff is applicable) for small hydro projects and solar PV and solar thermal projects. In case the sum of actual energy generated and the deemed generation during the year exceeds the CUF at which the recovery of fixed charges has been envisaged, then the deemed generation alongwith the actual energy generated will be allowed only upto the CUF considered.
  - (ii) The generation loss towards the Deemed Generation in accordance with sub-Regulation (i) above, if any, during the month shall be considered on the pro-rata basis on the number of hours lost based on the actual average generation achieved during that month divided by the total number of hours available during the month reduced by the number of hours outage/interruption occurred in the system.



(iii) The generation loss towards the Deemed Generation (in MWh) in accordance with sub-Regulation (ii) above, if any, during the month shall be considered as the summation of the product of number of hours the variations in voltage beyond the specified limit existed and the Generation lost (in MW) due to the variation in the voltage beyond the specified limit. The Generation lost (in MW) would be the difference between the following:

- (a) Minimum of the generation (in MW) before the variation in voltage occurred and the generation (in MW) achieved after 90 minutes immediately after variation in voltage was restored within the specified limit would be treated as the "Actual Generation" during the period when voltage variations occurred; and

Provided that if such variation in voltage continues for the entire month, generation (in MW) before such variation in voltage occurrence would be treated as the "Actual Generation".

- (b) The generation achieved during the period when variation in voltages took place.

- (3) The distribution licensee shall pay for the saleable deemed generation, on annual basis, for Small Hydro projects and Solar PV and Solar Thermal projects worked out on the basis of the deemed generation on the above lines, at the generic/project specific tariffs as applicable in accordance with the applicable RE Regulations. The settlement of payment towards deemed generation charges shall be carried out within 3 months of the completion of the financial year.

Provided that any charges paid by the distribution licensee towards deemed generation shall not be allowed as an expense to be pass through in tariffs. The distribution licensee will have to bear such charges;

Provided further that the deemed generation conditions stipulated above shall be applicable only on those Small Hydro projects and Solar PV and Solar Thermal projects who have signed a long term PPA with the distribution licensee;

Provided also that the deemed generation conditions shall be applicable only on the Small Hydro projects and Solar PV and Solar Thermal projects where the evacuation line is connected to 11 kV or higher voltage Grid Sub-station.

## 52. Savings

- (1) Nothing in these Regulations shall be deemed to limit or otherwise affect the power of the

Commission to make such orders as may be necessary to meet the ends of justice.

- (1) Nothing in these Regulations shall bar the Commission from adopting in conformity with provisions of the Act, a procedure which is at variance with any of the provisions of these Regulations, if the Commission, in view of the special circumstances of a matter or a class of matters, deems it just or expedient for deciding such matter or class of matters.
- (2) Nothing in these Regulations shall, expressly or implied, bar the Commission dealing with any matter or exercising any power under the Act for which no Regulations have been framed, and the Commission may deal with such matters, powers and functions in a manner, as it considers just and appropriate.

#### 53. Power to Remove Difficulties

If any difficulty arises in giving effect to these regulations, the Commission may, of its own motion or otherwise, by an order and after giving a reasonable opportunity to those likely to be affected by such order, make such provisions, not inconsistent with these regulations, as may appear to be necessary for removing the difficulty.

#### 54. Power to Relax

The Commission, for reasons to be recorded in writing, may vary any of the provisions of these regulations on its own motion or on an application made before it by an interested person.

#### 55. Power to Amend

The Commission may, at any time add, vary, alter, modify or amend any provision of these Regulations.

Annexure-1

1. Levelised rate of Fixed Charges (RFC) in Rs./kWh for SHPs (upto 25 MW) commissioned on or after 01.04.2023:

| Particulars             | Upto 5 MW | Above 5 MW & upto 15 MW | Above 15 MW & upto 25 MW |
|-------------------------|-----------|-------------------------|--------------------------|
| Gross Tariff (CUF@ 40%) | 7.96      | 7.54                    | 7.14                     |
| Gross Tariff (CUF@ 45%) | 7.07      | 6.70                    | 6.35                     |

2. Levelised rate of Fixed Charges (RFC) in Rs./kWh for Municipal Solid Waste (MSW) based Power Projects:

| Particular              | Rate of Fixed Charges (Rs./kWh) |
|-------------------------|---------------------------------|
| Gross Tariff            | 6.67                            |
| Less: Acc. Dep. Benefit | 0.24                            |
| Net Tariff              | 6.43                            |

3. Levelised rate of Fixed Charges (RFC) & Variable Charges in Rs./kWh for Refuse Derived Fuel (RDF) based Power Projects:

| Particular              | Rate of Fixed Charges (Rs./kWh) |
|-------------------------|---------------------------------|
| Gross Tariff            | 4.05                            |
| Less: Acc. Dep. Benefit | 0.13                            |
| Net Tariff              | 3.91                            |

| Year                                                              | 1    | 2    | 3    | 4    | 5    | 6    | 7    | 8    | 9    | 10   | 11   | 12   | 13   | 14   | 15   | 16   | 17   | 18    | 19    | 20    | 21    | 22    | 23    | 24    | 25    |
|-------------------------------------------------------------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|
| Variable Charges for 1 <sup>st</sup> year as FY 2023-24 (Rs./kWh) | 4.54 | 4.77 | 5.01 | 5.26 | 5.52 | 5.79 | 6.08 | 6.39 | 6.71 | 7.04 | 7.40 | 7.76 | 8.15 | 8.54 | 8.99 | 9.44 | 9.91 | 10.41 | 10.93 | 11.47 | 12.05 | 12.65 | 13.28 | 13.94 | 14.64 |

4. Levelised rate of Fixed Charges (RFC) & Variable Charges in Rs./kWh for Non-Fossil fuel based Co-generation Projects:

| Particular              | Rate of Fixed Charges (Rs./kWh) |
|-------------------------|---------------------------------|
| Gross Tariff            | 3.17                            |
| Less: Acc. Dep. Benefit | 0.10                            |
| Net Tariff              | 3.07                            |

| Year                                                              | 1    | 2    | 3    | 4    | 5    | 6    | 7    | 8    | 9    | 10   | 11   | 12   | 13   | 14   | 15   | 16   | 17   | 18   | 19    | 20    | 21    | 22    | 23    | 24    | 25    |
|-------------------------------------------------------------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|
| Variable Charges for 1 <sup>st</sup> year as FY 2023-24 (Rs./kWh) | 4.36 | 4.58 | 4.81 | 5.05 | 5.30 | 5.56 | 5.84 | 6.13 | 6.44 | 6.76 | 7.10 | 7.46 | 7.85 | 8.22 | 8.63 | 9.06 | 9.52 | 9.99 | 10.49 | 11.02 | 11.57 | 12.14 | 12.73 | 13.35 | 14.00 |

5. Levelised rate of Fixed Charges (RFC) & Variable Charges in Rs./kWh for Biomass Gasifier Projects:

## A. For Pine leaves based Biomass Gasifier projects

| Particular              | Rate of Fixed Charges (Rs./kWh) |
|-------------------------|---------------------------------|
| Gross Tariff            | 4.72                            |
| Less: Acc. Dep. Benefit | 0.08                            |
| Net Tariff              | 4.63                            |

| Year                                                     | 2022 | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 | 2029 | 2030 | 2031 | 2032 | 2033 | 2034 | 2035 | 2036 | 2037 | 2038 | 2039 | 2040  | 2041  | 2042  | 2043  | 2044  | 2045  |       |
|----------------------------------------------------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|
| Charges for 1 <sup>st</sup> year as FY 2023-24 (Rs./kWh) | 4.17 | 4.38 | 4.60 | 4.83 | 5.07 | 5.33 | 5.59 | 5.87 | 6.17 | 6.47 | 6.80 | 7.14 | 7.50 | 7.87 | 8.26 | 8.68 | 9.11 | 9.57 | 10.04 | 10.55 | 11.07 | 11.63 | 12.21 | 12.82 | 13.46 |

## B. For Other Biomass Gasifier projects:

| Particular              | Rate of Fixed Charges (Rs./kWh) |
|-------------------------|---------------------------------|
| Gross Tariff            | 3.06                            |
| Less: Acc. Dep. Benefit | 0.08                            |
| Net Tariff              | 2.98                            |

|                                                                   |      |      |     |      |      | 6    | 7    | 8    | 9    |      |      |      |      | 15   | 16   | 17   | 18   | 19   | 20    | 21    | 22    | 23    | 24    | 25    |       |
|-------------------------------------------------------------------|------|------|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|
| Charges for<br>1 <sup>st</sup> year as FY<br>2023-24<br>(Rs./kWh) | 4.17 | 4.38 | .60 | 4.83 | 5.07 | 5.33 | 5.59 | 5.87 | 6.17 | 6.47 | 6.80 | 7.14 | 7.50 | 7.87 | 8.26 | 8.68 | 9.11 | 9.57 | 10.04 | 10.55 | 11.07 | 11.63 | 12.21 | 12.82 | 13.46 |

## 6. Levelised rate of Fixed Charges (RFC) &amp; Variable Charges in Rs./kWh for Biogas Projects:

| Particular              | Rate of Fixed Charges (Rs./kWh) |
|-------------------------|---------------------------------|
| Gross Tariff            | 4.22                            |
| Less: Acc. Dep. Benefit | 0.15                            |
| Net Tariff              | 4.07                            |

| Year                                                              | 2    | 3    | 4    | 5    | 6    | 7    | 8    | 9    | 10   | 11   | 12   | 13   | 14    | 15    | 16    | 17    | 18    | 19    | 20    | 21    | 22    | 23    | 24    | 25    |       |
|-------------------------------------------------------------------|------|------|------|------|------|------|------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Variable Charges for 1 <sup>st</sup> year as FY 2023-24 (Rs./kWh) | 5.77 | 6.05 | 6.34 | 6.63 | 7.00 | 7.37 | 7.75 | 8.12 | 8.50 | 8.85 | 9.28 | 9.67 | 10.16 | 10.68 | 11.23 | 11.80 | 12.40 | 13.03 | 13.69 | 14.38 | 15.11 | 15.88 | 16.69 | 17.53 | 18.41 |

## 7. Levelised rate of Fixed Charges (RFC) for Canal Bank Solar PV and Canal Top Solar PV Power Projects:

| Particular              | Canal bank Solar PV Power Plants | Canal top Solar PV Power Plants |
|-------------------------|----------------------------------|---------------------------------|
|                         | (Rs./kWh)                        |                                 |
| Gross Tariff            | 5.13                             | 5.36                            |
| Less: Acc. Dep. Benefit | 0.21                             | 0.22                            |
| Net Tariff              | 4.92                             | 5.13                            |

## 8. Levelised rate of Fixed Charges (RFC) for Solar PV and Solar thermal Power Projects:

| Particular              | Solar PV Projects | Solar Thermal Projects |
|-------------------------|-------------------|------------------------|
|                         | (Rs./kWh)         |                        |
| Gross Tariff            | 4.64              | 14.34                  |
| Less: Acc. Dep. Benefit | 0.18              | 0.63                   |
| Net Tariff              | 4.46              | 13.70                  |

## 9. Levelled rate for Fixed charges (RFC) for GSPV/GRPV:

| Particular                                     | Upto 10 kW<br>Approved | Above 10 kW to<br>100 kW<br>Approved | Above 100 kW<br>to 500 kW<br>Approved | Above 500 kW<br>below 1 MW<br>Approved |
|------------------------------------------------|------------------------|--------------------------------------|---------------------------------------|----------------------------------------|
| <b>Levelled Tariff considering nil Subsidy</b> |                        |                                      |                                       |                                        |
| Gross Tariff                                   | 6.29                   | 5.71                                 | 5.33                                  | 5.11                                   |
| Less: Acc Dep Benefit                          | 0.25                   | 0.23                                 | 0.22                                  | 0.21                                   |
| Net Tariff                                     | 6.04                   | 5.49                                 | 5.11                                  | 4.90                                   |
| <b>Levelled Tariff considering 20% Subsidy</b> |                        |                                      |                                       |                                        |
| Gross Tariff                                   | 5.77                   | 5.24                                 | 4.88                                  | 4.68                                   |
| Less: Acc Dep Benefit                          | 0.22                   | 0.20                                 | 0.19                                  | 0.19                                   |
| Net Tariff                                     | 5.55                   | 5.03                                 | 4.69                                  | 4.49                                   |
| <b>Levelled Tariff considering 30% Subsidy</b> |                        |                                      |                                       |                                        |
| Gross Tariff                                   | 5.51                   | 5.00                                 | 4.65                                  | 4.46                                   |
| Less: Acc Dep Benefit                          | 0.21                   | 0.19                                 | 0.18                                  | 0.17                                   |
| Net Tariff                                     | 5.30                   | 4.81                                 | 4.47                                  | 4.29                                   |
| <b>Levelled Tariff considering 40% Subsidy</b> |                        |                                      |                                       |                                        |
| Gross Tariff                                   | 5.25                   | 4.76                                 | 4.43                                  | 4.24                                   |
| Less: Acc Dep Benefit                          | 0.19                   | 0.18                                 | 0.17                                  | 0.16                                   |
| Net Tariff                                     | 5.05                   | 4.58                                 | 4.26                                  | 4.08                                   |
| <b>Levelled Tariff considering 70% Subsidy</b> |                        |                                      |                                       |                                        |
| Gross Tariff                                   | 4.47                   | 4.05                                 | 3.76                                  | 3.59                                   |
| Less: Acc Dep Benefit                          | 0.14                   | 0.13                                 | 0.13                                  | 0.12                                   |
| Net Tariff                                     | 4.33                   | 3.92                                 | 3.63                                  | 3.47                                   |
| <b>Levelled Tariff considering 80% Subsidy</b> |                        |                                      |                                       |                                        |
| Gross Tariff                                   | 4.23                   | 3.83                                 | 3.55                                  | 3.39                                   |
| Less: Acc Dep Benefit                          | 0.13                   | 0.12                                 | 0.11                                  | 0.11                                   |
| Net Tariff                                     | 4.11                   | 3.71                                 | 3.44                                  | 3.29                                   |
| <b>Levelled Tariff considering 90% Subsidy</b> |                        |                                      |                                       |                                        |
| Gross Tariff                                   | 4.04                   | 3.65                                 | 3.38                                  | 3.23                                   |
| Less: Acc Dep Benefit                          | 0.10                   | 0.10                                 | 0.09                                  | 0.09                                   |
| Net Tariff                                     | 3.93                   | 3.56                                 | 3.29                                  | 3.14                                   |

## 10. Levelled rate of Fixed Charges (RFC) for Wind Energy based Power Projects:

| Particular              | Rate of Fixed Charges (Rs./kWh) |        |        |        |        |
|-------------------------|---------------------------------|--------|--------|--------|--------|
|                         | Zone 1                          | Zone 2 | Zone 3 | Zone 4 | Zone 5 |
| Gross Tariff            | 5.20                            | 4.47   | 4.09   | 3.47   | 3.27   |
| Less: Acc. Dep. Benefit | 0.36                            | 0.33   | 0.28   | 0.24   | 0.22   |
| Net Tariff              | 4.85                            | 4.14   | 3.81   | 3.23   | 3.05   |

## 11. Levelled rate of Fixed Charges (RFC) in Rs./kWh for Biomass Rankine Cycle based Power Project

A. Projects [other than rice straw and juliflora (plantation) based projects] with water cooled condenser based on Travelling grate boilers.

| Particular              | Rate of Fixed Charges (Rs./kWh) |
|-------------------------|---------------------------------|
| Gross Tariff            | 2.97                            |
| Less: Acc. Dep. Benefit | 0.08                            |
| Net Tariff              | 2.90                            |

| Year                                                              | 2    | 3    | 4    | 5    |      |      |      |      | 9    | 10   | 11   | 12   | 13   | 14   | 15   | 16   | 17   | 18    | 19    | 20    | 21    | 22    | 23    |       |       |
|-------------------------------------------------------------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|
| Variable Charges for 1 <sup>st</sup> year as FY 2023-24 (Rs./kWh) | 4.44 | 4.67 | 4.90 | 5.14 | 5.40 | 5.67 | 5.95 | 6.25 | 6.56 | 6.89 | 7.24 | 7.60 | 7.98 | 8.38 | 8.80 | 9.24 | 9.70 | 10.18 | 10.69 | 11.23 | 11.79 | 12.38 | 13.00 | 13.65 | 14.33 |



B Projects [other than rice straw and juliform (plantation) based projects] with water cooled condenser based on AFBC Boilers.

| Particular              | Rate of Fixed Charges (Rs./kWh) |
|-------------------------|---------------------------------|
| Gross Tariff            | 2.97                            |
| Less: Acc. Dep. Benefit | 0.08                            |
| Net Tariff              | 2.89                            |

| Year                                                  | 1    | 2    | 3    | 4    | 5    | 6    | 7    | 8    | 9    | 10   | 11   | 12   | 13   | 14   | 15   | 16   | 17    | 18    | 19    | 20    | 21    | 22    | 23   | 24    | 25 |
|-------------------------------------------------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|------|-------|----|
| Variable Charges for<br>as<br>FY 2023-24<br>(Rs./kWh) | 4.87 | 4.90 | 5.14 | 5.40 | 5.67 | 5.95 | 6.25 | 6.56 | 6.89 | 7.24 | 7.60 | 7.98 | 8.38 | 8.80 | 9.24 | 9.70 | 10.18 | 10.69 | 11.23 | 11.79 | 12.38 | 13.00 | 3.65 | 14.33 |    |

C. Projects [other than rice straw and juliflora (plantation) based projects] with air cooled condenser based on Travelling grate boilers.

| Particular              | Rate of Fixed Charges (Rs./kWh) |
|-------------------------|---------------------------------|
| Gross Tariff            | 3.14                            |
| Less: Acc. Dep. Benefit | 0.09                            |
| Net Tariff              | 3.06                            |

| Year                                                              | 1    | 2    | 3    | 4    | 5    | 6    | 7    | 8    | 9    | 10   | 11   | 12   | 13   | 14   | 15   | 16   | 17    | 18    | 19    | 20    | 21    | 22    | 23    | 24    | 25    |
|-------------------------------------------------------------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Variable Charges for 1 <sup>st</sup> year as FY 2023-24 (Rs./kWh) | 4.63 | 4.65 | 5.10 | 5.36 | 5.62 | 5.90 | 6.20 | 6.51 | 6.84 | 7.18 | 7.54 | 7.91 | 8.31 | 8.72 | 9.16 | 9.62 | 10.10 | 10.60 | 11.13 | 11.69 | 12.28 | 12.89 | 13.53 | 14.21 | 14.92 |

D. Projects [other than rice straw and juliflora (plantation) based projects] with air cooled condenser based on AFBC Boilers

| Particular              | Rate of Fixed Charges (Rs./kWh) |
|-------------------------|---------------------------------|
| Gross Tariff            | 3.14                            |
| Less: Acc. Dep. Benefit | 0.09                            |
| Net Tariff              | 3.05                            |

E. For rice straw and juliflora (plantation) based projects with water cooled condenser based on

| Year                                                              | 1    | 2    | 3    | 4    | 5    | 6    | 7    | 8    | 9    | 10   | 11   | 12   | 13   | 14   | 15   | 16   | 17   | 18    | 19    | 20    | 21    | 22    | 23    | 24    | 25    |
|-------------------------------------------------------------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|
| Variable Charges for 1 <sup>st</sup> year as FY 2023-24 (Rs./kWh) | 4.54 | 4.77 | 5.01 | 5.26 | 5.52 | 5.80 | 6.09 | 6.39 | 6.71 | 7.05 | 7.40 | 7.77 | 8.16 | 8.57 | 9.00 | 9.45 | 9.92 | 10.41 | 10.94 | 11.48 | 12.06 | 12.66 | 13.29 | 13.96 | 14.65 |

Travelling grate boilers.

| Particular              | Rate of Fixed Charges (Rs./kWh) |
|-------------------------|---------------------------------|
| Gross Tariff            | 3.10                            |
| Less: Acc. Dep. Benefit | 0.08                            |
| Net Tariff              | 3.01                            |

| Year                                                              | 1    | 2    | 3    | 4    | 5    | 6    | 7    | 8    | 9    | 10   | 11   | 12   | 13   | 14   | 15   | 16   | 17   | 18    | 19    | 20    | 21    | 22    | 23    | 24    | 25    |
|-------------------------------------------------------------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|
| Variable Charges for 1 <sup>st</sup> year as FY 2023-24 (Rs./kWh) | 4.52 | 4.75 | 4.99 | 5.24 | 5.50 | 5.77 | 6.06 | 6.37 | 6.68 | 7.02 | 7.37 | 7.74 | 8.12 | 8.53 | 8.96 | 9.40 | 9.87 | 10.37 | 10.89 | 11.43 | 12.00 | 12.60 | 13.23 | 13.89 | 14.59 |

F. For rice straw and juliflora (plantation) based projects with water cooled condenser based on AFBC Boilers.

| Particular              | Rate of Fixed Charges (Rs./kWh) |
|-------------------------|---------------------------------|
| Gross Tariff            | 3.09                            |
| Less: Acc. Dep. Benefit | 0.08                            |
| Net Tariff              | 3.01                            |

|                                                                   |      |      |      |      |      |      |   |      |      |      |      |      |      |      |      |      |      |       |       |       |       |       |       |       |       |
|-------------------------------------------------------------------|------|------|------|------|------|------|---|------|------|------|------|------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|
| Variable Charges for 1 <sup>st</sup> year as FY 2023-24 (Rs./kWh) | 4.52 | 4.75 | 4.99 | 5.24 | 5.50 | 5.77 | 6 | 6.37 | 6.68 | 7.02 | 7.37 | 7.74 | 8.12 | 8.53 | 8.96 | 9.40 | 9.87 | 10.37 | 10.89 | 11.43 | 12.00 | 12.60 | 13.23 | 13.89 | 14.59 |
|-------------------------------------------------------------------|------|------|------|------|------|------|---|------|------|------|------|------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|

G. For rice straw and juliflora (plantation) based projects with air cooled condenser based on Travelling grate boilers.

| Particular              | Rate of Fixed Charges (Rs./kWh) |
|-------------------------|---------------------------------|
| Gross Tariff            | 3.27                            |
| Less: Acc. Dep. Benefit | 0.09                            |
| Net Tariff              | 3.17                            |

|                                                                   |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |       |       |       |       |       |       |       |       |
|-------------------------------------------------------------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|
| Variable Charges for 1 <sup>st</sup> year as FY 2023-24 (Rs./kWh) | 4.54 | 4.77 | 5.01 | 5.26 | 5.52 | 5.80 | 6.09 | 6.39 | 6.71 | 7.05 | 7.40 | 7.77 | 8.16 | 8.57 | 9.00 | 9.45 | 9.92 | 10.41 | 10.94 | 11.48 | 12.06 | 12.66 | 13.29 | 13.96 | 14.66 |
|-------------------------------------------------------------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|

H. For rice straw and juliflora (plantation) based projects with air cooled condenser based on AFBC Boilers.

| Particular              | Rate of Fixed Charges (Rs./kWh) |
|-------------------------|---------------------------------|
| Gross Tariff            | 3.26                            |
| Less: Acc. Dep. Benefit | 0.09                            |
| Net Tariff              | 3.17                            |

|                                                                   |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |       |       |       |       |       |       |       |       |
|-------------------------------------------------------------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|
| Variable Charges for 1 <sup>st</sup> year as FY 2023-24 (Rs./kWh) | 4.54 | 4.77 | 5.01 | 5.26 | 5.52 | 5.80 | 6.09 | 6.39 | 6.71 | 7.05 | 7.40 | 7.77 | 8.16 | 8.57 | 9.00 | 9.45 | 9.92 | 10.41 | 10.94 | 11.48 | 12.06 | 12.66 | 13.29 | 13.96 | 14.66 |
|-------------------------------------------------------------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|

Form-1.1: Form Template for (Wind Power or Small Hydro Project or Solar PV/Thermal)

| Sl. No. | Assumption Head         | Sub-Head                                                                               | Sub-Head(2)                                                                                                             | Unit                                            | Values |
|---------|-------------------------|----------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|--------|
| 1       | Power Generation        | Capacity                                                                               | Installed Power Generation Capacity<br>Capacity utilization Factor<br>Commercial Operation date<br>Useful Life          | MW<br>%<br>MM/YYYY<br>Years                     |        |
| 2       | Project Cost            | Capital Cost/MW                                                                        | Normative Capital Cost<br>Capital Cost<br>Capital subsidy, if any<br>Net Capital Cost                                   | Rs. Lakh/MW<br>Rs. Lakh<br>Rs. Lakh<br>Rs. Lakh |        |
| 3       | Financial Assumptions   | Debt: Equity                                                                           | Tariff Period<br>Debt<br>Equity<br>Total Debt Amount<br>Total Equity Amount                                             | Years<br>%<br>%<br>Rs. Lakh<br>Rs. Lakh         |        |
|         |                         | Debt Component                                                                         | Loan Amount<br>Moratorium Period<br>Repayment Period (incl'd Moratorium)<br>Interest Rate                               | Rs. Lakh<br>Years<br>Years<br>%                 |        |
|         |                         | Equity Component                                                                       | Equity Amount<br>Return on Equity for first 10 years<br>Return on equity 11 <sup>th</sup> Year onwards<br>Discount rate | Rs. Lakh<br>% p.a.<br>% p.a.<br>%               |        |
|         |                         | Depreciation                                                                           | Depreciation Rate for first 12 years<br>Depreciation Rate 13 years onwards<br>Generation based Incentives, if any       | %<br>%<br>RS L.p.a.                             |        |
|         |                         | Incentives                                                                             | Period for GBI                                                                                                          | years                                           |        |
| 4       | Operation & Maintenance | Normative O&M Expenses<br>O&M Expenses per annum<br>Escalation factor for O&M expenses |                                                                                                                         | Rs. Lakh/MW<br>Rs. Lakh<br>%                    |        |
| 5       | Working Capital         | O&M expenses<br>Maintenance Spare<br>Receivables<br>Interest on working capital        | % of O&M expenses)                                                                                                      | Months<br>%<br>Months<br>%                      |        |



Form - 2.1: Form Template for (Biomass Power, municipal solid waste, refuse derived fuel or Non-fossil fuel based Cogen) Parameter Assumptions

| SLNo. | Assumption Head          | Sub-Head                                                                                        | Sub-Head (Z)                                                                                                                                                                                                                                                                                                                                               | Unit                                                                                           | Values |
|-------|--------------------------|-------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|--------|
| 1     | Power Generation         | Capacity                                                                                        | Installed Power Generation Capacity<br>Auxiliary Consumption factor<br>PLF (during stabilization upto 6 months)<br>PLF (during 1 <sup>st</sup> year after stabilization)<br>PLF (2 <sup>nd</sup> yr onwards)<br>Commercial Operation Date<br>Useful Life                                                                                                   | MW<br>%<br>%<br>%<br>%<br>mm/yyyy<br>Years                                                     |        |
| 2     | Project Cost             | Capital Cost/MW                                                                                 | Normative Capital Cost<br>Capital Cost<br>Capital subsidy, if any<br>Net Capital Cost                                                                                                                                                                                                                                                                      | Rs. Lakh/MW<br>Rs. Lakh<br>Rs. Lakh<br>Rs. Lakh                                                |        |
| 3     | Financial Assumptions    | Debt: Equity                                                                                    | Tariff Period<br>Debt<br>Equity<br>Total Debt Amount<br>Total Equity Amount                                                                                                                                                                                                                                                                                | Years<br>%<br>%<br>Rs. Lakh<br>Rs. Lakh                                                        |        |
|       |                          | Debt Component                                                                                  | Loan Amount<br>Moratorium Period<br>Repayment Period (incl. Moratorium)<br>Interest Rate                                                                                                                                                                                                                                                                   | Rs. Lakh<br>Year<br>Year<br>%                                                                  |        |
|       |                          | Equity Component                                                                                | Equity Amount<br>Return on Equity for first 10 years<br>Return on Equity 11 <sup>th</sup> years onwards<br>Discount Rate                                                                                                                                                                                                                                   | Rs. Lakh<br>% p.a.<br>% p.a.<br>%                                                              |        |
|       |                          | Depreciation                                                                                    | Depreciation Rate for first 12 years<br>Depreciation Rate 13 years onwards<br>Generation Based Incentives, if any<br>Period for GBI                                                                                                                                                                                                                        | %<br>%<br>Rs. L p.a.<br>years                                                                  |        |
|       |                          | Incentives                                                                                      |                                                                                                                                                                                                                                                                                                                                                            |                                                                                                |        |
| 4     | Operation & Maintenance  |                                                                                                 | Normative O&M expense<br>O&M expense per annum<br>Escalation factor for O&M expense                                                                                                                                                                                                                                                                        | Rs. Lakh/MW<br>Rs. Lakh<br>%                                                                   |        |
| 5     | Working Capital          | O&M expense<br>Maintenance Spare<br>Receivables<br>Biomass stock<br>Interest on working capital | (% of O&M expenses)                                                                                                                                                                                                                                                                                                                                        | Months<br>%<br>Months<br>Months<br>% p.a.                                                      |        |
| 6     | Fuel related assumptions | Station Heat Rate                                                                               | During stabilization<br>Post stabilization                                                                                                                                                                                                                                                                                                                 | Kcal/kWh<br>Kcal/kWh                                                                           |        |
|       |                          | Fuel types & mix                                                                                | Biomass fuel type-1<br>Biomass fuel type-2<br>Municipal Solid Waste fuel<br>Refuse Derived Fuel<br>Fossil fuel (coal)<br>GCV of Biomass fuel type-1<br>GCV of Biomass fuel type-2<br>GCV of fossil fuel (coal)<br>Biomass Price (fuel type-1): yr-1<br>Biomass Price (fuel type-2): yr-1<br>Fossil fuel price (coal): yr-1<br>Fuel price escalation factor | %<br>%<br>%<br>%<br>%<br>kCal/kg<br>kCal/kg<br>kCal/kg<br>Rs./MT<br>Rs./MT<br>Rs./MT<br>% p.a. |        |



**भाग १-क**

उत्तराखण्ड गजेट, 28 अगस्त, 2023 ई० (आदिपद 04, 1945 राक सम्भव)

三

Secretary,  
Uttarakhand Electricity Regulatory Commission

मुद्रक एवम् प्रकाशक—अपर निर्देशक, राजकीय मुद्रणालय, उत्तराखण्ड, रुड़की।



# सरकारी गजट, उत्तराखण्ड

## उत्तराखण्ड सरकार द्वारा प्रकाशित

रुड़की, शनिवार, दिनांक 28 नवम्बर 2020 ई0 (अग्रहायण 07, 1942 शक सम्वत्)

### भाग 1-क

नियम, कार्य-विधियां, आज्ञाएं, विज्ञप्तियां इत्यादि जिनको उत्तराखण्ड के राज्यपाल महोदय, विभिन्न विभागों के अध्यक्ष तथा राजस्व परिषद् ने जारी किया

## UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

### NOTIFICATION

October 29, 2020

### **UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020**

No.F-9(31)/RG/UERC/2020/814--In exercise of powers conferred under Section 181 & Section 50 read with Section 43, Section 45, Section 46, Section 47, & Section 57 of The Electricity Act 2003, and The Electricity (Removal of Difficulties) Order, 2005, and all powers enabling it in that behalf, Uttarakhand Electricity Regulatory Commission hereby makes the following Regulations:

### **Structure of the Regulations**

#### **(1) Chapter 1: General**

The Chapter provides the details of scope & applicability, commencement and interpretation of these Regulations and definitions of key words used in these Regulations.

#### **(2) Chapter 2: Classification of Supply.**

The Chapter provides the details of declared voltage of the AC supply under normal conditions and various category of loads.

#### **(3) Chapter 3: Release of New Connections.**

The Chapter provides the procedure to be followed by an applicant of new connection and by the Licensee for Release of New Temporary Connection, LT Connection and HT/EHT Connection, entailing the documents to be submitted by an applicant, preliminary inspection by the Licensee, charges to be deposited by the applicant, processing of application by the Licensee, single point bulk supply (SPBS), new electricity connection to the complexes to be constructed by developer/builder and withdrawal of application by the applicant.

(4) **Chapter 4: Existing Connections.**

The Chapter provides the procedure for Enhancement and Reduction of the contracted load of a consumer of electricity and the procedures pertaining to the same, assessment of Additional Security to be deposited by the consumer of electricity, transfer of connection in cases such as change in name due to change in ownership/occupancy or change due to legal heirship or change in category.

(5) **Chapter 5: Metering & Billing.**

This Chapter provides the general conditions for installation of Meters, reading of meters, testing of meters, measures to be taken in case meter not recording, meter is burnt, meter is stolen, general conditions for issuance of bill, bill particulars, provisional billing, excess load/demand penalty, complaint on the consumer bills, arrears appearing in bills/wrongly raised bills, request for final bill in case of occupancy/vacancy of premises, payment on self-assessment by the consumer and advance payment of anticipated bills by the consumer.

(6) **Chapter 6: Disconnection & Reconnection.**

This chapter specifies the conditions where the connection can be disconnected by the Licensee and reconnecting the same and procedure to be followed in disconnection/reconnection of the connection.

(7) **Chapter 7: Unauthorised Use & Theft of Electricity.**

This chapter provides a procedure for booking a case for Unauthorised Use of Electricity (UUE) and Theft of Electricity. The chapter covers the process of Assessment to be prepared by the Licensee, submission to be made by the consumer, personal hearing, order and measure to be taken by the Licensee for preventing UUE and theft.

(8) **Chapter 8: Savings**

This chapter provides the powers of the Commission to relax any of the provisions of the Commission and Powers to remove difficulties in case any difficulty arises in giving effect to these Regulations.

(9) **Forms/Annexures**

## CHAPTER 1: GENERAL

### 1.1 Short title, Scope & applicability, commencement and interpretation

- (1) These Regulations may be called the Uttarakhand Electricity Regulatory Commission (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020.
- (2) These Regulations shall be applicable to all the Distribution and Retail Supply Licensee(s) including Deemed Licensee(s) and all its consumers in the State of Uttarakhand and all other persons who are exempted under Section 13 of the Act.
- (3) These Regulations shall come into force on the date of the publication in the official Gazette replacing the existing UERC (The Electricity Supply Code) Regulations, 2007, UERC (Release of new HT & EHT Connections, Enhancement and Reduction of Loads) Regulations, 2008 and UERC (Release of new LT Connections, Enhancement and Reduction of Loads) Regulations, 2013 and amendments thereof.
- (4) These Regulations shall be interpreted and implemented in accordance with, and not at variance from, the provisions of the Electricity Act, 2003 read with the Central Electricity Authority (Installation & Operation of Meters) Regulations, 2006, CEA (Measures relating to Safety and Electric Supply) Regulations, 2010, and any other relevant CEA Regulations, as amended from time to time in this regard.

### 1.2 Definitions

- (1) In these Regulations, unless the context otherwise requires:
  - (a) "Act" means the Electricity Act, 2003;
  - (b) "Agreement" with its grammatical variations and cognate expressions means the supply agreement entered into by the distribution Licensee and the consumer;
  - (c) "Apparatus" means electrical apparatus and includes all machines, fittings, accessories and appliances connected to the Electrical Distribution System;

- (d) "Applicant" means any person who files an application with a Licensee, in accordance with the provisions of the Act, the rules, the regulations and the Order made there under, for purposes such as:
- (i) supply of electricity including temporary connection;
  - (ii) increase or reduction in sanctioned load or contract demand;
  - (iii) change of category;
  - (iv) change of particulars related to connection;
  - (v) disconnection or reconnection of supply;
  - (vi) termination of agreement or for other services, etc.;
- (e) "Application" refers to an application form complete in all respects in the appropriate format, as required by the Distribution Licensee, along with documents showing payment of necessary charges and other compliances;
- (f) "Application Form" refers to a duly filled application form in the appropriate format, as required by the Distribution Licensee, along with documents and other compliances excluding payment of necessary charges;
- (g) "Area of Supply" means the area within which a distribution Licensee is authorised by his licence to supply electricity;
- (h) "Assessing Officer" means an officer designated as Assessing Officer by Government of Uttarakhand under provisions of Section 126 of the Act;
- (i) "Authorised Officer" means an officer designated as Authorised Officer by the Government of Uttarakhand under provisions of Section 135 of the Act;
- (j) "Average Power Factor" means the ratio of kWh to the kVAh (kilo Volt Ampere Hour) supplied during the period;
- (k) "Bank Rate" means the prevailing rate notified by the Reserve Bank of India as on 1st April of the year;
- (l) "Billing cycle" or "Billing period" means the period as approved by the Commission for which regular electricity bills are to be prepared by the Licensee for different categories of consumers;



- (m) "Billable Demand" means the demand as approved by the Commission in the Tariff orders issued from time to time.;
- (n) "CEA" means the Central Electricity Authority;
- (o) "CEA Safety Regulations" means the CEA (Measures Relating to Safety and Electric Supply) Regulations, 2010 as amended from time to time.
- (p) "Commission" means Uttarakhand Electricity Regulatory Commission;
- (q) "Connected load" means aggregate of the manufacturer's rating of all energy consuming apparatus duly wired and connected to the power supply system of Licensee including portable apparatus in the consumer's premises. This shall not include the load of spare plug, sockets, load exclusively installed for firefighting purposes. The load of either water and room heating or room cooling apparatus, whichever is higher, shall be taken into account;

Connected load shall be used only for the purpose of assessment in case of direct theft or dishonest abstraction of energy or un-authorised use of energy;

- (r) "Continuous Process Industries" means the industries requiring continuous supply due to continuous nature of their process namely glass, textile, paper industry etc.;
- (s) "Contracted load" means the load in kW/HP/kVA (kilo Watt/Horse Power/kilo Volt Ampere) which the Licensee has agreed to supply from time to time subject to the governing terms and conditions and is generally different from the connected load;
- (t) "Demand charges" means the amount chargeable for the billing cycle or billing period based upon the billable demand in kVA or kW;
- (u) "Developer" means a person or company or organization or authority that undertakes construction of residential, commercial or industrial complex and includes development agencies (e.g. MDDA etc.), colonizers, builders, cooperative group housing societies, associations, etc.;



- (v) "Distribution System" means the system of wires and associated facilities used for distribution/supply of electricity between the delivery points on the transmission lines or the generating station connection and the point of connection to the installation of the consumers.

The distribution system of a distribution Licensee shall also include electric line, sub-station and electrical plant that are primarily maintained for the purpose of distributing electricity in the area of supply of such distribution Licensee notwithstanding that such line, sub-station or electrical plant are high pressure cables or overhead lines or associated with such high pressure cables or overhead lines; or used incidentally for the purposes of transmitting electricity for others;

- (w) "Earthing systems" shall be in accordance with relevant BIS and CEA (Measures relating to Safety and Electric Supply) Regulations, 2010 as amended from time to time;
- (x) "Electrical Inspector" means a person appointed as such by the Appropriate Government under sub-section (1) of Section 162 of the Electricity Act, 2003 and also includes the Chief Electrical Inspector;
- (y) "Energy charges" means the charges for energy actually consumed by the consumer in kWh/kVAh (kilo Watt hour/kilo Volt Ampere hour) as the case may be, in any billing cycle. Demand/Fixed charges, wherever applicable, shall be in addition to the energy charges;
- (z) "Extra High Tension (EHT)" means the voltage exceeding 33,000 Volts under normal conditions, subject to the percentage variation allowed;
- (aa) "Electrified Area" would mean areas falling under all municipal corporations, municipalities, municipal councils, town areas, notified areas and other municipal bodies and in villages declared electrified by the distribution Licensee/State Government;
- (bb) "Fixed Charges" means the amount chargeable for the billing cycle/billing period based upon contracted load;

- (cc) "Forum" means the Consumer Grievance Redressal Forum established under Section 42(5) of the Act, and the Regulations made by the Commission there under;
- (dd) "Government" means the Government of Uttarakhand;
- (ee) "High Tension (HT)" means the voltage above 650 Volts and upto 33,000 Volts under normal conditions, subject to the percentage variation allowed;
- (ff) "Licensee" means any person licensed under Part IV of the Act;
- (gg) "Load Factor" for the purpose of these Regulations is the ratio of the total number of units consumed (in kVAh or kWh whichever is applicable) during a given period to the total number of units which would have been consumed had the contracted load (in kVA or kW whichever is applicable) been maintained throughout the same period and shall usually be expressed as the following percentage:

$$\text{Load Factor (\%age)} = \frac{\text{Actual units consumed in a given period (in kWh or kVAh)}}{\text{Contracted load (in kW or kVA) } \times \text{ No. of Hours in the period}} \times 100$$

- (hh) "Low Tension (LT)" means the voltage of 230 volts between phase and neutral or 400 volts between any two phases under normal conditions subject to the percentage variation allowed;
- (ii) "Maximum demand" refers to the Maximum Demand in kW or kVA, as the case may be, shall mean an average kW or kVA supplied during consecutive 30/15 minutes (depending upon the type of meter being used) period of maximum use where such meter with the features of reading the maximum demand in kW or kVA directly, has been provided;
- (jj) "Meter" means a device suitable for measuring, indicating and recording conveyance of electricity, maximum demand, any other parameter or any other information related with electrical system, as may be specified by the Authority or notified by the Commission and shall include, wherever applicable, other equipment such as Current Transformer (CT), Voltage Transformer (VT) or Capacitor Voltage Transformer (CVT) necessary for such purpose and shall include net meter;

Explanation: It shall also include any seal or sealing arrangement and other measures/attributes provided by the Licensee for securing reliability and for preventing theft/unauthorised use of electricity.

where "Net meter" means an appropriate meter capable of recording both import & export of electricity or a pair of meters one each for recording the net import and net export of electricity as the case may be;

- (kk) "Occupier" means the owner or person in occupation of the premises where energy is used or proposed to be used;
- (ll) "Outstanding dues" means all dues pending on said premises at the time of disconnection plus late payment surcharge subject to Section 56(2) of the Electricity Act, 2003;
- (mm) "Person" shall include any company or body corporate or association or body of individuals, whether incorporated or not, or artificial juridical person;
- (nn) "Premises" for the purpose of these Regulations means land, building or infrastructure or part or combination thereof in respect of which a separate meter or metering arrangements have been made by the Licensee for supply of electricity; In case of Agriculture Connection, premises means the place of source of water in respect of which connection has been given or intended to be given by the Licensee for supply of electricity;
- (oo) "Rural areas" means all areas other than Urban areas;
- (pp) "Service Line" means an electric supply line through which energy is, or is intended to be supplied by the Licensee from a distributing main to a single or group of Consumers from the same point of the distributing main;
- (qq) "Tariff Order" means the Order issued from time to time by the Commission on Annual Revenue Requirement and Tariff for Licensee and consumer;
- (rr) "Temporary connection/supply" shall mean: Supply of electricity for a purpose that is temporary in nature, required by person for meeting his temporary needs such as:

- (i) for construction of residential, commercial and industrial complexes including pumps for dewatering;
  - (ii) for illumination during festivals/family functions;
  - (iii) for threshers or other such machinery excluding PTW connections;
  - (iv) for touring cinemas/theatres/circuses/fairs/exhibitions/melas/congregations;
  - (ss) "Theft" shall mean theft of electricity as defined under Section 135 of the Act;
  - (tt) "UPCL" means Uttarakhand Power Corporation Limited and its successor entity/entities, which has been assigned distribution and retail supply licence by the Commission;
  - (uu) "Urban area" is area within the boundaries of any municipal corporation or municipality or municipal council or town area or notified as Urban area or any other municipal body.
- (2) Unless the context otherwise requires words or expressions occurring in these Regulations and not defined herein but defined in the Act/Rules/CEA Regulations/Tariff Order shall bear the same meaning as in the Act/Rules/CEA Regulations/Tariff Order or in absence thereof, the meaning as commonly understood in the Electricity Supply Industry.

## CHAPTER 2: CLASSIFICATION OF SUPPLY

### 2.1 System of Supply

- (1) The declared frequency of the alternating current (AC) shall be 50 cycles per second and declared voltage of the AC supply under normal conditions subject to % variation is as follows:
  - (a) Low Tension (LT) -
 

Single Phase: 230 volts between phase and neutral.

Three Phase: 400 volts between phases.
  - (b) High Tension (HT) - Three Phase: 11 kV and above and upto 33 kV between phases.
  - (c) Extra High Tension (EHT) - Three Phase: above 33 kV between phases.
- (2) The Licensee shall design, install, maintain and operate a distribution system in conjunction with the transmission system.
- (3) The voltage at the point of supply shall be subject to availability of regulated voltage from transmission Licensee and shall remain within the limits as specified in the UERC (State Grid Code) Regulations, 2016. The Licensee shall maintain the voltage at the point of commencement of supply to a consumer with the limits stipulated hereunder, with reference to the declared voltage:
  - (a) In the case of low tension,  $\pm 6\%$ ; or
  - (b) In the case of high tension,  $+ 6\%$  to  $- 9\%$ ; or
  - (c) In the case of extra high tension,  $+ 10\%$  to  $-12.5\%$ .
- (4) The rated voltage of the AC supply shall be as per Table 2.1 below:

**Table 2.1: Classification of Supply on the basis of Contracted load/demand and Voltage.**

| Sl. No. | Category description                                    | System of Supply    |
|---------|---------------------------------------------------------|---------------------|
| (i)     | For all installations having Contracted Load upto 4 kW. | 230 V- Single Phase |

**Table 2.1: Classification of Supply on the basis of Contracted load/demand and Voltage.**

| Sl. No. | Category description                                                            | System of Supply                                                               |
|---------|---------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| (ii)    | For all installations having contracted load above 4 kW and upto 25 kW.         | 400 V- Three Phase                                                             |
| (iii)   | For all installations having Contracted load above 25 kW and upto 75 kW/88kVA.  | Through High Voltage Distribution System (HVDS) at 400 V (Metering on LT side) |
| (iv)    | For all installation having Contracted load above 88 kVA and upto 3000 kVA.     | 11 kV                                                                          |
| (v)     | For all installation having Contracted load above 3000 kVA and upto 10000 kVA.  | At 33 kV                                                                       |
| (vi)    | For all installation having Contracted Load above 10000 kVA and upto 50000 kVA. | At 132 kV                                                                      |
| (vii)   | For all installation having Contracted load above 50000 kVA.                    | At 220 kV                                                                      |

Provided that applicant shall be allowed to take connections at voltage level higher than the voltage of supply indicated in the Table 2.1 except at 2.1 (i) above.

- (5) The load applied by the applicant in kW or kVA as may be the case, shall be sanctioned based on whole numbers (1, 2, 3....) only and shall not be sanctioned in decimal numbers. The load in decimal form shall be rounded up to the higher whole number.

**Illustration-**

- (1) Load applied for 0.3 kW shall be sanctioned as 1 kW.
- (2) Load applied for 1.1 kW shall be sanctioned as 2 kW and likewise.

## CHAPTER 3: Release of New Connections

### 3.1 General

- (1) The Licensee shall prominently display on its website and in all its offices details of places where Applications for new connection are accepted on its behalf, the detailed procedure for grant of a new connection and the complete list of documents required to be furnished along with such Applications. Initial security amount, cost of service line charges, overhead line charges, cost of transformer and any other works charges as specified in these Regulations to be deposited by the Applicant shall also be prominently displayed.
- (2) The Licensee shall make appropriate arrangements for filing and accepting the Application Form both in hard copy as well as online.
- (3) A connection will be given to a new consumer only with a correct energy meter as provided in the Central Electricity Authority (Installation & Operation of Meters) Regulations, 2006 including subsequent amendments and the same shall be installed as specified in the said Regulations.
- (4) All new connections shall be released with appropriate Electronic Meters having Maximum Demand Indicator.
- (5) Consumers having motive loads of more than 5 HP shall install Shunt Capacitor of appropriate rating conforming to BIS specification.
- (6) The option of Pre-paid metering shall be available for all categories of consumers upto 25 kW load under LT category. Prepaid Metering shall be mandatory for new Temporary LT connections, for Advertisements/Hoardings and as decided by the Commission from time to time. No consumption security shall be levied for consumers with pre-paid meter connection.

Provided that an applicant desiring a connection through Pre-paid meter shall deposit an amount towards service line charges & overhead line charges as per normative charges provided at Table 3.4 & Table 3.5 of Clause (11) of Sub-regulation 3.3.3.

- (7) Where the new owner/occupier has purchased/taken on rent or otherwise legally occupied an existing property whose electricity connection has been disconnected, it shall be the duty of the new/prospective owner/occupier, before purchase/occupancy of the property, to verify that the previous owner/occupier has paid all dues to the distribution Licensee and has obtained a "no-dues certificate" from the distribution Licensee. In case, such "no-dues certificate" has not been obtained by the previous owner/occupier and also dues have not been paid and are still outstanding, the new/prospective owner/occupier may approach the concerned officer of the distribution Licensee for such certificate even before purchase/occupancy of the property. The distribution Licensee shall acknowledge the receipt of such request and shall either intimate in writing the dues outstanding on the premises, if any, and the new owner/occupier shall pay the requisite dues or issue the "no-dues certificate" within one month from the date of receipt of such Application. In case, the distribution Licensee does not intimate the outstanding dues or issue the "no-dues certificate" within this time, new connection on the premises shall not be denied on ground of outstanding dues of the previous consumer. In such an event, the distribution Licensee shall recover his outstanding dues from previous consumer as per provisions of law.
- (8) Where a property has been legitimately sub-divided, the outstanding dues for the consumption of electricity on earlier undivided property, if any, shall be divided on pro-rata basis based on area of each sub-divided property.
- A new connection to any portion of such sub-divided premises shall be given only after the share of outstanding dues attributed to such legitimately sub-divided premises is duly paid by the Applicant. A Licensee shall not refuse connection to an Applicant only on the ground that dues on the other portion(s) of such premises have not been paid, nor shall the Licensee demand, record of last paid bills of other portion (s) from such Applicant.
- (9) In case of demolition & reconstruction of the entire premises or the building: -
- (a) In case of LT connection, the existing connection(s) shall be surrendered and permanently disconnected removing meter and service line. A temporary connection shall be taken for the construction purposes, after clearing all



dues on the old connection(s). After reconstruction/completion of building/structure the consumer(s) may apply for a new connection for the reconstructed/completed building/structure.

- (b) In case of HT/EHT connection, consumer shall apply for suspension of the existing connection and Supply Agreement indicating the period of such suspension which shall not be more than 18 months, consumer shall also apply for temporary connection for reconstruction purpose. Existing HT/EHT line shall not be removed. Distribution Licensee may utilise existing HT/EHT line for providing temporary connection by installing appropriate meter. Upon re-construction, consumer shall get temporary connection disconnected and apply for re-energisation of suspended old connection. Old connection shall be re-energised only on payment of any outstanding dues and reconnection charges. In case, consumer desires to increase/decrease the load, the procedure as per Regulation 4.1 shall be followed.

Provided that during such suspension period of the HT/EHT connection, a consumer shall not be charged fixed/demand charges against the sanctioned load of suspended HT/EHT connection, instead during this period fixed/demand charges against the sanctioned temporary load as per prevailing tariff Order shall be applicable.

Provided that beyond 18 months of suspension, the fixed charges against the load sanctioned prior to demolition of the premises shall be applicable as per prevailing Tariff Order.

- (10) No application for new connection shall be returned by the Licensee on the ground of 'technically not feasible' and material constraint.
- (11) Applicant for a new connection is required to undertake that he shall abide by relevant and applicable provisions of UERC (Distribution Code) Regulations, 2018, UERC (State Grid Code) Regulations, 2016 and all other Rules/Regulations as amended from time to time.

- (12) The Licensee shall maintain a permanent record of all applications and related documents in hard as well as soft copies, as the case may be. Each Application shall be allotted a Unique application number (for identification) serially in the order in which it was received. Separate files/registers/database for different category of consumers shall be maintained. The Licensee shall keep the files/registers/database updated with stage-wise status of disposal of each application form.
- (13) There shall not be more than one connection in the name of an applicant/consumer under the same category within the same premises.
- (14) Private Tube Wells (PTW) connections shall be released for the motive load above 5 B.H.P. and upto 20 B.H.P. only.
- (15) The Licensee shall be responsible for timely availability of the materials such as cable, meter etc. required to release new connections within the time frames stipulated in these Regulations.
- (16) Any consumer/Applicant not satisfied with the services provided by the distribution Licensee may file a complaint in accordance with the Complaint Handling Procedure approved by the Commission under Clause 23.4 of Uttarakhand Distribution and Retail Supply Licence.
- (17) The Licensee shall not be held responsible for delay, if any, in releasing of connection or enhancement/reduction of load, if the same is on account of problems relating to cyclone, floods, storms or other occurrences beyond the Licensee's control.

Provided that in case Licensee(s) foresee delay in release of new connection or enhancement/reduction of load beyond the timelines stipulated by the Commission in the regulations on account of statutory clearances, right of way and acquisition of land, it shall approach the Commission informing the reasons of delay on case to case basis. The Commission subject to prudence check issue necessary Orders/directions to the Licensee.

## 3.2 Temporary Connections

### 3.2.1. Conditions for Grant of Temporary Connections

- (1) Temporary connection shall be granted for a maximum period of 12 months at a time, which can be further extended depending upon the requirement. Proper record of such connections shall be maintained by the Licensee and fresh Office Memorandum shall be issued at the time of extension.

Provided that the above limitations of 12 months shall not be applicable for contracted load for construction purpose.

- (2) Use of electricity through a permanent connection sanctioned for premises owned by the consumer for construction, repair or renovation of existing building, shall not be considered as unauthorised use of electricity as long as the intended purpose/use of the building/appurtenants being constructed is same/permissible in the sanctioned category of the connection within the limit of contracted load/demand.
- (3) The grant of temporary connection does not create a right in favour of the applicant for claiming a permanent connection, which shall be governed by provisions of the Act and Regulations.
- (4) An applicant seeking temporary connection for construction purposes and desiring a permanent connection upto 75 kW only on expiry of temporary connection or after completion of such construction, shall declare the same in the Application Form provided at Annexure-I (Application for Temporary Connection) alongwith prospective load in kW or kVA.
- (5) On request of an applicant, the Licensee shall give temporary connection within one working day under Tatkal Sewa, where:
  - (a) the load applied is upto 10 kW and;
  - (b) the distributing main is within 40 meters of the premises and no augmentation in distribution network is required including overhead line, transformers etc.

For such temporary connection the applicant shall pay Tatkal charges (non-refundable & non-adjustable) as stipulated at Table 3.1 below, in addition to the charges applicable for temporary connections:

**Table 3.1: Tatkal charges for Temporary Connections**

| Contracted Load       | Tatkal charges in Rs |
|-----------------------|----------------------|
| 1 kW to 4 kW          | 1000                 |
| Above 4 kW upto 10 kW | 3000                 |

- (6) The fixed charges applicable for temporary connection shall be charged on pro-rata per day basis of the charges as defined in the prevailing Tariff Order.

### 3.2.2. Application for Temporary Connections

- (1) The applicant shall make request for temporary supply in the format specified in Annexure-I of these Regulations along with non-refundable Registration-cum-Processing fee as given in Table 3.2 below as advance:

**Table 3.2: Registration-cum-Processing fee for Temporary Connection.**

| LT         | HT           | EHT          |
|------------|--------------|--------------|
| Rs. 1000/- | Rs. 20,000/- | Rs. 30,000/- |

However, this amount after due deduction of the taxes applicable at the time of deposition of the said Registration-cum-Processing fee shall be adjusted against estimated cost of works.

- (2) Specified Application Form can be obtained free of cost from Licensee's Sub-divisional office or any other office of the Licensee or the same can be downloaded from the official website of the Licensee or even photocopied. The duly filled form can be submitted at the concerned Sub-division/Division office of the Licensee.
- (3) The applicant may apply online for a temporary connection on the website of the Licensee by paying non-refundable registration cum processing fees. Online mode shall not be applicable for connection requested under Tatkal Sewa.
- (4) The documents required to be submitted along with the Application Form are given below:

- (a) If the Applicant is an individual, copy of any one of following documents shall be furnished as identity proof:
- (i) Aadhar Card
  - (ii) Electoral identity card
  - (iii) Passport
  - (iv) Driving license
  - (v) Photo ration card
  - (vi) Photo identity card issued by Government Agency
  - (vii) Certificate from village Pradhan or any village level Govt. functionary like Patawari/Lekhpal/Primary school teacher/in-charge of primary health centre etc.
- (b) If the applicant is a company, firm, trust, school/college, government department etc., application shall be signed by competent authority like Director, Proprietor, Partner, Branch Manager, Principal, Executive Engineer along with certified copy of relevant resolution/authority letter of the company/institution concerned etc. Such person shall also submit copy of any of the identity proofs mentioned at (a) above.
- (c) In case Temporary connection is required for construction purposes, the ownership proof or NOC from the owner shall be submitted alongwith the Application form.
- (5) No Objection Certificate (NOC) from the local authority if the supply is required at a premises/ place owned by the local authority.

Provided that in case any permit/NOC is withdrawn by the competent authority after energisation of connection, supply shall be disconnected forthwith and shall be reconnected only after the permit/NOC is restored.

### 3.2.3. Processing of Application for Temporary Connections

- (1) On receipt of duly filled application in hard copy, the authorized officer of the distribution Licensee shall check the Application Form and deficiencies, if any, observed in the Application Form shall be got rectified from the applicant immediately. The distribution Licensee shall issue dated receipt to the applicant.

- (2) In case of online application, the officer of the Licensee shall check the online application form and if any deficiency is observed, the Licensee shall intimate the same to the Applicant within 2 working days of filing of the application via email & SMS. Thereafter, the consumer shall remove the deficiency within next 3 working days, failing which the application shall stand lapse. On receipt of duly filled online application form the Licensee shall issue an online acknowledgement immediately.
- (3) Licensee shall ascertain whether any dues are outstanding on the premises and if so, the Licensee shall issue a demand note within 5 days from date of receipt of Application Form giving full details of such outstanding amount. The applicant shall be required to deposit outstanding dues within 15 days, failing which his application shall stand lapse and the applicant shall be informed accordingly in writing under acknowledgement.
- (4) The Licensee shall examine the technical feasibility of the connection within 5 days for LT and 15 days for HT/EHT of acceptance of application and thereafter, the Licensee shall inspect and test the applicant's installation, as required of him under Regulation 31 of CEA Safety Regulations, 2010 in the presence of the applicant or his representative within 5 days for LT connections and 15 days for HT/EHT connections from the date of receipt of the Application Form. Testing of installation shall be done as per procedure laid down in Regulation 33 of CEA Safety Regulations, 2010 and the inspecting officer shall maintain a record of test results obtained in the form given at Annexure I (A) as required of him under Regulation 31 of CEA Safety Regulations, 2010.

Provided that in case temporary supply is required in premises/place where 100 or more persons are likely to assemble, applicant shall comply with the provisions of Section 54 of the Act.

- (5) If upon inspection, the Licensee finds any defect, like the installation having not been completed or bare ends of conductor or joints having not been properly covered with insulating tape or that the wiring is of such nature that is dangerous to life / property etc., he shall intimate the same to the applicant on the spot under proper receipt in the form given at Annexure I (A).

- (6) The applicant shall get all the defects removed within 15 days and inform the Licensee in writing under acknowledgement. In case applicant fails to remove such defects or fails to inform the Licensee about removal of the defects, the application shall stand lapsed and applicant will have to apply afresh.
- (7) Upon receipt of information from applicant about removal of defects, the Licensee shall re-inspect and test the installations within 5 days from receipt of such information and if the defects pointed out earlier are found to persist, the Licensee shall again record the same in the form given at Annexure I (A) and hand over a copy of the same to applicant or his representative available on site. The application shall then stand lapsed and applicant shall be informed accordingly in writing under acknowledgement. If the applicant feels aggrieved by this action of the Licensee, he may appeal to the Electrical Inspector, whose verdict in the matter will be final and binding.
- (8) If on inspection no deficiency is found or the deficiencies are found to have been removed and there are no outstanding dues or the same have been cleared, the Licensee shall sanction the load immediately. Further, in case applicant does not receive any deficiency note or demand note for the outstanding dues within 15 days from the date of application, the load applied for shall be deemed to have been sanctioned and Licensee shall not deny grant of the Temporary Connection on these grounds.
- (9) Upon sanction of the load, the Licensee thereafter shall issue a demand note indicating:

(a) **Consumption Security:**

The Applicant shall deposit an amount of consumption security as per Table 3.3(A) below:

**Table 3.3 (A): Consumption Security for Temporary connections  
(Rs/kW/month)**

| Domestic | Non-Domestic | Construction |
|----------|--------------|--------------|
| 2000     | 4000         | 4000         |

The above security shall be taken for 1 month where the connection is being applied for a period upto 1 month and for 2 months where the connection is being applied for a period more than 1 month.

Provided that for consumers with contracted load in kVA, the charges as mentioned in above table shall be calculated on Rs/kVA/month basis by considering a power factor of 0.85.

Provided that no consumption security deposit shall be applicable for pre-paid meter applicants.

**(b) Material Security:**

An amount of material security (towards service line, overhead line, meter, other equipment etc.) shall be based on the estimated cost of works prepared by the Licensee within 5 days for LT connections and 15 days for HT/EHT connections from date of sanction of the load.

Provided that for temporary connections upto 10 kW and within 40 meter from the existing distributing mains, the material security shall be applicable as per table 3.3(B) below:

**Table 3.3(B): Material Security for temporary connections upto 10 kW**

| Sl. No. | Contracted Load       | Material Security (in Rs) |
|---------|-----------------------|---------------------------|
| 1.      | Upto 4 kW             | 5,000/-                   |
| 2.      | Above 4 kW upto 10 kW | 10,000/-                  |

- (10) The applicant shall make the payment in accordance with the demand note within 5 days of receipt of demand note failing which the sanction shall stand lapsed.
- (11) On receipt of applicable charges, as per the demand note, the Licensee shall carryout the works and energise the connection within the timeframe stipulated in Clause (15) of Sub-regulation 3.3.3 & Clause (16) of Sub-regulation 3.3.3 for LT connections and Clause (10) of Sub-regulation 3.4.3 & Clause (11) of Sub-regulation 3.4.3 for HT/EHT connections.



- (12) For extension of the period of Temporary Connection, the consumer shall apply to the Licensee in writing at least 7 days before the date of expiry of Temporary Connection.
- (13) The applicant may get the date of availing Temporary Connection postponed to a date not later than 1 month from the date of original sanction, by applying to the Licensee at least 5 days before the originally sanctioned date of commencement of supply. However, no further postponement beyond 1 month shall be permissible. In case the Temporary Connection is not availed within such postponed period, the application shall stand cancelled and any payment made towards the Temporary Connection shall be dealt as per Regulation 3.7.
- (14) On expiry of the Temporary Connection the Consumption Security after adjusting the unpaid dues shall be refunded, if any, by the Licensee. Similarly, Material Security shall also be refunded after deducting any damage to material (such as meter, transformer, isolator etc.) and dismantling charges, if applicable.

Provided that the dismantling charges shall not be more than 10% of the Material Security.

Refund of these securities shall be made within 15 days from the date of disconnection, failing which an interest as per Bank Rate shall be payable by the Licensee. In case of failure on the part of Licensee in refund of securities within the aforesaid period, a compensation shall also be payable to such consumer in accordance with prevailing provision of Standards of Performance Regulations.

### **3.2.4. Processing of the application where temporary connection is desired to be converted into Permanent Connections**

- (1) For applicants seeking temporary connection for load upto 75 kW for construction purposes and desiring a permanent Connection on expiry of such Temporary Connection or after completion of such construction, the following process shall be applicable:
  - (a) On receipt of such application, the Licensee shall conduct a route survey and accordingly prepare an estimate for releasing such Temporary Connection based on the declared prospective load (upto 75 kW) and thereafter, inform

the applicant for deposition of the requisite charges. The Licensee shall provide a copy of detailed estimate alongwith the demand note including consumption security and material security as per Clause (9) of Sub-regulation 3.2.3. On deposition of the said charges the Licensee shall release the Temporary Connection accordingly.

Provided that the Licensee, while constructing the line for such Temporary Connection, shall ensure all aspects required for releasing a safe, robust and reliable permanent connection in accordance with the CEA Safety Regulations and relevant Regulations of the CEA/Commission.

- (b) The applicant/consumer shall inform the Licensee atleast 15 days prior to expiry of such Temporary Connection for release of Permanent Connection and apply as per Sub-regulation 3.3.2 of these Regulations. The processing of such application shall be done as per Sub-regulation 3.3.3 of these Regulations.
- (c) Prior to releasing new permanent LT connection, the Licensee shall refund /recover the material security after adjusting the following:
  - (i) Normative charges for service line, overhead line, substation & initial security for issuance of the Permanent Connection as per charges specified at Table 3.4 to Table 3.6 of Clause (11) of Sub-regulation 3.3.3 of these Regulations.
  - (ii) Any damage to material (such as meter, transformer, isolator etc.).

Provided that the Refund of the security, if any, after due adjustment shall be made within 15 days from the date of disconnection of the temporary connection, failing which an interest as per Bank Rate shall be payable by the Licensee. In case of failure on the part of Licensee in refund of security within the aforesaid period, a compensation shall also be payable to such consumer in accordance with prevailing provision of Standards of Performance Regulations.

- (d) No dismantling charges shall be applicable in such cases.

### **3.3 LT connections**

#### **3.3.1. Conditions for Grant of LT connections**

In addition to the general conditions for release of new connections provided at Regulation 3.1, the following conditions shall be applicable for granting the LT connections:

(1) In case of Application for Load up to 4 kW:

(a) If the premises is within 40 meters from Licensee's existing LT distributing main:

The Licensee shall connect the service line from the existing LT distributing main upto the consumer premises. The Applicant shall pay fixed service line charges as per Table 3.4 of Clause (11) of Sub-regulation 3.3.3 for releasing such connection. No overhead line charges shall be payable by the consumer in this case.

(b) If the premises is beyond 40 meters from Licensee's existing 3 phase LT distributing main:

The Licensee shall extend the existing 3 phase LT distributing main by constructing 3 phase 5 wire LT distributing main at its own cost, however, the Applicant shall pay, in addition to fixed service line charges, normative charges of LT distributing main, as per Table 3.4 of Clause (11) of Sub-regulation 3.3.3, depending upon the length of the line required for releasing such connection, except for rural hilly villages having population less than 3000 as per census 2011 where the Licensee may extend the aforesaid 3 phase LT distributing main by constructing single phase LT distributing main for giving such connection in these villages under the permissible voltage variations.

(c) If the premises is beyond 40 meters from Licensee's existing single phase or two phase LT distributing main:

The extension of existing LT distributing main will be done by constructing single phase or 2 phase LT distributing main by the Licensee and the

Applicant shall pay, in addition to fixed service line charges, normative charges of LT distributing main, as per Table 3.4 of Clause (11) of Sub-regulation 3.3.3, depending upon the length of the line required for releasing such connection.

(2) In case of Application for Load above 4 kW and up to 25 kW

(a) If the premises is within 40 meters from Licensee's existing single phase or 2 phase LT Distributing main:

The Licensee shall carry out the necessary conversion of such existing LT distributing main by 3 phase 5 wire LT distributing main at its own cost for releasing such connection. In such cases, the applicant shall pay only the fixed service line charges & initial security charges as per Table 3.5 of Clause (11) of Sub-regulation 3.3.3.

(b) If the premises is beyond 40 meters from Licensee's existing single phase or 2 phase LT Distributing main:

The Licensee shall carry out conversion of existing single phase or 2 phase LT Distributing main by 3 phase 5 wire LT Distributing main at its own cost. Further beyond such existing Distributing main, the Licensee shall also carry out extension by constructing 3 phase 5 wire LT Distributing main and the applicant shall pay, in addition to fixed service line charges, normative charges as per Table 3.5 of Clause (11) of Sub-regulation 3.3.3, depending upon the length of the line required for releasing such connection.

(c) If the premises is beyond 40 meters from Licensee's existing three phase LT Distributing main:

If the Licensee's existing 3 phase LT distributing main is beyond 40 meters, the Applicant shall pay, normative charges, as per Table 3.5 of Clause (11) of Sub-regulation 3.3.3, for the length of the line upto the existing 3 phase LT distributing main.

(3) In case of Application for Load above 25 kW, the connection shall be released only through HVDS and the Applicant shall pay normative charges as per Table 3.6 of Clause (11) of Sub-regulation 3.3.3.

Provided that where Application for load above 25 kW and upto 75 kW and release of connection through HVDS is not feasible due to existing underground network, in such cases distribution Licensee may release such connection through its existing LT underground network. The distribution Licensee shall recover the cost of sub-station, underground LT system from distributing mains to consumer premises alongwith the charges against service line and initial security as per Table 3.6 of Clause (11) of Sub-regulation 3.3.3.

Provided further that in case consumer desires to take connection for load upto 25 kW through HVDS, the distribution Licensee may release such connection by recovering cost of sub-station alongwith the charges against service line & initial security as per Table 3.5 of Clause (11) of Sub-regulation 3.3.3 and charges against 11 kV line as per Table 3.6 of Clause (11) of Sub-regulation 3.3.3.

- (4) In case of PTW connection, if the extension of the LT distributing main and/or HT main including installation of Distribution Transformer is required for releasing the PTW connection, then the Applicant shall pay in addition to fixed service line charges, normative charges of such works, as per Table 3.7 of Clause (11) of Sub-regulation 3.3.3, depending upon the length of the line required for releasing such connection.
- (5) No Single Point Bulk Supply connection shall be released on LT.

### **3.3.2. Application for new LT connection**

- (1) A prospective consumer desirous of obtaining a new connection shall make an application to the distribution Licensee for this purpose on the specified Application Form given in Annexure-II.
- (2) Specified Application Form can be obtained free of cost from Licensee's Sub-divisional office or any other office of the Licensee or the same can be downloaded from the official website of the Licensee or even photocopied. The duly filled form can be submitted at the concerned Sub-division/Division office of the Licensee.
- (3) The applicant may apply online for new connection on the website of the Licensee and within 2 working days of the online application, if the officer of Licensee finds any deficiency, then the same shall be intimated to the Applicant via email & SMS.

Thereafter, the consumer shall remove the deficiency within next 3 working days, failing which the application shall stand lapse.

- (4) The documents required to be submitted along with the Application Form are given below:

**(a) Proof of Ownership or Occupancy**

- (i) The Applicant shall submit self attested copy of any one of the following documents as proof of ownership or occupancy over premises for which the connection is required:
- a) Sale deed or lease deed (with latest rent receipt issued within three months prior to the date of application) or khasra or khatauni (inclusion of Applicant's name in the khasra or khatauni shall be sufficient for this purpose).
  - b) Registered General Power of attorney.
  - c) Municipal tax receipt or Demand notice or any other related document.
  - d) Letter of allotment.
  - e) An Applicant who is not an owner but an occupier of the premises shall along with any one of the documents listed at a) to d) above also furnish a no objection certificate from owner of the premises.

Provided that in case the Applicant is unable to submit any of the document listed at a) to e) above, then the Applicant shall be charged thrice the amount of security as per Table 3.4 to Table 3.6 of Clause (11) of Sub-regulation 3.3.3. The owner of the premises, if different from the Applicant, shall not be liable for payment of any dues against such connection.

Provided further that where the applicant is unable to submit the documents mentioned at a) to e) above and objection has been raised on the premises by District Magistrate/Government Authorities/Government under whose jurisdiction premises falls, the Licensee shall not grant new connection to such Applicant.

Provided also that where the court has decided the ownership or occupancy of the premises in favor of a person other than the applicant, the Licensee shall not grant connection to such Applicant.

**(b) Statutory Permissions/Registrations**

- (i) Proof of making application for approval/permission/NOC of the competent authority such as Pollution Control Board, Director of Industries etc., if required under any law/statute.
- (ii) In case of a partnership firm, partnership deed and list of Partners alongwith their certified addresses.
- (iii) In case of a Limited Company, Memorandum of Association, Articles of Association, Certificate of Incorporation.

**(c) Identity Proof**

- (i) If the Applicant is an individual, copy of any one of following documents shall be furnished as identity proof:
  - a) Aadhar Card
  - b) Electoral identity card
  - c) Passport
  - d) Driving license
  - e) Photo ration card
  - f) Photo identity card issued by Government Agency
- (ii) If the applicant is a company, firm, trust, school/college, government department etc., application shall be signed by competent authority like Director, Proprietor, Partner, Branch Manager, Principal, Executive Engineer along with certified copy of relevant resolution/authority letter of the company/institution concerned etc. Such person shall also submit copy of any of the identity proofs mentioned above at (i).

(d) **Undertaking**

An undertaking in the format given in **Appendix of Annexure-II** certifying that the wiring and other electrical works in the premises has been done in accordance with the provisions of the applicable Act / Rules & Regulations.

**3.3.3. Processing of Application for LT Connection**

- (1) On receipt of duly filled Application Form, the authorized officer of the Licensee shall check the Application Form and deficiencies, if any, observed in the Application Form shall be got rectified from the Applicant immediately. The Licensee shall register the Application by putting a Unique Application Number/ Registration Number both on the Application Form and the Acknowledgement Form and thereafter, issue dated acknowledgement of the same to the Applicant.
- (2) In case of online application, the officer of the Licensee shall check the online application form and if any deficiency is observed, the Licensee shall intimate the same to the Applicant within 2 working days of filing of the application via email & SMS. Thereafter, the consumer shall remove the deficiency within next 3 working days, failing which the application shall stand lapse. On receipt of duly filled online application form the Licensee shall issue an online acknowledgement immediately.
- (3) Subsequent to issuance of acknowledgement, Licensee shall ascertain whether any dues are outstanding on the premises, and if so, the Licensee shall issue a demand note within 5 days from date of receipt of Application Form giving full details of such outstanding amount. The Applicant shall be required to deposit outstanding dues within 15 days failing which his Application shall lapse and the Applicant shall be informed accordingly in writing under acknowledgement.
- (4) The Licensee shall also inspect and test the Applicant's installation, as required of him under provisions of Regulation 31 of the CEA Safety Regulations in the presence of the Applicant or his representative within 5 days from the date of receipt of the Application Form. Testing of installation shall be done as per procedure laid down in Regulation 33 of the CEA Safety Regulations and the inspecting officer shall maintain a record of test results obtained in the form given



at Annexure-I (A) as required of him under Regulation 31 of the CEA Safety Regulations. The Licensee shall also ascertain the requirement of extension of distributing mains i.e. overhead line and other associated works.

If required, the Licensee shall conduct the route survey and prepare estimate of the works in accordance with the Regulations within 10 days from the date of receipt of the Application Form. The Licensee shall provide a copy of detailed estimate alongwith the demand note.

- (5) If upon inspection, the Licensee finds any defect, like the installation having not been completed or bare ends of conductor or joints having not been properly covered with insulating tape or that the wiring is of such nature that it is dangerous to life / property etc., he shall intimate the same to the Applicant on the spot under proper receipt in the form given at Annexure-I (A).
- (6) Licensee shall also record correct and full address of the premises, if not provided in the Application, along with land mark near the property or GPS co-ordinates (wherever available) and also pole number from where service connection is proposed to be given.
- (7) The Applicant shall get all the defects removed within 15 days and inform the Licensee in writing under acknowledgement. In case Applicant fails to remove such defects or fails to inform the Licensee about removal of the defects, the Application shall stand lapsed and Applicant shall apply afresh.
- (8) Upon receipt of information from Applicant about removal of defects, the Licensee shall re-inspect and test the installations within 5 days from receipt of such information and if the defects pointed out earlier are found to persist, the Licensee shall again record the same in the form given at Annexure-I (A) and hand over a copy of the same to Applicant or his representative available on site and the application shall then stand lapsed. If the Applicant is aggrieved by this action of the Licensee, he may appeal to the Electrical Inspector, whose verdict in the matter shall be final and binding.
- (9) If on inspection no deficiency is found or the deficiencies are found to have been removed and there are no outstanding dues or the same have been cleared, the

Licensee shall sanction the load, as applied for, by the Applicant and intimate the same to the Applicant in writing within 5 days thereafter. In case Applicant does not receive any deficiency note or demand note for the outstanding dues within 5 days from the date of receipt of Application, the load, as per sub-regulation hereinabove, shall be deemed to have been sanctioned and Licensee shall not deny grant of the connection on these grounds.

- (10) The load for Residential Complex/Non-Residential Complex/Multiplex/Malls/Townships etc. to be constructed by Developer, shall be determined as per the norms specified in Annexure-IV of these Regulations.
- (11) Within 5 days from sanction of the load, the Licensee shall issue a demand note alongwith a copy of detailed estimate to the Applicant based on the determined charges given in tables below and the Applicant shall deposit the aforesaid charges in cash or through demand draft or electronic mode (RTGS/NEFT/IMPS) acceptable to the Licensee within 30 days.

**Table 3.4: Service Line charges, Overhead & Underground line charges and Initial security for loads upto 4 kW**

| Sl. No. | Contracted Load                    | Service Line Charges & Overhead/Underground line charges |              |                                                                                                                           | Initial security (Rs./kW) |              |                                       |
|---------|------------------------------------|----------------------------------------------------------|--------------|---------------------------------------------------------------------------------------------------------------------------|---------------------------|--------------|---------------------------------------|
|         |                                    | Service line charges (Rs.)                               |              | Overhead line & Underground charges if premises is beyond 40 meters of the Licensee's existing LT distributing main (Rs.) | Domestic                  | Non-Domestic | LT Industries/ Govt. Public Utilities |
|         |                                    | Overhead                                                 | Under-ground |                                                                                                                           |                           |              |                                       |
| 1.      | BPL consumers (upto 1 kW)*         | 100                                                      | 100          | Overhead- Rs. 300<br>Underground- Rs. 300                                                                                 | 100                       | -            | -                                     |
| 2.      | Upto 4 kW                          | 1000                                                     | 2000         | Overhead-Rs. 1500 per 10 meters or part thereof                                                                           | 600                       | 1500         | 1500                                  |
|         | Upto 4 kW (Through Pre-paid meter) | 1000                                                     | 2000         | Underground- Rs. 4500 per 10 meters or part thereof                                                                       | -                         | -            | -                                     |

\*[In case a BPL consumer applies for load above 1 kW, he shall be liable to pay normative charges as per Sl.no. 2 of Table 3.4 & Table 3.5 as applicable]

**Table 3.5: Service Line charges, Overhead/Underground line charges and Initial security for load above 4 kW and upto 25 kW**

| Sl. No. | Contracted Load | Service Line Charges & Overhead/Underground line charges |              |                                                                                                                           | Initial security (Rs./kW) |              |                                       |
|---------|-----------------|----------------------------------------------------------|--------------|---------------------------------------------------------------------------------------------------------------------------|---------------------------|--------------|---------------------------------------|
|         |                 | Service line charges (Rs.)                               |              | Overhead line & Underground charges if premises is beyond 40 meters of the Licensee's existing LT distributing main (Rs.) | Domestic                  | Non-Domestic | LT Industries/ Govt. Public Utilities |
|         |                 | Over-head                                                | Under-ground |                                                                                                                           |                           |              |                                       |

|    |                                                       |      |       |                                                                                                         |     |      |      |
|----|-------------------------------------------------------|------|-------|---------------------------------------------------------------------------------------------------------|-----|------|------|
| 1. | Above 4 kW and upto 10 kW #                           | 2000 | 5000  | Overhead-Rs. 4500 per 10 meters or part thereof<br>Underground- Rs. 13500 per 10 meters or part thereof | 600 | 1500 | 1500 |
|    | Above 4 kW and upto 10 kW (Through Pre-paid meter) #  | 2000 | 5000  |                                                                                                         | -   | -    | -    |
| 2. | Above 10 kW and upto 25 kW #                          | 4000 | 10000 | Overhead-Rs. 4500 per 10 meters or part thereof<br>Underground- Rs. 13500 per 10 meters or part thereof | 600 | 1500 | 1500 |
|    | Above 10 kW and upto 25 kW (Through Pre-paid meter) # | 4000 | 10000 |                                                                                                         | -   | -    | -    |

# Applicant seeking HVDS connection under second proviso of Clause (3) of Sub-regulation 3.3.1 shall pay the charges for sub-station of 25 kVA (for load upto 20 kW) as Rs. 1,50,000/- and of 63 kVA (for load from 21 kW upto 25 kW) as Rs. 2,00,000/- alongwith cost of 11 kV line extension as per Table 3.6 below and service line & initial security charges as per Table 3.5.

**Table 3.6: Service Line charges, Charges for construction of Overhead/Underground 11 kV line, Substation and Initial security for load above 25 kW and upto 75 kW**

| Sl. No. | Contracted load                     | Service Line Charges, Charges for construction of Overhead/Underground 11 kV line & Substation |             |                                                                                                         | Initial security (Rs./kW) or (Rs./kVA) |              |                                       |
|---------|-------------------------------------|------------------------------------------------------------------------------------------------|-------------|---------------------------------------------------------------------------------------------------------|----------------------------------------|--------------|---------------------------------------|
|         |                                     | Service line charges (Rs.)                                                                     |             | Charges for construction of Overhead/Underground 11 kV line & Substation (Rs.)                          | Domestic                               | Non-Domestic | LT Industries/ Govt. Public Utilities |
|         |                                     | Overhead                                                                                       | Underground |                                                                                                         |                                        |              |                                       |
| 1       | 11 kV line Cost                     |                                                                                                |             |                                                                                                         |                                        |              |                                       |
|         | Above 25 kW and upto 50 kW**        | 6000                                                                                           | 15000       | Overhead-Rs. 8000 per 10 meters or part thereof<br>Underground- Rs. 30000 per 10 meters or part thereof | 600                                    | 1500         | 1500                                  |
|         | Above 50 kW and upto 75 kW**        | 8000                                                                                           | 20000       |                                                                                                         |                                        |              |                                       |
| 2       | 11 kV Substation Cost               |                                                                                                |             |                                                                                                         |                                        |              |                                       |
|         | Above 25 kW upto 50 kW              | Construction of 63 kVA s/s                                                                     |             | 2,00,000                                                                                                | -                                      |              |                                       |
|         | Above 50 kW upto 75 kW              | Construction of 100 kVA s/s                                                                    |             | 2,50,000                                                                                                |                                        |              |                                       |
| 3       | Increasing capacity of transformers |                                                                                                |             |                                                                                                         |                                        |              |                                       |
|         | 63 kVA to 100 kVA                   | -                                                                                              |             | 50,000                                                                                                  | -                                      |              |                                       |

\*\* For areas with underground network only- Applicant seeking connection under first proviso of Clause (3) of Sub-regulation 3.3.1 shall pay the charges for sub-station of 63 kVA/100 kVA alongwith cost of LT mains extension for Rs 20,000/- per 10 meters or part thereof and service line & initial security charges as per Table 3.6.

**Table 3.7: Service Line charges, overhead line charges and Initial security for Private Tube Wells (PTW) having load above 5 B.H.P. and upto 20 B.H.P.**

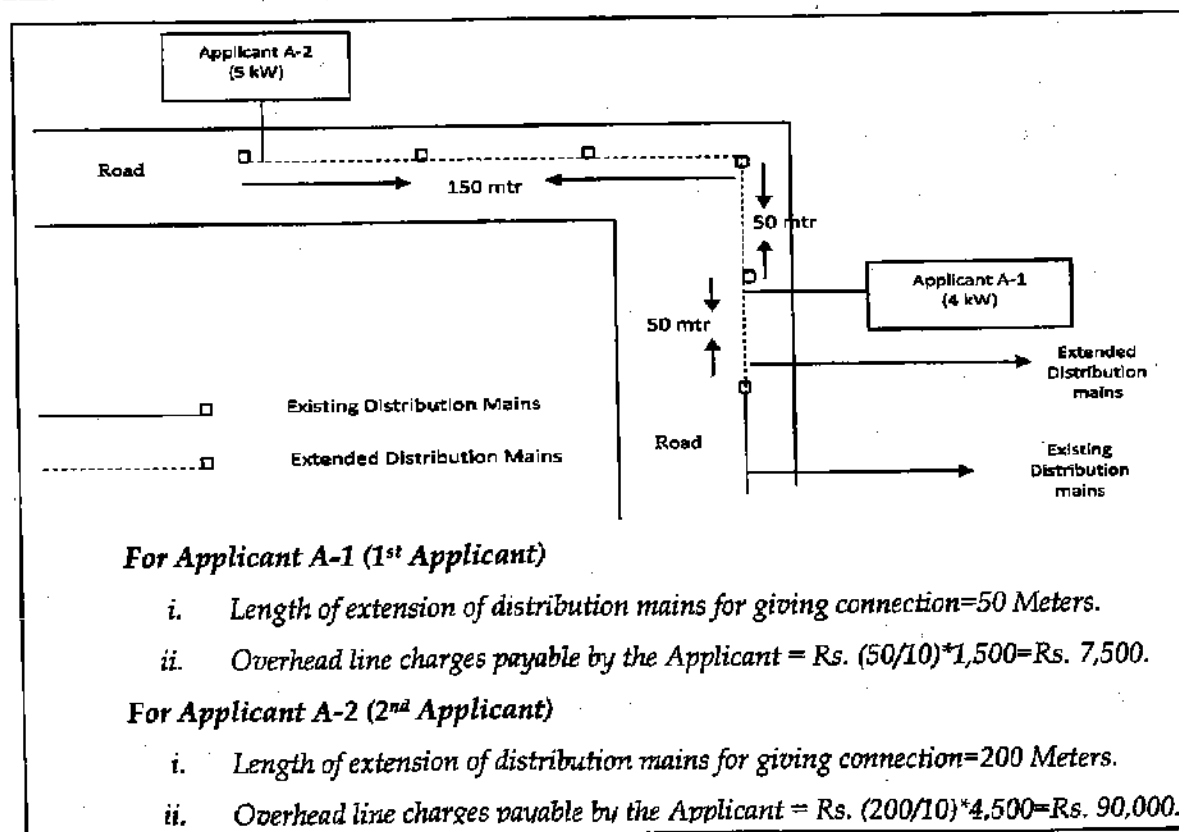
| Sl. No | Contracted load       | Service line charges (Rs.) | Charges for extension of existing LT distributing mains and/or HT main including installation of Distribution Transformer (Rs.) | Initial security (Rs./B.H.P.) |
|--------|-----------------------|----------------------------|---------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| 1      | 5 B.H.P. to 20 B.H.P. | 1000                       | Rs. 750 per 10 meters or part thereof                                                                                           | 200                           |

- (12) At least 3 months before the beginning of every financial year, the distribution Licensee may submit, if necessary, proposal for revision of charges as per Table 3.4 to Table 3.7 along with supporting calculations and justification for approval of the Commission. Charges once approved shall remain valid till further revision by the Commission.
- (13) Applicant shall be liable to pay charges for the overhead line, as applicable in accordance with the above Tables, for that length of the LT Distributing mains actually extended for giving supply to such Applicant.

Provided that where existing LT distribution system is on LT AB cable, further extension of the same shall be done through LT AB cable. In such cases, the applicant shall pay the normative charges as specified in the Table 3.4 to 3.7 above as applicable.

- (14) Apart from the charges determined in the Table 3.4 to Table 3.7 above, no other charges such as cost of meter, cost of miscellaneous material, cable, processing fees etc. shall be payable by the Applicant of a new connection.

Illustration: Calculation of the length of extension of the existing Distributing main



- (15) Where a new connection does not require extension of its distributing mains or laying of new distributing mains or commissioning a new substation, the Licensee shall be under obligation to energize the connection through a correct meter within 15 days from the date of application.

[Here date of application shall be the date of receiving application form complete in all respects in the appropriate format, as required by the Distribution Licensee, along with documents showing payment of necessary charges and other compliances.]

- (16) Where a new connection requires extension of distributing mains or laying of new distributing mains or commissioning of a new substation, the Licensee shall inform such Applicant the time required to give the supply and the same shall not exceed:

- (a) 60 days if only extension of distributing mains is required.
- (b) 90 days if commissioning of new 11/0.4 kV substation is required.
- (c) 180 days if commissioning of new 33/11 kV substation is required.

- (17) If the Licensee fails to provide connection to an Applicant within the period specified above, he shall be liable to pay penalty @ Rs 5 per Rs 1000 (or part thereof) of the amount deposited by the Applicant subject to a maximum of Rs. 1000 for each day of default.

- (18) Without prejudice to the penalty levied on the Licensee, if the Licensee fails to provide connection to an Applicant within the period specified above, he shall be liable to pay a compensation @ Rs 5 per Rs 1000 (or part thereof) to the Applicant on the amount deposited by the Applicant subject to a maximum of Rs. 500 for each day of default.

Provided that the total amount of compensation shall be limited to the amount deposited by the applicant.

- (19) Licensee shall submit to the Commission monthly division-wise report on delay in release of New LT Connections as per Annexure-VI and shall deposit the

penalty alongwith the said report, accrued on account of the defaults /delays occurred in the connections released, during the period.

- (20) In case of any compensation claim, the consumer shall apply to the distribution Licensee in the manner provided in the prevalent SOP Regulations of the Commission.
- (21) In case the connection has not been energized as per these Regulations, the Applicant may lodge a complaint about it with the Consumer Grievance Redressal Forum of respective areas giving full details such as date of Application, date of inspection by Licensee etc.

### **3.4 HT/EHT Connections**

#### **3.4.1. Conditions for Grant of HT/EHT Connections**

- (1) All loads above 88 kVA shall be released on HT/EHT with contracted load in kVA.

Provided that all loads more than 1 MVA shall be sanctioned with independent feeders emanating from nearest 33kV/66kV/132kV/220kV substations with metering arrangements at both ends.

Provided further that where the right of way for the proposed independent feeder is not available, such loads above 1 MVA may be sanctioned either through underground cables or from the existing feeder subject to availability of 25% spare capacity after addition of proposed load on such feeder.

Provided also that industries seeking connection for Continuous supply, irrespective of load applied for, shall be released through independent feeder only. If the applicant demands such connection through underground cables, the Licensee shall grant the same.

Provided also that, in case due to field constraints release of connection through independent feeder for a continuous supply industry is required to be released through an existing independent feeder, then the distribution Licensee may release such connection subject to the condition that only similar type of continuous supply industries are connected to such existing feeder.

Provided also that all steel units like Induction/ Arc furnaces or Rolling Mills, Re-rolling mills, Mini steel plants, etc., irrespective of load applied for, shall be sanctioned load at 33 kV or above and through independent feeder only. If the applicant demands such connection through underground cables, the Licensee shall grant the same.

Provided also that, in case the existing Steel Units having connection at 11 kV shall be permitted to enhance their load so that their contracted load after such enhancement does not exceed 1000 KVA.

- (2) A connection will be given to a new consumer only with a correct 3 phase 4 wire energy meter having specifications as provided in the Central Electricity Authority (Installation & Operation of Meters) Regulations, 2006 as amended from time to time and the same shall be installed as specified in the said Regulations.
- (3) For all new connections at HT and EHT, next higher standard single ratio Current Transformer (CT) of accuracy class as given in Clause (5) below shall be used. Under any circumstances multi ratio CT shall not be used for metering purpose. Cross-sectional area of cables between CT and meter shall not be less than 6 sq. mm.
- (4) For all new connections at HT and EHT, Potential Transformer (PT) of accuracy class as given in Clause (5) below shall be used for metering. Cross-sectional area of cables between PT and meter shall be not less than 6 sq. mm. No other load shall be put on measuring PT except load of Automatic Meter Reading (AMR) modem, if any, installed by the distribution Licensee for the purpose of remote meter reading. Provided that the total burden on metering core of PT including burden of lead cable, meter(s), AMR modem, if any, connected thereto shall not exceed the rated burden.
- (5) Meters, Current Transformers (CT) and Potential transformers (PT) shall meet the following requirements of Accuracy Class as provided in the Central Electricity Authority (Installation & Operation of Meters) Regulations, 2006 as amended from time to time:

Table 3.8: Accuracy Class of Metering System

| Voltage of supply              | Meter          | CT & PT        |
|--------------------------------|----------------|----------------|
| Above 650 Volts and upto 33 kV | 0.5S or better | 0.5S or better |
| Above 33 kV                    | 0.2S or better | 0.2S or better |

Provided that the accuracy class of CTs and PTs shall not be inferior to that of associated meters and the existing CTs and PTs not complying with these Regulations or found defective/saturated shall be replaced by new CTs and PTs of the Accuracy class given in the Table 3.8.

### 3.4.2. Application for new HT/EHT Connection

- (1) A prospective consumer desirous of obtaining a new electricity connection shall make an application to the distribution Licensee for this purpose on the specified Application Form given in Annexure-III at concerned divisional office, accompanied by non-refundable Registration-cum-Processing fee as given in Table:

Table 3.9: Registration-cum-Processing fee for new HT/EHT Connection

| Description                   | Charges in Rs. |
|-------------------------------|----------------|
| Connection at 11 kV           | 7,500/-        |
| Connection at 33 kV           | 15,000/-       |
| Connection at 132 kV          | 40,000/-       |
| Connection at 220 kV or above | 75,000/-       |

- (2) Specified Application Forms can be obtained free of cost from distribution Licensee's divisional and sub-divisional office or any other office or the same can be downloaded from the official website of the distribution Licensee or even photocopied.
- (3) The applicant may also apply online for new connection on the website of the Licensee.
- (4) The documents required to be submitted along with the Application Form are given below:



**(a) Proof of Ownership or Occupancy**

- (i) The Applicant shall submit self attested copy of any one of the following documents as proof of ownership or occupancy over premises for which the connection is required :
  - a) Sale deed or lease deed (with latest rent receipt issued within three months prior to the date of application) or khasra or khatauni (inclusion of Applicant's name in the khasra or khatauni shall be sufficient for this purpose).
  - b) Registered General Power of attorney.
  - c) Municipal tax receipt or Demand notice or any other related document.
  - d) Letter of allotment.
  - e) An Applicant who is not an owner but an occupier of the premises shall along with any one of the documents listed at a) to d) above also furnish a no objection certificate from owner of the premises.

**(b) Statutory Permissions/Registrations**

- (i) Proof of making application for approval/permission/NOC of the competent authority such as Pollution Control Board, Director of Industries etc., if required under any law/statute.
- (ii) In case of a partnership firm, partnership deed and list of Partners alongwith their certified addresses.
- (iii) In case of a Limited Company, Memorandum of Association, Articles of Association, Certificate of Incorporation and list of Directors alongwith their certified addresses.

**(c) Identity Proof**

- (i) If the Applicant is an individual, copy of any one of following documents shall be furnished as identity proof:
  - a) Aadhar Card

- b) Electoral identity card
  - c) Passport
  - d) Driving license
  - e) Photo ration card
  - f) Photo identity card issued by Government Agency
- (ii) If the applicant is a company, firm, trust, school/college, government department etc., application shall be signed by competent authority like Director, Proprietor, Partner, Branch Manager, Principal, Executive Engineer along with certified copy of relevant resolution/authority letter of the company/institution concerned etc. Such person shall also submit copy of any of the identity proofs mentioned above at (i).
- (d) Undertaking for tentative date on which applicant's works would be completed and ready for energisation.

### **3.4.3. Processing of Application and execution of work by Distribution Licensee**

- (1) On receipt of duly filled Application Form, the authorized officer of the distribution Licensee shall check the Application Form and deficiencies, if any, observed in the application shall be got rectified from the applicant immediately. The authorized officer of the distribution Licensee shall register the application with Unique Application Number/Registration Number and issue a dated acknowledgement of the receipt of application.
- (2) In case of online application, the officer of the Licensee shall check the online application form and if any deficiency is observed, the Licensee shall intimate the same to the Applicant within 2 working days of filing of the application via email & SMS. Thereafter, the consumer shall remove the deficiency within next 3 working days, failing which the application shall stand lapse. On receipt of duly filled online application form the Licensee shall issue an online acknowledgement immediately.
- (3) Subsequent to issuance of acknowledgement, Distribution Licensee shall ascertain whether any dues are outstanding on the premises and, if so, the distribution

Licensee shall issue a demand note within 5 days from date of receipt of Application Form giving full details of such outstanding amount and 15 days time for depositing the same.

Provided that if the applicant does not receive any deficiency note or demand note for the outstanding dues within 5 days from the date of receipt of application, the Licensee shall not deny grant of the connection on this ground.

- (4) The applicant shall be required to deposit outstanding dues within the aforesaid period of 15 days failing which his application shall lapse and the applicant shall be informed accordingly in writing under acknowledgement. In cases where the applicant deposits the outstanding dues within 15 days, the date of receipt of application shall be deemed to be date of deposition of outstanding dues.
- (5) Distribution Licensee shall, within one month from date of receipt of application, study the feasibility of providing such connection including route survey for line and associated works and sanction the load. In case, works related to transmission Licensee at 132 kV or 220 kV are required to be executed, the distribution Licensee shall immediately intimate the transmission Licensee for carrying out such study and take the estimate of works charges from it. The distribution Licensee shall ensure that it informs the applicant, the estimated amount that is required to be deposited, in accordance with Table 3.10, and the date by which the said amount is to be deposited within the said period of one month. The distribution Licensee shall also indicate in the above communication, the approximate time frame for providing such connection, which shall not be more than that specified in these Clause (10) and Clause (11) below or tentative date indicated by consumer in his application, whichever is later.
- (6) All EHT works at 132 kV and 220 kV shall be executed by transmission Licensee. Prior intimation, along with amount of estimated works charges deposited by applicant for such works, to the transmission Licensee would be required to be given by the distribution Licensee sufficiently in advance so as to meet the overall time frame laid down in these Regulations, failing which both the Licensee shall be held responsible for the non-compliance of the Regulations and shall be liable for punitive action. For feeders emanating from its 132 kV/220 kV substations, the

distribution Licensee shall provide an appropriate metering cubicle at such 132 kV/220 kV substation. Transmission Licensee's responsibility shall be limited up to line side isolator of the feeder.

- (7) Within one month after sanction of the load, the applicant shall be required to deposit requisite estimated amount towards works charges depending upon the type and quantum of works required, as per Table 3.10 below:

**Table 3.10: Works Charges for HT/EHT connections**

| Sl. No.                      | Description                                                                                                                                                                                                | Works charge                                            |
|------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| <b>(A) 11 kV connection</b>  |                                                                                                                                                                                                            |                                                         |
| (1)                          | Terminal equipment at consumer end including HT cables, CT, PT, Meter cubicle etc.                                                                                                                         | Rs. 2.0 lakh                                            |
| (2)                          | <b>For independent Feeder:</b> In addition to expenses mentioned at S. No. (1) above - Terminal equipment at sending end including Switch gear, HT cables, CT, PT, Meter cubicle, lightening arrestor etc. | Rs. 6.00 lakh                                           |
| (3)                          | Line Cost                                                                                                                                                                                                  |                                                         |
|                              | (a) Overhead Line cost                                                                                                                                                                                     | Rs. 80,000 per 100 mtrs or part thereof                 |
|                              | (b) Underground Cabling cost                                                                                                                                                                               | Rs. 3.00 lakh per 100 mtrs or part thereof              |
| <b>(B) 33 kV connection</b>  |                                                                                                                                                                                                            |                                                         |
| (1)                          | Terminal equipment including circuit breakers, isolators, lightening arrestors at sending end and EHT cables, CT, PT, Meter cubicle etc. at both ends.                                                     | Rs. 20.00 lakh                                          |
| (2)                          | Line Cost                                                                                                                                                                                                  |                                                         |
|                              | (a) Overhead Line cost                                                                                                                                                                                     | Rs. 1,25,000 per 100 mtrs or part thereof               |
|                              | (b) Underground cabling cost                                                                                                                                                                               | Rs. 5.00 lakh per 100 mtrs or part thereof              |
| <b>(C) 132 kV connection</b> |                                                                                                                                                                                                            |                                                         |
| (1)                          | Terminal equipment including circuit breakers, isolators, lightening arrestors at sending end and EHT cables, CT, PT, Meter cubicle etc. at both ends.                                                     | Based on the estimate prepared by Transmission Licensee |
| (2)                          | Line Cost                                                                                                                                                                                                  |                                                         |
|                              | (a) Single circuit line                                                                                                                                                                                    |                                                         |
|                              | (b) Double circuit line                                                                                                                                                                                    |                                                         |

Table 3.10: Works Charges for HT/EHT connections

| Sl. No.                      | Description                                                                                                                                            | Works charge                                            |
|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
|                              | (c) Underground cabling cost                                                                                                                           |                                                         |
| <b>(D) 220 kV connection</b> |                                                                                                                                                        |                                                         |
| (1)                          | Terminal equipment including circuit breakers, isolators, lightening arrestors at sending end and EHT cables, CT, PT, Meter cubicle etc. at both ends. | Based on the estimate prepared by Transmission Licensee |
| (2)                          | Line Cost                                                                                                                                              |                                                         |
|                              | (a) Single circuit line                                                                                                                                |                                                         |
|                              | (b) Double circuit line                                                                                                                                |                                                         |
|                              | (c) Underground cabling cost                                                                                                                           |                                                         |

- (8) At least 3 months before the beginning of every financial year, the distribution Licensee may submit, if necessary, proposal for revision of charges as per Table 3.10 along with supporting calculations and justification for approval of the Commission. Charges once approved shall remain valid till these are revised by the Commission.
- (9) On receipt of estimated amount of works charges, the distribution Licensee shall initiate execution of the works.
- (10) In cases, where supply of electricity to premises applied for does not require commissioning of new substation / bay, the distribution/transmission Licensee shall ensure completion of HT/EHT works within the time specified in Table 3.11 below for different voltage levels from the date of deposition of amount of work charges by the applicant:

Table 3.11: Time-frame for release of New HT/EHT connection

| Sl. No. | Description                           | No. of days |
|---------|---------------------------------------|-------------|
| (i)     | 11 kV works including line            |             |
| (a)     | not involving independent feeder      | 60 days     |
| (b)     | involving independent feeder          | 90 days     |
| (ii)    | 33 kV works including line            | 180 days    |
| (iii)   | 132 kV and above works including line | 300 days    |

- (11) In cases, where supply of electricity to premises applied for requires commissioning of a new sub-station/bay, the distribution/transmission Licensee shall ensure completion of the works on the new substation/bay. However, the cost of the works pertaining to new substation/bay shall be borne by the respective Licensee (distribution or transmission) and complete the work within the additional time specified below for different sub-stations:

**Table 3.12: Additional time-frame for release of New HT/EHT connection**

| Sl. No. | Description                                     | Number of days |
|---------|-------------------------------------------------|----------------|
| (i)     | New 33/11 kV substation                         | 180 days       |
| (ii)    | Augmentation of existing 33/11 kV substation    | 120 days       |
| (iii)   | Extension of bay at 33/11kV substation          | 45 days        |
| (iv)    | 132 kV and above substation                     | 540 days       |
| (v)     | Extension of bay at 132 kV and above substation | 90 days        |

- (12) Within 5 days of completion of the HT/EHT works, the distribution Licensee shall inform Electrical Inspector to inspect the installation as per Regulation 43 (2) CEA Safety Regulations along with the requisite inspection fee. Electrical Inspector shall inspect the works and either accord his approval for energisation of distribution Licensee's works or intimate the deficiencies therein within fifteen days from date of deposit of inspection fee by distribution Licensee.
- (13) The distribution Licensee shall get all the defects removed pointed out by the Electrical Inspector within 30 days and inform the Electrical Inspector in writing under acknowledgement. The Electrical Inspector shall re-inspect the Licensee's works within 5 days from receipt of such information and grant approval accordingly.
- (14) The applicant shall complete installation of its HT/EHT works as per Regulations and he may simultaneously submit the layout drawings and other details such as ratings of equipment/apparatus proposed to be installed etc., to the office of Electrical Inspector for his approval to avoid delay in getting final clearances. On completion of his works, applicant shall request Electrical Inspector for approval

in prescribed form as per the Regulation 43 (3) CEA Safety Regulations along with requisite inspection fee. Electrical Inspector shall inspect the applicant's works as early as possible but, not later than fifteen days from date of application for inspection. Upon receipt of approval from Electrical Inspector, applicant shall inform the distribution Licensee about completion of his works in work completion report as per Annexure-V (A) alongwith self-attested copy of Electrical Inspector's approval at least two weeks before the time-frame specified at Clause (10) and Clause (11) above or tentative date indicated by applicant in his application, whichever is later.

Provided that if applicant thinks that he would not be able to take supply by the date of energisation initially indicated in his application (as per Clause (4) (d) of Sub-regulation 3.4.2), he may inform, at least two months in advance of this date in writing, to the distribution Licensee, a new date on which he proposes to take the supply which shall now be deemed as tentative date indicated by the applicant. However, this option to extend the date of energisation as above may be exercised only once by the applicant which shall not be more than 1 year from the date of application.

- (15) For LT loads, Linked Switch with fuse or Miniature Circuit Breakers (MCBs)/ELCB/Cut Out and for HT/EHT loads Linked Switch with fuse or Circuit Breakers (CBs) in accordance with Regulation 35 of CEA (Measures relating to Safety and Electric Supply) Regulations, 2010 and amendments thereof, of appropriate rating as well as specifications shall be installed by the applicant.
- (16) The distribution Licensee shall inspect and test the applicant's installation, as required under Regulation 31 of the CEA Safety Regulations, in the presence of the applicant or his representative within two weeks from the date of receipt of the work completion report and copy of Electrical Inspector's approval as mentioned in Clause (14) above. Testing of installation shall be done as per procedure laid down in Regulation 33 of the CEA Safety Regulations and the inspecting officer of the distribution Licensee shall maintain a record of test results obtained in the form given at Annexure-V (B) as required under Regulation 31 of

CEA Safety Regulations. The applicant or his representative shall remain present during the inspection.

- (17) Upon inspection, the distribution Licensee shall verify that all HT and EHT works have been carried out conforming to relevant provisions of the Regulations and all HT and EHT equipment installed at the applicant's premises conforms to relevant BIS and, in absence thereof, other equivalent international standards. Distribution Licensee shall also inspect LT works laid at applicant premises and verify that LT wiring has also been laid as per provisions of the Regulations. Distribution Licensee shall in particular check resistivity of 'Earth system' provided by the applicant at his premises as per Regulation 41 (xv) of the CEA Safety Regulations, 2010 and record the same in his report. Distribution Licensee shall also verify that earth wire of proper size has been laid in the premises and all metal parts of electrical equipment installed at applicant's premises and third pin of three pin sockets are permanently connected to earth as per Regulation 41 (xiv) of the CEA Safety Regulations, 2010. In case the distribution Licensee finds any defect(s), he shall record it in his report in the specified format given as Annexure V (B) and he shall also intimate the same to the applicant or his representative on the spot under proper receipt.
- (18) The applicant shall get all the defects removed within 30 days and inform the distribution Licensee in writing under acknowledgement. In case applicant fails to remove such defects or fails to inform the distribution Licensee about removal of the defects, the application shall stand lapsed and applicant shall have to apply afresh.
- (19) Upon receipt of information from applicant about removal of defects, the distribution Licensee shall re-inspect and test the installations within 5 days from receipt of such information and if the defects pointed out earlier are found to persist, the distribution Licensee shall again record the same in the form given at Annexure-V (B) and hand over a copy of the same to applicant or his representative available on site and the application shall then stand lapsed. If the applicant is aggrieved by this action of the distribution Licensee, he may appeal to the Electrical Inspector, whose verdict in the matter will be final and binding.



- (20) If on inspection/re-inspection of applicant's installation no deficiency is found or the deficiencies are found to have been removed, the distribution Licensee shall, within a period of 15 days from the date of inspection/re-inspection of applicant's installation or the date of approval granted by Electrical Inspector for distribution Licensee's works whichever is later, a demand note is raised by the distribution Licensee, of the final amount to be paid by the applicant for depositing it within a period of 15 days, indicating the following:
- (a) Initial Security Amount @ Rs 1500/kVA of contracted load.
  - (b) Additional/refund of works charges, if any,
    - (i) For connections upto 33 kV - only line cost based on actual line length. Line cost for actual line length shall be calculated as per norms given in Clause (7) above.
    - (ii) For connections above 33 kV - based on actual expenditure for line and terminal equipment.
  - (c) Less Registration-cum-Processing fee charged as per Clause (1) of Sub-regulation 3.4.2 after deducting the taxes applicable at the time of deposition of registration cum processing fee.
  - (d) The Licensee shall also provide the head-wise details of expenditure incurred against the works executed.
- (21) Upon receipt of such amount as indicated in demand note, the distribution Licensee shall, within 7 days, inform the applicant in writing the final date of energisation of applicant's works. Such final date shall not be later than the sum of relevant time frames given above. At the time of energisation of applicant's works, the applicant shall be required to enter into a Supply Agreement in the format given in Annexure-V (C).
- (22) No connection shall be energized without the approval of Electrical Inspector for works in Clause (13) and Clause (14) above and requisite approval/permission/ NOC from the competent authority such as Pollution Control Board, Director of Industries etc., if required under any law/statute.

- (23) For delay in energisation of connection beyond the time frames specified in Clause (10) and Clause (11) above, the duration of delay on account of the reasons attributable to the applicant shall not be considered for calculation of penalty and compensation to be payable by the distribution Licensee.
- (24) Notwithstanding anything contained in the Sub-regulation 3.4.3, if distribution Licensee fails to provide connection to an applicant within the period specified in Clause (10) and Clause (11) above or extended date of energisation as requested by the applicant at Clause (14) above whichever is later, he shall be liable to pay penalty @ Rs. 500/- for each day of default.
- (25) Distribution Licensee shall submit to the Commission monthly division-wise report as per Annexure-VI containing details of number of connections that were not energised within specified period and shall also deposit with it the penalty accrued on account of such defaults.
- (26) Without prejudice to the penalty levied on the Licensee, if the Licensee fails to provide connection to an Applicant within the period specified above, he shall be liable to pay a compensation @ Rs. 500/- to the Applicant for each day of default. Provided that the total amount of compensation shall be limited to the amount deposited by the applicant. The applicant shall be deemed to have commenced taking supply of electricity from distribution Licensee as a consumer, under the conditions specified in the enclosed Supply Agreement, from the final date of energisation intimated by the distribution Licensee as per Clause (21) above. If the applicant fails to commence taking supply of electricity from this date, the applicant shall be liable to pay Fixed/Demand or any other charges as per applicable Rate Schedule for consumers given in the prevailing Tariff Order.
- (27) Apart from the Registration-cum-Processing fee, charges provided in the Table 3.10, initial security amount and the additional cost, if any, based on actual line length/actual expenditure as per Clause (20) above, no other charges such as cost of meter, CT, PT, cable and other terminal equipment etc. shall be payable by the applicant of a new connection.
- (28) The Applicant can opt for constructing the line/sub-station on its own through a Class -1 licensed Contractor subject to the approval of the drawings/design of the

distribution Licensee/transmission Licensee as the case may be with deposition of supervision charges @ 15% of material and labour cost excluding establishment cost. The said supervision charges shall cover following but not limited to -

- (a) Supervision of survey works: Preliminary, detailed, check and contour survey, checking of profiles, tower schedules and route alignments, land schedules etc.
- (b) Checking of soil investigation data.
- (c) Assistance in obtaining various statutory clearances and publication of statutory notifications.
- (d) Checking and approval of drawings, designs, technical specifications of all HT/EHT equipment such as power transformers, switchgears etc., structures, line materials, control protection schemes, cable schedules & approval of vendors.
- (e) Pre-delivery inspection of all HT/EHT equipment and materials at the manufacturers' works.
- (f) Supervision of construction works like foundation and erection of equipment etc.
- (g) Final checking and testing of the equipment.
- (h) Arrangement of line clearances.
- (i) Assistance in the inspection of Electrical Inspectorate/Department of Electricity Safety, GoU.
- (j) Charging of the electrical installations.

### **3.5 Single Point Bulk Supply for Domestic, Non-Domestic and Mixed Load Categories**

- (1) Single Point Bulk Supply connection shall only be allowed for Contracted Load above 75 kW/88 kVA with single point metering for further distribution to the end users. Provided that such users shall not be restricted from applying for individual connections. The person who has taken the single point supply shall be

responsible for all payments of electricity charges to the Licensee and collection from the end users/consumers as per tariff determined for such consumers. The Licensee shall ensure that tariff being charged from end user/consumer does not exceed the approved tariff applicable for Single Point Bulk Supply (SPBS) connection as per Tariff Order issued by the Commission.

- (2) The person who has taken the single point supply shall also be deemed to be an agent of Licensee to undertake distribution of electricity for the premises for which single point supply is given under seventh proviso to Section 14 of the Electricity Act, 2003 and distribution Licensee shall be responsible for compliance of all provisions of the Act, Rules & Regulations thereunder within such area.
- (3) The procedure for release of single point bulk supply connection shall be in accordance with provisions of sub-regulation 3.6 below.

### **3.6 New Electricity Connection in Residential Complex/Non-Residential Complex/Multiplex/Malls/Townships etc. to be constructed by Developer**

[Explanation- Residential Complex/Non-Residential Complex/Multiplex/Malls/Townships etc. means any premises comprising of the following: -

- a) a Building or Buildings having Residential/Commercial units;
  - b) a Common area; and
  - c) any one or more facilities or services such as park, lift, parking space, community hall, common water supply, common lighting facility viz. security/street lights, toilets, watchman room located within a premises and the approval of the layout of such premises may have been granted by an authority under any law for the time being in force.]
- (1) The responsibility alongwith the cost of creating required/adequate distribution network within Residential Complex/Non-Residential Complex/Multiplex/Mall/Townships etc. for various cumulative normative load shall be as follows:-
    - (a) For cumulative normative load above 25 kW and upto 75 kW

From the transformer onwards, i.e. excluding transformer of capacity as determined as per Clause (4) below, as the case may be, and upto the point of connection to the installation of each consumer within such complex, shall be that of the developer/builder/Co-operative Group Housing Society (CGHS) who undertakes construction of such complex. The cost of such transformer including associated accessories and the cost of extending such 11 kV/0.4 kV line from the Licensee's end shall be estimated by the distribution Licensee as per normative charges provided at Table 3.6 of these Regulations, as the case may be, and such cost shall be payable by the developer/builder/CGHS subject to recovery/refund of additional amount on completion of the works.

**(b) For cumulative normative load above 75 kW**

- (i) **For SPBS connection (Metering at HT/EHT)-** From the transformer (including distribution transformer and/or power transformer) installed as per Clause (4) below, as the case may be, and upto the point of connection to the installation of each consumer within such complex, shall be that of the developer/builder/Co-operative Group Housing Society (CGHS) who undertakes construction of such complex. The cost of such transformer including associated protection gear(s) shall be borne by the developer/builder/CGHS. The cost of extending such 220 kV/132 kV/33 kV/11 kV line from the Licensee's end shall be estimated by the distribution Licensee as per charges provided at Table 3.10 of these Regulations, as the case may be, and such cost shall be payable by the developer/builder/CGHS subject to recovery/refund of additional amount on completion of the works.
- (ii) **For Non-SPBS connection-** From the transformer onwards i.e. excluding transformer of capacity as determined as per Clause (4) below, as the case may be, and upto the point of connection to the installation of each consumer within such complex shall be that of the developer/builder/Co-operative Group Housing Society (CGHS) who undertakes construction of such complex. The cost of such transformer

including associated protection gear(s) & accessories and the cost of extending such 220 kV/132 kV/33 kV/11 kV line from the Licensee's end shall be estimated by the distribution Licensee as per actual as the case may be, and such cost shall be payable by the developer/builder/CGHS subject to recovery/refund of additional amount on completion of the works.

Provided that the developer/builder/CGHS shall have the option to extend the LT (in case of extension of LT network)/HT/EHT line network of the Licensee along with transformer and associated equipment on its own through a Licenced contractor, as per estimate prepared by the Licensee, as above, by paying supervision charges to the Licensee at the rate of 15% to be levied on estimated material cost & labour cost excluding the establishment cost. The Licensee shall provide a copy of detailed estimate alongwith the demand note.

- (2) The developer/builder/CGHS shall submit Guaranteed Technical Particulars (GTP)/drawings of electrical network of the premises to the distribution Licensee while applying for load approval as per Clause (4) below and shall be responsible for creating required/adequate distribution network as per CEA Safety Regulations, 2010 issued from time to time within Residential Complex/Non-Residential Complex/Multiplex/Mall/Townships etc.
- (3) The land for construction of sub-station or installation of Power/Distribution Transformers or Poles etc. within the premises shall be provided by such developer to the distribution Licensee, free of cost.
- (4) The cumulative normative load shall be calculated as per details given in Annexure-IV and the total area for calculation of cumulative normative load shall be based on the number of units/apartments/shops/built-up area/constructed area/floors so approved as per plan/layout of the premises issued by the competent authority. The capacity of Power Transformer and/or Distribution Transformer, as the case may be, to be installed within the Residential Complex/Non-Residential Complex, Mall, Multiplex etc. shall be determined by the Licensee.

- (5) Where the developer/builder/CGHS desires to hand over the electrical network/installation within such complex up to the point of connection(s) of individual consumer(s) to the distribution Licensee post completion of the project, in such cases, the developer/builder/CGHS shall pay supervision charge @ 15% of the estimated material cost & labour cost excluding the establishment cost to the distribution Licensee. The above estimate of the existing infrastructure shall be prepared by the distribution Licensee for valuation of assets subject to the network/installation conform to CEA Regulations & Standards. At the time of seeking new connection, the individual user(s) of such complex, shall pay service line charges and initial security deposit only as per tables given in Table 3.4 to Table 3.7 of Clause (11) of Sub-regulation 3.3.3 based on the applicability to the distribution Licensee.
- (6) Where provision of single point bulk supply exists, the individual consumer connected from the network of developer/builder/CGHS within such complex shall be liable to pay the tariff charges applicable for Single Point Bulk Supply (SPBS) connection as per Tariff Order issued by the Commission.

Provided that in the complex where the developer/builder/CGHS is having Single Point Bulk Supply (SPBS) connection used for exclusively domestic purposes, the individual consumer/user within such complex shall not be restricted from seeking individual domestic connection directly from the distribution Licensee. Such connections shall be released preferably through Pre-paid meters either provided by the distribution Licensee or procured by the consumer as per CEA Metering Regulations, utilising the existing infrastructure created by the developer/builder/CGHS. Bills of SPBS connection shall be duly adjusted by the monthly energy consumption of such individual consumer having connection from the Licensee. Further, in case the distribution Licensee takes over the electrical infrastructure of such complex, the responsibility of maintenance of the same shall lie with distribution Licensee and in other cases developer/builder/RWA/CGHS shall be responsible for the maintenance.

### 3.7 Withdrawal/Lapse of Application

- (1) If a person, after applying for connection, withdraws his application or refuses to take supply or his application lapses, the Registration-cum-Processing fee & Tatkal Charges, if any, shall be forfeited and the amount deposited by the applicant towards charges as per Table 3.4 to 3.7 of Clause (11) of Sub-regulation 3.3.3 and Table 3.10 of Clause (7) of Sub-regulation 3.4.3 will be refunded as specified in Table 3.13 below:

**Table 3.13: Refund applicable for Withdrawal/Lapse of Application**

|   |                                                                                         |                              |
|---|-----------------------------------------------------------------------------------------|------------------------------|
| 1 | In case the work execution has not commenced by the distribution Licensee by that time. | Full amount may be refunded. |
| 2 | Where less than 50% work has been executed.                                             | 50% amount may be refunded.  |
| 3 | Where more than 50% and upto 75% work has been executed.                                | 25% amount may be refunded.  |
| 4 | Where more than 75% work has been executed.                                             | Nil                          |

Provided that for LT/HT/EHT connections, full security amount deposited by the applicant shall be refunded.

Provided further that for Temporary LT/HT/EHT connections, full consumption security deposited by the Applicant shall be refunded. However, in case no work has been started, material security deposited by the Applicant shall be refunded in full and in rest of the cases, material security shall be refunded after deducting any damage to material (such as meter, transformer, isolator etc.) if any, and dismantling charges which shall be 10% of the material security.

- (2) The refund shall be made by distribution Licensee within 30 days of the receipt of withdrawal/refusal letter/lapse of application, beyond which interest shall be payable at the Bank rate.



## CHAPTER 4: EXISTING CONNECTIONS

### 4.1 Procedure for Enhancement / Reduction in Contracted Load

#### 4.1.1 General

- (1) No enhancement/reduction in load shall be allowed in case of temporary connection. In case a temporary connection holder desires to enhance/reduce the load, he shall surrender the existing temporary connection and apply a fresh.
- (2) Consumer holding a permanent connection can enhance their contracted load anytime, however, reduction of contracted load shall be permitted only once in a financial year.
- (3) The consumer seeking enhancement/reduction in load at same voltage level shall apply to the distribution Licensee in the form given at **Annexure-VII** which shall be made available free of cost at Licensee's sub-division/division or any other office alongwith the proof of payment of the latest bill. The form can also be downloaded from the Licensee's website or even photocopied.
- (4) The consumer seeking enhancement/reduction in load at voltage level other than the existing voltage level, in such cases the consumer shall apply to the distribution Licensee in the form given at **Annexure-II** for new LT Connection or **Annexure-III** for new HT/EHT Connection which shall be made available free of cost at Licensee's sub-division/division or any other office. The form can also be downloaded from the Licensee's website or even photocopied. On receipt of duly filled application form alongwith the proof of latest paid bill from the consumer, the Licensee shall process the application as per the Regulations applicable for New Connection duly adjusting the initial security amount and depreciated cost of the received back material from the site if the same is reusable by the distribution Licensee.

Provided that for cases where there is change in voltage from LT to HT and vice-versa and existing installed transformer of the consumer is not dismantled for the purpose of load enhancement/reduction, in such cases the charges of the transformer deposited by the consumer shall not be adjusted.

- (5) The consumer may apply online for enhancement/reduction of load on the website of the Licensee. In case of online application, the officer of the Licensee shall check the online application form and if any deficiency is observed, the Licensee shall intimate the same to the Applicant within 2 working days of filing of the application via email & SMS. Thereafter, the consumer shall remove the deficiency within next 3 working days, failing which the application shall stand lapsed. On receipt of duly filled online application form, the Licensee shall issue an online acknowledgement immediately.
- (6) The procedure and conditions for grant of new connection as specified in Sub-regulation 3.3.1 to Sub-regulation 3.3.3 for LT connections and Sub-regulation 3.4.1 to Sub-regulation 3.4.3 for HT/EHT connections shall be followed for enhancement/reduction of contracted load and the penalty payable by the distribution Licensee for delay in effecting enhancement/reduction of contracted load shall be payable @ Rs. 100 for each day of default for LT consumer and @ Rs. 500 for each day of default for HT/EHT consumer subject to maximum of Rs 1,00,000.
- (7) Without prejudice to the penalty levied on the Licensee, if the Licensee fails to enhance/reduce the contracted load of a consumer within the period specified above, he shall be liable to pay a compensation @ Rs 50 per day of default to the consumer subject to maximum of Rs 50,000.
- (8) Subject to the procedures and completion of formalities as per Sub-regulation 3.3.1 to Sub-regulation 3.3.3 for LT connections and Sub-regulation 3.4.1 to Sub-regulation 3.4.3 for HT/EHT connections of these Regulations, the distribution Licensee shall complete the works as per timelines specified in these Regulations. However, if enhancement/reduction of load does not require any alteration of line/substation works the contracted load shall be enhanced/reduced within 30 days for HT/EHT connection and within 15 days for LT connection from the date of submission of application.
- (9) A consumer seeking enhancement in load shall pay initial security for enhanced load after duly adjusting the amount of security for existing load and transformer charges as the case may be as mentioned below:

**(a) For LT consumers (Load upto 75 kW)**

- (i) In case of total load after enhancement is upto 25 kW and where augmentation or replacement of existing service line/overhead or underground line/equipment etc. is required at the same voltage level, then the consumer shall pay charges for service line only as per Table 3.4, Table 3.5 & Table 3.7 of Clause (11) of Sub-regulation 3.3.3. Whereas, the Licensee shall augment/replace the existing overhead or underground line/equipment upto the existing distributing main at its own cost, if required.
- (ii) In case of total load after enhancement is above 25 kW and upto 75 kW and where augmentation or replacement of service line/overhead or underground line/equipment etc. is required at the same voltage level, then the consumer shall pay charges for service line, overhead or underground line charges and transformer (63 kVA or 100 kVA as the case may be) as per Table 3.6 of Clause (11) of Sub-regulation 3.3.3. Whereas, the Licensee shall augment/replace the existing overhead or underground line/equipment at 11 kV upto the existing 11 kV distributing main at its own cost, if required.

**(b) For HT/EHT consumers (Load above 75 kW)**

- (i) In case of independent feeder, where augmentation or replacement of existing overhead or underground line/equipment etc. is required at the same voltage level, the work charges for the overhead or underground line/terminal equipment shall be paid by the consumer as per Table 3.10 of Clause (7) of Sub-regulation 3.4.3, if required.
- (ii) In case of non-independent feeder, where augmentation or replacement of existing overhead or underground line/equipment etc. is required at the same voltage level, then the consumer shall pay the work charges for the terminal equipment as per Table 3.10 of Clause (7) of Sub-regulation 3.4.3, if required. Whereas, the Licensee shall augment/replace the overhead or underground line at its own cost.

- (10) A consumer seeking reduction in load, in case requires replacement of existing equipment, then the consumer shall pay the work charges for the equipment as per Table 3.6 of Clause (11) of Sub-regulation 3.3.3 and Table 3.10 of Clause (7) of Sub-regulation 3.4.3 as the case may be and the difference between security deposit required for the reduced load and that already deposited shall be adjusted in the bills within the next three billing cycles or within 6 months whichever is earlier.
- (11) The work charges for dismantling old terminal equipment and installing new equipment in case of enhancement of contracted load as specified in Clause (9) (b) above or reduction of contracted load for HT/EHT consumers shall be payable based on the estimated cost of new equipment and labour charges. Such labour charges shall be limited to 10% of the cost of new equipment.

Provided that the overall work charges chargeable from the consumer shall not exceed the charges specified in Table 3.10 of Clause (7) of Sub-regulation 3.4.3 as the case may be, and such charges shall be reduced by the depreciated cost of the equipment removed, if their cost has been borne by the consumer and they are re-usable by Licensee.

Provided further that the adjustment for these charges shall be done in the demand note issued as per Clause (20) of Sub-regulation 3.4.3.

- (12) While considering the request for load reduction, the Licensee shall first verify the said consumer's actual consumption profile. In case the actual consumption pattern indicates that the load actually utilized in the past four months is higher than that being demanded, reduction so sought shall not be permitted and the Applicant shall be informed accordingly. Example:

**For installations where Electronic meter with MDI has been installed:**

|                                          |                   |
|------------------------------------------|-------------------|
| <i>Load Category</i>                     | <i>Industrial</i> |
| <i>Sanctioned Load</i>                   | 50 kVA            |
| <i>Load Reduction Requested</i>          | 35 kVA            |
| <i>Max. demand during last 04 months</i> | 40 kVA            |

*Since Max Demand during last 04 months as indicated by MDI was higher than requested reduced load, request not to be acceded to.*

**For Installations where meters do not have MDI**

|                                                |                          |
|------------------------------------------------|--------------------------|
| Load category                                  | Domestic                 |
| Sanctioned load                                | 7 kW                     |
| Load reduction requested                       | 4 kW                     |
| Max. Monthly consumption during last 04 months | 600 kWh                  |
| Normative consumption for domestic category*   | 100 kWh/kW               |
| Load calculated on normative consumption       | $600/100 = 6 \text{ kW}$ |

*Since the load calculated on normative consumption basis during last 04 months is higher than the load reduction requested, the request for load reduction should not be acceded to.*

*\* Normative consumption as indicated for provisional billing in the tariff order.*

Provided that once reduction in load has been allowed based on actual load/consumption profile for last 04 months, the enhancement of load if required in future shall be allowed only after 06 months from the date of such reduction.

In case the enhancement/reduction in load requires change in supply type from LT to HT/EHT or vice-versa, the provisions of relevant regulations shall be applicable depending upon the nature of enhanced/reduced load.

- (13) Consumer having contracted load at 0.4 kV or 11 kV or 33 kV, violates the contracted demand and such violation in load falls in the ambit of higher voltage level, the consumer shall be liable to pay the maximum demand violation charges, however, if such violation is within the limit of 10% of the contracted load, the Licensee shall not compel the consumer for augmenting the supply voltage.

## **4.2 Additional Security Deposit**

- (1) Balance of Security Deposit as on 31<sup>st</sup> March of the previous year shall be 'Existing Security Deposit'. Consumer is required to maintain a sum equivalent of estimated average consumption of 'N'+1 months of previous financial year or the existing security deposit with the Licensee, whichever is higher, as security deposit ('Required Security Deposit') towards any delay or default in payment. Here 'N' is the number of months in a Billing cycle approved in the Tariff Order applicable for preceding year.

- (2) The Licensee shall review the consumption pattern of the consumer for the adequacy of the security deposit from April to March of the previous year. Excess of Required Security Deposit over Existing Security Deposit shall be Additional Security Deposit. Assessment of Additional Security Deposit shall be done once a year in the month of April and the same shall be reflected in the next bill. Such reflected amount shall be deposited by the consumer through Cash/DD/RTGS/NEFT or any other electronic mode accepted by distribution Licensee.
- (3) Where the Additional Security Deposit is upto 10% of the Existing Security Deposit, no claim shall be made for payment of Additional Security Deposit. Interest accrued on the Existing Security Deposit upto 31<sup>st</sup> March of the previous year shall be added to the Existing Security Deposit and shall become the Existing Security Deposit for the current year.
- (4) Where the Additional Security Deposit is more than 10% of the Existing Security Deposit, Interest accrued on the Existing Security Deposit upto 31<sup>st</sup> March of the previous year shall be added to the Existing Security Deposit and Demand for remaining amount of Additional Security Deposit shall be raised on to the consumer.
- (5) Where Existing Security Deposit computed as per Clause (1) above is found to be equal to or greater than the Required Security Deposit, the interest accrued on the Existing Security Deposit upto 31<sup>st</sup> March of the previous year shall be refunded to the consumer through adjustment in his electricity bill upto 31<sup>st</sup> July of current year.
- (6) The security deposit available with the Licensee in respect of each consumer shall be shown in the bill issued to the consumer.
- (7) Additional Security Deposit amount shall be shown as a separate entry in the bill particulars/parameters. Any default in payment of dues on account of Additional Security Deposit shall be treated as non-payment of Licensee's dues and shall be dealt as per Regulation 6.1 of these Regulations. No late payment

surcharge/delayed payment surcharge shall be applicable on the unpaid dues of Additional Security Deposit.

### 4.3 Transfer of Connection

Transfer/shifting of connection shall not be allowed from one premises to another and in such cases, the existing connection shall be permanently disconnected and a separate new connection shall be released for the new premises as per provisions of these Regulations.

Licensee shall deal with the application relating to transfer of connection in the same premises as specified below:

#### 4.3.1 Change of consumer's name due to change in ownership/occupancy of property

- (1) The applicant shall apply for change of consumer's name in the format specified at Annexure-VII of these Regulations along with copy of latest bill duly paid. The application shall be accepted on showing proof of lawful ownership/occupancy of property. NOC from previous occupant of the premises/certificate of merger/demerger from appropriate authority in case of firms/companies shall be required for cases involving transfer of security deposit in the name of applicant. The change of consumer's name shall be effected within two months after acceptance of application. Subsequent to this, the Licensee shall inform the applicant regarding the change in name through email/mobile or any other electronic medium. Any old dues on the property shall be payable by new consumer subject to the provisions of Section 56 (2) of the Act.
- (2) In case NOC from the previous occupant is not submitted, application for change of name shall be entertained only if security deposit as stipulated in these Regulations is paid afresh. However, the original security deposit alongwith interest shall be refunded to the claimant as and when a claim is preferred by the concerned.
- (3) If the change of consumer's name is not effected within the said two months, compensation as specified in UERC (Standards of Performance) Regulations, 2007 as amended from time to time shall be paid by the Licensee.

### 4.3.2 Transfer of consumer's name to legal heir:

- (1) The applicant shall apply for change of consumer's name in the format specified at Annexure-VII to these Regulations with a copy of latest bill duly paid. The application shall be accepted on showing valid proof of legal heirship like Registered Will, Succession Certificate, Mutation in municipal/land records etc. The change of consumer's name shall be effected within two months after acceptance of application. Subsequent to this, the Licensee shall inform the applicant regarding the transfer of name through email/mobile or any other electronic medium. Any old dues on the property shall be payable by new consumer subject to the provisions of Section 56 (2) of the Act.
- (2) If the change of consumer's name is not effected within the said two months, compensation as specified in UERC (Standards of Performance) Regulations, 2007 as amended from time to time shall be paid by the Licensee.

### 4.4 Change of category

- (1) The applicant shall apply for change of category on the format specified at Annexure-VII alongwith due adjustment of charges for new category as specified in these Regulations.
- (2) In case sanction of new category is not permitted under any law in force, the Licensee shall inform the consumer within 10 days from the date of application.
- (3) The Licensee shall inspect the premises within 5 days from date of receipt of Application Form to verify and shall change the category within two months from the date of receipt of Application Form. Subsequent to this, the Licensee shall inform the applicant regarding the change of category through email/mobile or any other electronic medium.
- (4) Change of category shall be effective from the date of approval of the application. Billing under changed category shall commence from the date of approval of the application. If the category is not changed within the period specified as Clause (3) above, the consumer shall not be liable for any action on account of unauthorised use of electricity from the date of receipt of application, and for such



default, compensation for the same shall be paid to him as provided in UERC (Standards of Performance) Regulations, 2007 as amended from time to time.

- (5) No change in category shall be allowed for PTW connections and no connection for any other category shall be released from the feeder dedicated for PTW connection(s).

## CHAPTER 5: METERING AND BILLING

### 5.1 Metering

#### 5.1.1 General

- (1) No installation shall be serviced without a meter. All meters shall conform to requirements as laid down in the Central Electricity Authority (Installation & Operation of Meters) Regulations, 2006/Metering Communication and Data Acquisition Requirements (MCDAR) as per UERC (State Grid Code) Regulations, 2016 as amended from time to time. Any changes in the MCDAR shall be based on the recommendations of the MCDAR Committee with the Approval of the Commission.

Provided that the recommendation of MCDAR Committee shall be in conformity to the CEA (Installation & Operation of Meters) Regulations, 2006 & amendments thereof and statutory reports/documents/Rules in this regard.

- (2) The Licensee shall use meters complying with the CEA Regulations referred at (1) above for energizing a new connection or for replacement of meter. The consumer, if he so desires, may procure meter conforming to the CEA regulations referred in (1) above as per list of Make & specifications approved by the Licensee but the Licensee shall test, install and seal the meter.
- (3) Licensee shall have the option of installing the meter at the consumer's premises or outside the premises such as on pole/boundary of premises etc. Where meter has been installed outside the consumer's premises, the responsibility of safe custody of metering unit shall lie with the Licensee. Where meter has been installed at the consumer's premises, the responsibility of keeping the meter under safe custody shall lie with the consumer.

Provided that where the Licensee installs the meter outside the premises of the consumer, then the Licensee shall provide real time display unit/home display unit at the consumer premises on the request of the consumer on chargeable basis at the rates determined by the Commission from time to time in its Orders, for his information to indicate the electricity consumed by the consumer. Provided further that for the billing purpose, reading of consumer meter and not the display

unit shall be taken into account.

- (4) The consumer shall provide suitable and adequate space for installation of the meter, either at entry point or outside the premises, in such a manner that it is always accessible to the Licensee or his representatives without the need of meter reader to get the premises unlocked or opened for this purpose.
- (5) In the case of multi-storey buildings, the meters shall be fixed preferably on the ground floor having proper ventilation and adequate illumination.
- (6) It shall be the responsibility of Licensee to maintain the meter and keep it in working order at all times.
- (7) Initial installation and replacement of the meter shall be done by the Licensee in presence of the consumer or his authorised representative after giving one week's notice. At the time of Initial installation and replacement the Licensee shall record the particulars of meter in the Sealing certificate (1st copy) which shall be jointly signed by the Licensee and the consumer, the same shall be kept in master file of the consumer. 2nd copy of the sealing certificate shall be issued to the consumer at the time of installation of the meter under proper receipt. 3<sup>rd</sup> and 4<sup>th</sup> copy of sealing certificate shall be submitted to the concerned sub-divisional/ divisional office. The meter seals shall be in accordance with Regulation (12) of Central Electricity Authority (Installation & Operation of Meters) Regulations, 2006 as amended from time to time.
- (8) For effective metering and subsequent activities, the Licensee shall ensure proper functioning of its systems (including Hardwares & Softwares) placed at various field offices alongwith online connectivity of its all field offices through the reliable internet services. Further, the Licensee shall also ensure the uptime/availability of its online services at least 95% during working hours in a month and this concern should be taken care by the Licensee while executing the Service level agreement with the Internet Service Providers.

### 5.1.2 Reading of meters

- (1) The meter shall be read once in every billing cycle. The meter reading shall be read/recorded only by the person duly authorized by the Licensee for this purpose.
- (2) The Licensee shall issue proper photo identity cards to all meter readers and meter readers shall carry the photo identity card during the course of meter reading.
- (3) Licensee shall ensure that meter readings are regularly read through Spot Billing Machine (SBM) or any other latest device and bills shall be issued at the spot and uploading of the bill shall be ensured within 3 days of bill generation for geographically plain areas and 5 days for Hilly areas. Where Automatic Meter Reading (AMR)/Advanced Metering Infrastructure (AMI) based metering system is installed, the Licensee shall upload the bill on its website on the same day of bill generation.
- (4) Where the meter is within the consumer's premises, the consumer shall extend all facilities to the Licensee to read the meter.
- (5) Time of Day (ToD) meters, wherever installed shall be read only through Meter Reading Instrument (MRI). It shall be the duty of Licensee's official to read the meter and check condition of LEDs on electronic meters. In case Earth Leakage (E/L) LED indicator, provided on electronic meters, is found 'ON' he shall inform the consumer that there is leakage in the premises and advise him to get his wiring checked and leakage removed. He shall also inform concerned officer of the Licensee about the leakage.
- (6) Where meters could not be read because of non-availability (NA) of any consumer, Licensee may raise a provisional bill based on the last one year's average consumption of the consumer clearly showing the date when the meter reader went to the consumer's premises to take the meter reading and reason for not being able to do so. All such bills shall be suitably adjusted as and when such meters are read. Such provisional billing shall not continue for more than 2 billing cycles continuously and thereafter no provisional bills shall be raised.

- (7) If the meter is rendered inaccessible on two consecutive meter reading dates, the Licensee shall serve a 15 days clear notice to the consumer under proper receipt, to keep the premises open for taking meter reading on date & time indicated in the notice. If the consumer does not comply with the notice, the Licensee shall after expiry of the notice period cut off supply of the consumer for so long as such refusal or failure continues.
- (8) When a consumer gives prior information in writing about inaccessibility of the meter to the Licensee due to continued absence from premises, the Licensee shall not send any notice/provisional bill to the consumer provided the consumer deposits in advance an amount sufficient to meet its payment obligations during the period of absence. The Licensee shall adjust such deposited amount against the electricity dues after each billing cycle. This facility shall be available to any consumer if he so wishes and for deposition of the advance amount the consumer can apply to the Licensee in the format specified at Annexure-IX to the Regulations.
- (9) If the consumer desires to have special reading taken, the same shall be arranged by the Licensee on payment of charges as per the miscellaneous charges in the applicable Tariff Order.
- (10) Licensee shall ensure that no new case of Not Read (NR) shall be added to its billing data base. The Licensee is required to make necessary changes in its billing software for identification and highlight such cases of provisional billing for more than 2 billing cycles continuously to the higher authorities.
- (11) Wherever Global System of Mobile (GSM)/General Packet Radio Service (GPRS)/Advanced Metering Infrastructure (AMI) based Automatic meter reading are done, the Licensee shall physically verify the reading of such consumers in a gap of not more than six months.

### 5.1.3 Testing of meters

- (1) The meter test labs of the Licensee shall be NABL accredited or it shall utilise the services of other accredited testing labs till its labs get NABL accredited.
- (2) All the meter test labs shall have CCTV surveillance system.

- (3) The Licensee shall conduct periodical inspection/testing and calibration of the meters, in the following manner:

Periodicity of meter tests - The Licensee shall observe following time schedule for regular meter testing as per Table 5.1 below:

**Table: 5.1 Periodicity of Meter Tests**

| Category                | Interval of Testing |
|-------------------------|---------------------|
| Bulk Supply Meters (HT) | 1 Year              |
| LT Meters               | 5 Years             |

CT ratio and accuracy of CT/PT, wherever applicable, shall also be tested along with meter.

Provided that periodicity of testing of meters installed at PTW connections shall be atleast once in 2 years.

- (4) If the consumer disputes the accuracy of the meter, he may, upon giving notice/complaint to that effect and paying prescribed testing fee as per charges given in the prevailing Tariff Order, have the meter tested by the Licensee.

If, after testing, the meter is found to be defective or recording incorrectly or damaged due to technical reasons, attributable to the Licensee then the fee deposited for meter testing will be refunded by adjustment in the electricity bills. In case, the meter is found to be correct then the Licensee will not refund such fee.

- (5) The Licensee shall, within 30 days of receiving the complaint, carry out testing of the meter as per the procedure specified in these regulations and shall furnish duly authenticated test results to the consumer. The consumer shall be informed of proposed date and time of testing at least 2 days in advance.

Provided that where the Licensee is installing a test/check meter alongwith the meter under test for verification of energy consumption, in such cases the Licensee shall be required to provide a copy of the valid test report of such test/check meter to the consumer before initiating the testing.

- (6) The meter testing team of the Licensee shall ensure testing with resistive load of sufficient capacity to carry out the testing. The testing of meter shall be done for a minimum consumption of 1 kWh. Suitable Scanner shall be used for counting the pulses. The meter testing report shall be in the format given in Annexure-VIII.
- (7) In case a consumer is not satisfied with the testing of the installed meter or the meter cannot be tested by the Licensee at site then the meter will be removed and packed for testing in the laboratory in tamper proof special meter sealing kit bag to be arranged by the Licensee and another duly tested meter in an accredited test laboratory will be installed at the premises of such consumer. In the event, the Licensee or the consumer apprehends tampering of meter and/or its seals then the Licensee and the consumer will jointly seal the packing containing the meter. The seals will be broken and testing undertaken in the laboratory in the presence of the consumer, if he so desires.
- (8) The Licensee shall ensure the videography covering the various stages such as existing condition of meter, process of meter removal, sealing in tamper proof special meter sealing kit bag at consumer premises and opening of the special meter sealing kit bag at test lab including fixing of meter on the test bench, opening of the meter parts and dismantling of meter. The tamper proof special meter sealing kit bags are to be arranged by the Licensee within six months of applicability of these Regulations in each sub-division of the Licensee.
- (9) In case of testing of a meter, removed from the consumer premises for the purpose of testing in the Licensee's laboratory, the consumer would be informed of the date of testing in advance.
- (10) When the meter is found to be:
  - (a) fast beyond limits specified by Bureau of Indian Standards (BIS), the Licensee shall replace/rectify the defective meter within 15 days of testing. The Licensee shall adjust/refund the excess amount collected on account of the said defect, based on percentage error, for a maximum period of 12 months or less depending on period of installation of meter or previous testing date prior to the date of consumer's complaint and up to the date on

which defective meter is replaced/rectified;

- (b) slow beyond permissible limits, as specified by Bureau of Indian Standards (BIS), and the consumer does not dispute the accuracy of the test, the Licensee shall replace/rectify the defective meter within 15 days of testing. The consumer shall pay the difference due to the defect in the meter at normal rates, based on percentage error, for a maximum period of not more than 12 months or less depending on period of installation of meter or previous testing date prior to date of test and up to the date on which defective meter is replaced/rectified.
- (11) Wherever the testing of meter is being done, signature of the consumer, or his authorized representative, if present, would be obtained on the Test Report and a copy thereof shall be supplied to the consumer.
- (12) If the consumer or his representative disputes or refuses to sign the test report, the defective meter shall not be replaced and the matter shall be decided either (a) upon the application of consumer, by CGRF or Electrical Inspector or any authorized third party, who shall test the correctness of the meter and give results within one month; or (b) upon the application of Licensee, by Electrical Inspector or any authorized third party, who shall test the correctness of the meter and give results within one month.

The decision of the Electrical Inspector or CGRF or such authorized third party, as the case may be, shall be final and binding on the Licensee as well as the consumer. The Licensee shall keep record of all such meter tests and submit to the Commission the exception reports in every 6 months.

#### 5.1.4 Meter not recording

- (1) If the meter is not displaying/not recording/stuck as reported by the consumer, the Licensee shall check the meter within 30 days of receipt of complaint and if found not displaying/not recording/stuck or identified as defective (IDF), the meter shall be replaced by the Licensee within 15 days thereafter.
- (2) Where the Licensee observes that meter is not recording any consumption for the last one billing cycle or appears defective (ADF), he shall notify the consumer



through email, SMS etc. Thereafter, the Licensee shall check the meter within 30 days and if the meter is found stuck/stopped/defective, the meter shall be replaced within 15 days.

- (3) Where the Licensee observes that current reading is lower than the previous reading (RDF), which is possibly due to current reading being less than actual, or previous reading be higher than actual or old meter having been replaced with new meter. Licensee shall investigate the matter within 30 days and meters found defective shall be replaced within 15 days else correction shall be made in the data base to set his record straight.

### 5.1.5 Burnt meter

- (1) In case the meter is found burnt upon inspection by the Licensee on consumer's complaint or otherwise, the Licensee shall restore the connection within 6 hours of receiving the complaint by bypassing the burnt meter after ensuring that necessary corrective action at site is taken to avoid future damage. New meter shall be provided by the Licensee within 3 days.
- (2) The Licensee shall get the burnt meter removed from site/consumer's premises and test the same. If it is established, based on test results, that meter got burnt due to technical reasons e.g. voltage fluctuation, transients etc. attributable to system constraints, the Licensee shall bear the cost of meter.
- (3) In case upon inspection of the consumer's installation and subsequent testing of the meter, if it is established that meter got burnt due to causes attributable to the consumer e.g. tampering, defect in consumer's installation, connection of unauthorised load by the consumer etc. the consumer shall pay for the cost of new meter and appropriate action, if required, under the provisions of the Act shall be initiated by the Licensee.
- (4) In case the meter is found burnt and there is reason to believe that an official of the Licensee gave a direct connection, pending replacement of meter, a case of theft of energy shall not be booked. Consumer's complaint for replacement of burnt meter or the complaint regarding disruption in supply of energy shall be considered sufficient for this purpose.

### 5.1.6 Stolen meter

- (1) In case, where a meter installed at a consumer's premises is reported as stolen and the FIR to this effect has been lodged by the consumer, supply of electricity shall immediately be restored by the Licensee at consumer's request by installing another tested meter and the cost of the meter shall be borne by the consumer.
- (2) In case where a meter installed outside the consumer's premises is reported as stolen, FIR to this effect shall be lodged by the Licensee and supply of electricity shall be immediately restored by the Licensee by installing another tested meter and the cost of the meter shall be borne by the Licensee.
- (3) In above cases, electricity charges for the period for which the meter was not available shall be assessed on the basis of average consumption of last three billing cycles.
- (4) If it is established by the Licensee that the loss of meter was due to a deliberate act of the consumer, appropriate action under the provisions of the Act shall be initiated by the Licensee.

### 5.1.7 Billing during the period defective/stuck/stopped/burnt meter remained at site or Stolen meter

- (1) The consumer shall be billed on the basis of the average consumption of the past three billing cycles immediately preceding the date of the meter being found or being reported defective/stuck/stopped/burnt/stolen. These Charges shall be leviable for a maximum period of 2 billing cycle during which time the Licensee is expected to have replaced the defective meter.
- (2) The Maximum Demand charges shall be calculated based on maximum demand during corresponding months/billing cycle of previous year, when the meter was functional and recording correctly. In case, the recorded MDI of corresponding month/billing cycle of past year is also not available, the highest maximum demand as available for lesser period shall be considered.

## 5.2 Billing

### 5.2.1 General

- (1) The Licensee shall notify Billing and Payment Schedule area wise, District wise, Division/subdivision wise or Circle wise as may be decided by the Licensee.
- (2) The Licensee shall raise the bill for every billing cycle based on actual meter readings.
- (3) The billing cycles for various categories of consumers shall be as per prevailing Tariff Order.
- (4) The bills shall be generated in accordance with the billing cycles. The bills shall be delivered to the consumers immediately in case of spot billing and the Licensee shall upload the bill on its website within 5 days of bill generation for Hilly areas and 3 days for geographically Plain areas. In case of AMR/AMI based metering system, the bill shall be uploaded on the same day of bill generation.
- (5) The Licensee shall also inform the consumer about issuance of the bill and its payment due date via SMS or email, as the case may be.
- (6) The due date of payment of bill shall be atleast 15 days from the Bill Date.
- (7) Provisional billing (NA/NR/IDF/ADF/RDF billing based on average consumption) shall not be for more than two billing cycles. In case meter is rendered inaccessible for two consecutive billing cycles, action as per Clause (7) of Sub-regulation 5.1.2 shall be enforced.
- (8) The Licensee shall have no right to recover any charges beyond 2 years from the date such charges first became due unless such charges have been continuously shown as arrears in the bill.
- (9) Licensee shall provide complete details of all kind of arrears in the bill.
- (10) The payment may be made at the designated bill collection centers of the Licensee during specified time or online payment mechanisms or by any other scheme notified by the Licensee for acceptance of bill payment from time to time.

- (11) Where the payment is made through cheque and the same is dishonored, the Licensee shall inform the consumer and require him to pay the bill within 5 working days in cash or through RTGS/NEFT/Demand Draft only (except Government consumers). The consumer shall be liable to pay the late payment surcharge, as applicable, as well as a charge on account of the dishonour of the cheque. If there is one instance of dishonour of cheques of a consumer in a financial year, the consumer shall be required to make all subsequent payments in cash, online or through RTGS/NEFT/Demand Draft for the next six months (except Government consumers).

### 5.2.2 Bill Particulars

The following particulars shall be indicated in the bill:

- (1) Consumer name and address;
- (2) Service Connection No - This is the unique consumer identification number, which can be referred to for any communication;
- (3) Account No. - This is the unique number of each consumer which can be referred to for any communication;
- (4) Name of office of distribution Licensee having jurisdiction over the supply;
- (5) Book No. - Meter book no. is the book wherein the consumers meter reading details taken during the meter reading cycle is noted down/compiled in soft form;
- (6) Bill Number & Bill Date;
- (7) Bill Month and Bill Period;
- (8) Bill Basis - Provisional or Metered Unit (MU);
- (9) Meter Number;
- (10) Meter type and make;
- (11) Multiplying factor of meter;
- (12) Consumer Category;
- (13) Applicable tariff;

- (14) Bill-cum-disconnection notice;
- (15) Current Security deposit with the Licensee and details of additional security required;
- (16) Contracted Load (kW/kVA/HP);
- (17) Maximum demand during the billing period (kW/kVA/HP) (only for categories specified in tariff order issued from time to time);
- (18) Fixed charge/Demand Charge (kW/kVA/HP);
- (19) Energy Import and Export details for consumers with net-metering;
- (20) Meter Reading of previous billing cycle. In case of TOD meter, readings of each time slot shall be mentioned separately and date of reading;
- (21) Current Meter Reading. In case of TOD meter, readings of each time slot shall be mentioned separately and date of reading;
- (22) Billed Units. This shows the total units consumed for the particular billing cycle. In case of TOD meter, billed units for each time slot shall be mentioned separately;
- (23) Energy charge. In case of TOD meter, energy charges for each time slot shall be mentioned separately;
- (24) Electricity Duty, Green Energy Cess, GST (if applicable) or any other Cess or Duty imposed by the Govt.;
- (25) Fuel Charge Adjustment (FCA) charges;
- (26) Voltage Supply Rebate and Voltage Supply Surcharge details;
- (27) Low Power Factor Surcharge;
- (28) Excess off-season load denial of benefit plus surcharge;
- (29) Extra charges for temporary connection as per Tariff order issued from time to time;
- (30) Additional Surcharge and Additional Rebate;
- (31) Solar Water Heater Rebate;
- (32) Miscellaneous Charges;

- (33) Open access energy details;
- (34) Arrear amount;
- (35) Arrear Details - indicating period for which arrears are due, energy charges, fixed/demand charges, LPSC, electricity duty etc.;
- (36) Amount payable (rounded off) on or before the due date- net amount to be paid on or before the due date;
- (37) Due Date i.e. 15 clear days from the Bill date including last date before which the bill has to be paid;
- (38) Late Payment Surcharge - it is the fee that is charged in case the payment is not made within the due date/amount payable after due date;
- (39) Amount payable (rounded off) after the due date- net amount to be paid after the due date;
- (40) Compensation to the consumer, if any;
- (41) Previous Consumption Pattern (Bill Month, Units, Status)- This shows the consumption pattern for last 6 months;
- (42) Last Payment Details;
- (43) Other information as applicable to kVAh billing and HT consumers to be appropriately added and unrelated items to be deleted;
- (44) Any other information which the Licensee deems fit;
- (45) Meter Remark- This indicates the meter status.

The following particulars shall be printed at the back of the bill:

- (1) Mode of payment and collection facilities;
- (2) Telephone no./Toll free no. and address of the Customer Care Centre where the consumer can register its complaint;
- (3) Telephone numbers and address of the Consumer Grievance Redressal Forum (CGRF) constituted;

- (4) Telephone number and Address of Ombudsman (any consumer can approach ombudsman only in event he is aggrieved by the decision of Forum);
- (5) In case of cheque and bank drafts, the receiving authority in whose favour the amount should be drawn;
- (6) An electricity bill shall not be a proof of ownership of such property where the electricity supply is provided.

### 5.2.3 Excess Load/Demand Penalty

- (1) In case of consumers where electronic meters with Maximum Demand Indicator (MDI) have been installed and the Maximum Demand recorded in any month exceeds the contracted load/demand, charges for such excess load/demand shall be as fixed by the Commission in its Tariff Order from time to time. Such excess load penalty shall be levied only for the month in which Maximum Demand exceeds Contracted Load.

Provided that excess load/demand penalty shall not be applicable to the consumer categories namely Private Tube Wells/Pumping Sets, Snowbound, Domestic and consumers having pre-paid connections.

Provided further that the load for Domestic consumers (except BPL consumers) shall be revised if their maximum demand recorded exceeds their contracted load as per following procedure:-

- (a) Any excess demand violation shall be established by the Licensee based on the Maximum Demand Indicator.
- (b) Where MDI recording feature is available in consumer meter, in such cases the Licensee shall analyse the permissible percentage variation in contracted load for three consecutive billing cycles as per Table 5.2 below and if the maximum demand is found to be exceeding the permissible limits then a system generated notice alongwith the bill of 4<sup>th</sup> billing cycle shall be issued to the consumer informing either to restrict his load within the contracted load or apply for additional load.

In case the consumer does not restrict its load or does not apply for additional

load, and continues to exceed the contracted load/demand in the 5<sup>th</sup>-billing cycle, the Licensee shall enhance the contracted load of the said Domestic consumer in 6<sup>th</sup> billing cycle on the basis of average of the MDI recorded in the previous 5 billing cycles and also recover the applicable charges for load enhancement as per relevant Regulations.

**Table: 5.2 Permissible % age variation of Contracted Load for Domestic consumers only**

| Contracted Load in kW    | Permissible % age variation of Contracted Load |
|--------------------------|------------------------------------------------|
| 1 kW & upto 4 kW         | 50%                                            |
| above 4kW & upto 10 kW   | 40%                                            |
| above 10 kW & upto 25 kW | 25%                                            |
| above 25 kW              | 20%                                            |

Provided further, that, if the load falls in decimal number, the Licensee shall consider the same as next whole number for calculation purpose.

Where MDI recording feature is not available in consumer meter, in such cases the Licensee shall install appropriate meter for recording the same within Six months of applicability of these regulations.

- (2) Where Maximum Demand of consumer (other than domestic consumer) during three consecutive billing cycles exceeds the contracted load, a notice alongwith the third bill of the said billing cycles shall be served to the consumer by the distribution Licensee informing him either to restrict his load within the contracted load or apply for additional load. In case the consumer does not restrict its load or does not apply for additional load, and the consumer continues to exceed the contracted load/demand for subsequent billing cycle, the charges for such excess load/demand shall be twice the charges for excess load/demand violation as per Clause (1) above.
- (3) The Application for load enhancement shall be governed by regulation 4.1 above.



- (4) The penal charges for excess load/demand shall not be applicable to the consumers who have submitted their duly filled application for the appropriate load enhancement (alongwith the requisite documents & amount) from the next billing cycle.
- (5) The provisions of Clause (1)(b) above pertaining to demand violation by domestic consumers shall come into force w.e.f. 01.04.2021. The Licensee shall submit the detailed procedure in this regard within 02 months of notification of these Regulations for approval of the Commission.

#### 5.2.4 Complaint on consumer bills

- (1) In case of any complaint being filed, the Licensee shall acknowledge the consumer's complaint immediately, if received in person, or within 3 days from the date of receipt if received by post.
- (2) If no additional information is required from the consumer, the Licensee shall resolve the consumer's complaint and intimate the result to the consumer within 15 days of receipt of the complaint. In case, any additional information is required, the same shall be obtained, the issue resolved and result intimated to the consumer within 30 days of receipt of the complaint. Till the complaint on the bill is resolved, the consumer shall either pay the amount specified in the disputed bill or the amount raised in the provisional bill by the Licensee for the disputed period based on average consumption of last three consecutive undisputed bills. Amount so recovered shall be subject to final adjustment on resolution of the complaint.
- (3) In case of non-receipt of bill by the consumer, the Consumer shall approach the Licensee, who may furnish duplicate bill immediately with due date for payment extended as above and no late payment surcharge shall be leviable if the complaint is correct.

#### 5.2.5 Arrears appearing in bills/Wrongly raised bills

- (1) If the arrears appear in a bill for the first and second time, for which payment has already been made within due date, or which are not due to the Licensee, the Licensee shall be liable to pay to the consumer compensation as per UERC (Standards of Performance) Regulations, 2007 amended from time to time.

- (2) If the arrears appear in a bill for which payment was made after due date, no compensation shall be paid. If such arrear, for which the payments have been made, appear in any subsequent bill (s), the case shall be dealt in accordance with Clause (1) above.
- (3) The compensation mentioned in Clause (1) above shall be adjusted at the time of making payment for the bill in which such arrears have appeared. Notice to such effect shall be prominently displayed at all bill collection centers of the Licensee.
- (4) In case the arrears, as mentioned in Clause (1) above appear in a bill for the third time or thereafter, the consumer shall be entitled to make a petition to the Forum and the Forum shall decide the exemplary compensation to be paid to such consumer on a case-to-case basis.
- (5) The provisions of this regulation shall also apply to the bills, which have been wrongly raised by the Licensee.

#### **5.2.6 Change of occupancy/vacancy of premises**

- (1) It shall be the responsibility of the consumer to get a special reading done by the Licensee as per Clause (9) of Sub-regulation 5.1.2 at the time of change of occupancy or on the premises falling vacant and obtain no-dues certificate from the Licensee.
- (2) The consumer shall request in writing to the Licensee for special reading to be taken at least 7 days in advance of the said vacancy of the premises by the existing user or change of the occupancy, as the case may be.
- (3) The Licensee shall arrange for a special reading to be done and deliver the final bill, including all arrears till the date of billing, at least 3 days before the vacancy of the premises. The final bill thus raised shall mention that no dues are pending on the premises and the bill is final. The final bill shall also include payment for the period between the date of special reading and date of vacancy of premises on pro-rata basis.
- (4) Once the final bill is raised, the Licensee shall not have any right to recover any charge(s), other than those in the final bill, for any period prior to the date of such

bill. The Licensee shall disconnect the supply to the premises on its vacancy. It shall be the responsibility of the consumer to make the payment on vacation of the premises and the Licensee shall issue No-dues certificate within 07 days of receiving such payment. However, in cases of change of occupancy, connection shall not be disconnected and after getting the necessary formalities for change of name, the same shall be effected.

#### **5.2.7 Payment on self-assessment by the consumer**

- (1) In case of non-receipt of bill, the consumer may deposit self-assessed bill in the format specified in Annexure-IX to the Regulations for the period for which bill has not been received provided that it is not less than the average consumption of the last three billing cycle. The payment so made by the consumer shall be adjusted in the next bill.
- (2) In case of dispute regarding levy of surcharges, the Licensee shall settle the dispute within one billing cycle from the date of filing of objection by the consumer.

#### **5.2.8 Advance payment of anticipated bills by consumer**

- (1) If a consumer intends to make advance lump sum payments from which the billed amount may be deducted periodically, he can apply to the Licensee, in the format specified at Annexure-IX to the Regulations. In such cases, the amount adjusted against the electricity dues after each billing cycle and balance left shall be clearly shown by the Licensee in the subsequent bills.
- (2) In case a consumer's premises remains vacant for some duration and he desires to deposit advance lump sum payments, Clause (8) of Sub-regulation 5.1.2 shall be applicable.

## CHAPTER 6: DISCONNECTION & RECONNECTION

### 6.1 Disconnection on non-payment of the Licensee's Dues

- (1) The bill issued by the Licensee to the consumer shall be treated as Bill-cum-Disconnection Notice. By Bill-cum-Disconnection Notice, it is meant that the Licensee shall give a due date of atleast 15 days for payment of dues from the bill date and subsequent to the due date, the Licensee shall give further 15 days for disconnection as per Section 56 of the Act. Thereafter, the Licensee may temporarily disconnect the consumer's installation on expiry of the said notice period by disconnecting service line/connection from distributing mains. If the consumer does not clear all the dues including arrears within 6 months of the date of temporary disconnection, such connections shall be disconnected permanently by removing meter and other equipment as the case may be, installed at the consumer's premises for connection. Final amount due to the consumer shall be adjusted against the Security Deposit including interest on the same and balance recoverable amount shall be recovered through the applicable laws of Revenue Recovery.

Provided that the supply of electricity shall not be cut off if such person deposits, under protest-

- (a) An amount equal to sum claimed from him, or
- (b) The electricity charges due from him for each month calculated on the basis of average charges for electricity paid by him during the preceding six months,

Whichever is less, pending disposal of any dispute between him and Licensee.

Provided that where the security given by any person has become invalid or insufficient the distribution Licensee may, by notice, require that person, within 30 days after the service of notice, to give him reasonable security which may become due and if the person fails to give such security, the distribution Licensee, may, if he thinks fit, discontinue/disconnect the supply of electricity for the period during which the failure continues.

- (2) The Licensee may take steps to prevent unauthorised reconnection of such consumers disconnected in the manner as mentioned above. Wherever Licensee discovers that connection has been re-connected unauthorisedly, Licensee may initiate action as per provisions of Section 126 & 138 of the Act. Further in case Licensee discovers that the supply to such premises has been restored through another live connection, notice to the consumer of such live connection be given to stop such unauthorised supply to the disconnected premises immediately, failing which all the pending dues of the said disconnected connection shall be transferred to such live connection's account and non-payment of such transferred dues may be treated as per regulation 6.1 (1).

The Licensee may also take appropriate action, against the consumer providing such connection, under Section 126 of the Act.

## 6.2 Permanent Disconnection on Consumer's request

- (1) In case consumer desires his connection to be disconnected permanently, he shall give an advance written notice of minimum one (1) month to distribution Licensee, and apply for disconnection in the format specified at Annexure-X of the Regulations seven (7) days in advance of the proposed date of permanent disconnection within which the Licensee shall ensure permanent disconnection.
- (2) The Licensee shall carryout a special reading and issue final bill to the consumer. On payment of final bill based on special reading, the Licensee shall issue receipt with 'Final Bill' stamped on it. This receipt shall be treated as 'No Dues Certificate'.
- (3) Thereafter, the Licensee shall not have any right to recover any charge(s) for any period prior to this date of billing.
- (4) The balance amount due to any consumption between the special reading and the permanent disconnection, if any, shall be adjusted against the security amount (along with interest, if any) with the distribution Licensee. The remaining security deposit shall be refunded to the consumer within 30 days of permanent disconnection.
- (5) Licensee shall not raise any bill after disconnection. In case bills are raised even after permanent disconnection, compensation as specified in the UERC (Standards

of Performance) Regulations, 2007 as amended from time to time shall be paid by the Licensee to the affected person.

- (6) In the event of any default or confirmation of un-lawful occupancy of the premises by the court of law or non-compliance of statutory provisions by the consumer or in the event of a legally binding directive by Statutory Authority(s)/District Magistrate, the Licensee shall disconnect the service connection of the consumer for giving effect to such an order. This shall be without prejudice to any other rights of Licensee including that of getting its payment as on the date of disconnection.

### 6.3 Reconnection

- (1) In case consumer requests for reconnection within a period of six months after disconnection or before permanent disconnection whichever is later, the Licensee shall reconnect the consumer's installation within 5 days of payment of past dues and reconnection charges.
- (2) However, in case consumer requests for reconnection after six months of disconnection or after permanent disconnection whichever is later, the connections would be reconnected only after all the formalities as required in the case of release of new connection under these Regulations are complied with by the consumer including payment of pending dues, service line charges, security deposit etc., as applicable, for that Category of Consumer.

## CHAPTER 7: UNAUTHORISED USE AND THEFT OF ELECTRICITY

### 7.1 Unauthorised Use of Electricity (UUE)

- (1) The Licensee shall publish the list of Assessing Officers of various districts/divisions in accordance with Section 126 of the Act prominently in all the Division Offices and the Photo ID Card issued to such officers shall indicate so.
- (2) While conducting inspection of any place or premises, the inspection team/Assessing Officer of the Licensee shall carry along with them their Photo Identity Cards. Photo ID card should be shown to the consumer before entering the premises.
- (3) Wherever possible the entire inspection of site shall be photographed and/or video-graphed and shall be used as evidence.

#### 7.1.1 Procedure for assessment of Unauthorised Use of Electricity

- (1) If on an inspection of any place or premises or after inspection of the equipment, gadgets, machines, devices found connected or used, or after inspection of records maintained by any person, the inspection team (headed by an officer of the Licensee not below the rank of Assistant Engineer/Sub-divisional Officer) comes to the conclusion that such person is indulging in unauthorized use of electricity, the inspection team shall prepare a report on the basis of site inspection giving details such as connected load, condition of seals, working of meter and mention any irregularity noticed (such as, artificial means adopted for UUE) as per format given in Annexure-XI.
- (2) The report shall clearly indicate whether sufficient evidence substantiating the fact that UUE was found or not. The details of such evidence should be recorded in the report.
- (3) The report shall be signed by each member of the inspection team and a copy of the same shall be handed over to the consumer or his/her representative at site immediately under proper receipt. In case of refusal by the consumer or his/her representative to either accept or give a receipt, a copy of inspection report shall

- be pasted at a conspicuous place in/outside the premises and photographed. Simultaneously the report shall be sent to the consumer under registered post/speed post/courier/e-mail or any other electronic mode.
- (4) The inspection team shall submit a copy of the report to the Assessing Officer within one working day.
- (5) If the Assessing Officer suspects that the unauthorized use of electricity has taken place, he shall serve a provisional assessment order as per the Rules prescribed by the State Government within 7 days of date of inspection by hand/registered post /speed post/courier/e-mail or any other electronic mode. The provisional assessment order shall contain details of Assessing officer to whom the reply/objections should be addressed and also time, date & place at which the hearing on the objections of the consumer, if any, is to be held.
- (6) Any person served with the order of provisional assessment, may:
- (a) accept such assessment and deposit the assessed amount with the Licensee within seven days of service of such provisional assessment order, or
  - (b) submit a written objection on the date of hearing before the Assessing Officer; or
  - (c) submit a written objection alongwith relevant records with a request to the Assessing Officer for conducting second inspection of site alongwith an inspection fee of Rs. 500, within 7 working days from the date of receipt of provisional assessment order.
- (7) The Assessing Officer shall conduct second inspection of the consumer's premises on the request of the consumer provided he has deposited the inspection fee within 7 working days from the date of request.
- (8) The Assessing Officer, after carefully considering all the documents, submissions of the consumer, facts on record and the second inspection on consumer's request, shall pass, within thirty days from the date of provisional assessment order, a final speaking order as to whether the case of UUE is established or not.



- (9) In case UUE is not established, further proceedings shall be discontinued and case of UUE shall be dropped immediately.
- (10) Where it is established that there is a case of UUE, the Licensee shall immediately take appropriate action for rectifying the cause of UUE and assess the energy consumption as per the assessment formula given in **Annexure-XII** for the entire period during which such unauthorised use of electricity has taken place and if, however, the period during which such unauthorised use of electricity has taken place cannot be ascertained, such period shall be limited to a period of twelve months immediately preceding the date of inspection and prepare final assessment bill on two times the rates as per applicable tariff and serve on the consumer alongwith the final speaking order under proper receipt by hand/registered post/speed post/courier/e-mail or any other electronic mode. The consumer shall make the payment against the final assessment bill within 7 working days of its receipt. The Licensee may, taking into consideration the financial position and other conditions of the consumer, extend the last date of payment or approve the payment to be made in installments. The amount, the extended last date and/or time schedule of payment/installments should be clearly stated in the final speaking order. A copy of the final speaking order shall also be given to the consumer under proper receipt by hand/registered post/speed post/courier/e-mail or any other electronic mode.

Provided that, where it is established that there is a case of unauthorised use of electricity by way of usage of electricity for the purpose other than for which the use of electricity was authorised, the Licensee shall for the purpose of preparing the assessment bill take into consideration the actual amount of consumption recorded by the correct meter for the entire period during which such unauthorised use of electricity has taken place, and where such period cannot be ascertained, such period shall be limited to a period of twelve months immediately preceding the date of inspection. The above energy consumption shall be considered only in case if metering system is healthy, else the energy consumption shall be calculated on the basis of the formula given in **Annexure-XII**.

- (11) Final speaking order shall also contain the brief of inspection report, submissions made by consumer in his written reply and oral submissions during personal hearing, if any and reasons for acceptance or rejections of the same.

### 7.1.2 Miscellaneous

- (1) The imposition of charges on account of UUE shall continue till the cause of UUE is removed and verified by the Licensee as per procedure laid down above.
- (2) In case if the consumer is aggrieved by the final decision of the Licensee he may appeal to an Appellate Authority, under provisions of Section 127 of the Act as per the procedure specified in UERC (Appeal to the Appellate Authority) Regulations, 2014 amended from time to time.
- (3) In case of default in payment of the assessed amount, the Licensee shall, after giving a 15 days notice in writing disconnect the supply of electricity, remove the meter and service line.

## 7.2 Theft of Electricity

- (1) The Licensee shall publish the list of the Authorized Officers of various divisions, in accordance with Section 135 of the Act prominently display in all the Divisional Offices and the Photo ID Card issued to such officers shall indicate so.

### 7.2.1 Procedure for booking a case for Theft of Electricity

- (1) An Authorized Officer under Section 135 of the Act, *suo-moto* or on receipt of reliable information regarding theft of electricity shall promptly conduct inspection of such premises.
- (2) The inspection team of the Licensee, headed by such Authorised Officer shall carry along with them their Photo Identity Cards. Photo ID card should be shown to the consumer before entering the premises. Photo ID card of the Authorised Officer shall clearly indicate that he has been nominated as Authorized officer as per provisions of Section 135 of the Act.
- (3) The occupant of the place of search or any person on his behalf shall remain present during the search and a list of all things seized in the course of such search shall be prepared and delivered to such occupant or person who shall sign the list.

- Provided that no inspection, search and seizure of any domestic places or domestic premises shall be carried out between sunset and sunrise except in the presence of an adult male member occupying such premises.
- (4) Wherever possible the process of inspection shall be photographed and video-graphed and shall be used as evidence.
  - (5) The Authorised Officer shall prepare a report giving details such as connected load, condition of meter seals, working of meter and mention any irregularity noticed (such as tampered meter, current reversing transformer, artificial means adopted for theft of energy) as per format given in Annexure-XI.
  - (6) The report shall clearly indicate whether sufficient evidence substantiating the fact that theft of energy was found or not. The details of such evidence should be recorded in the report.
  - (7) The report shall be signed by the Authorized Officer and each member of the inspection team and the copy of the same must be handed over to the consumer or his/her representative/agent at site immediately under proper receipt. In case of refusal by the consumer or his/her representative/agent to either accept or give a receipt, a copy of inspection report must be pasted at a conspicuous place in/outside the premises. Simultaneously, the report shall be sent to the consumer under Registered Post.
  - (8) No case for theft shall be lodged only on account of first seal on the meter missing or tampered or first instance of breakage of glass window, unless corroborated by consumption pattern of consumer and such other evidence as may be available. However, any subsequent missing or tampering of seal or breakage of glass window shall be construed as suspected case of theft of energy.
  - (9) In case sufficient evidence is found to establish direct theft of energy, such officer of the Licensee, as authorised for the purpose by the Commission or any other officer of the Licensee, as the case may be, of the rank higher than the rank so authorised may, upon detection of such theft of electricity, immediately disconnect the supply of electricity and seize all material evidence including wires/cables, meter, service line etc., from the premises and such officer of the

Licensee shall lodge a complaint in writing relating to the commission of such offence in police station having jurisdiction within twenty-four hours from the time of such disconnection.

- (10) The Licensee shall conduct assessment in accordance with Clause (10) of Sub-regulation 7.1.1 dealing in un-authorised use of electricity (UUE) and serve on the consumer under proper receipt.
- (11) The Licensee, on deposit or payment of the assessed amount or electricity charges in accordance with Clause (10) above, shall without prejudice to the obligation to lodge the complaint as referred to in the Clause (9) above, restore the supply line of electricity within forty-eight hours of such deposit or payment.

### **7.2.2 In case of Suspected Theft**

- (1) The Authorised Officer shall restore the supply through a new meter of appropriate rating. In such cases, the Licensee shall check the connected load at the premises, affix a numbered distinctive seal on the tampered meter and shall also record the particulars of the same in the report. The Authorised Officer shall record reasons of suspected theft in the premises in his report. The tampered meter shall be removed and packed for testing in the laboratory in tamper proof special meter sealing kit bag to be arranged by the Licensee. A copy of meter particular sheet of old and new meters shall be handed over to consumer or his representative.
- (2) In case of suspected theft, if consumption pattern for last one year is reasonably uniform and is not less than 75% of the consumption assessed on the basis of connected load and normative consumption as indicated for provisional billing in the tariff order, no further proceedings shall be taken and the decision shall be communicated to the consumer under proper receipt within 3 days.
- (3) If the consumption pattern for last one year is less than 75 % assessed consumption as per Clause (2) above a prima-facie case of theft is made out against the consumer. The Licensee shall, within fifteen days of inspection, serve on the consumer a show cause notice, as to why a case of theft should not be booked against such consumer giving full details for arriving at such decision.

The notice should clearly state the time and date which shall not be less than 7 days and place at which the reply has to be submitted and the designation of the person to whom it should be addressed.

### 7.2.3 Personal hearing in case of Suspected Theft

- (1) Within 7 working days from the date of submission of consumers' reply, the Licensee shall arrange a personal hearing, if requested by the consumer and shall serve the notice for hearing clearly stating time and date of hearing. At the request of the consumer, the hearing may be arranged for a future date but not later than 10 (ten) days from the date of filing of the objections by the consumer. In case, the consumer does not submit its reply to the notice or fails to appear on the appointed date and time, the Licensee may proceed with the matter ex-parte.
- (2) The Licensee shall give due consideration to the facts submitted by the consumer and pass, within 3 days, a speaking order as to whether the case of theft is established or not. Speaking Order shall contain the brief of inspection report, submissions made by consumer in his written reply and oral submissions during personal hearing and reasons for acceptance or rejection of the same.
- (3) In case of the decision that the case of theft is not established, no further proceedings shall be required and connection shall be restored.
- (4) Where it is established that there is a case of theft of energy, such officer of the Licensee, as authorised for the purpose by the Commission or any other officer of the Licensee, as the case may be, of the rank higher than the rank so authorised may, upon detection of such theft of electricity, immediately disconnect the supply of electricity and seize all material evidence including wires/cables, meter, service line etc., from the premises and such officer of the Licensee shall lodge a complaint in writing relating to the commission of such offence in police station having jurisdiction within twenty-four hours from the time of such disconnection.
- (5) The Licensee shall also conduct assessment in accordance with Clause (10) of Sub-regulation 7.1.1 dealing in unauthorised use of electricity (UUE) and serve on the consumer under proper receipt. The consumer shall be required to make the payment within 7 working days of its proper receipt.

- (6) The Licensee shall on deposit or payment of the assessed amount or electricity charges in accordance with Clause (5) above, the Licensee shall, without prejudice to the obligation to lodge the complaint as referred to in the Clause (4) above, restore the supply line of electricity within forty-eight hours of such deposit or payment.
- (7) On receipt of payment of assessed amount and re-connection/new connection charges as applicable, Licensee may re-energize the consumer's connection.

**7.3** While making the assessment bill, the Licensee shall adjust the payments already made by the consumer for the period of the assessment bill for UUE cases only. The bill shall clearly indicate the timing, days and place where it is to be deposited. All such payment shall be made only by way of Cash/Demand Draft/Bank Pay Orders/Electronic Mode of Payment. Cheques and Promissory notes shall not be accepted.

## CHAPTER 8: SAVINGS

- (1) Nothing in these Regulations shall, expressly or impliedly, bar the Commission dealing with any matter or exercising any power under the Act for which no regulations have been framed, and the Commission may deal with such matters, powers and functions in a manner, as it considers just and appropriate.

(2) **Powers to Remove Difficulties**

If any difficulty arises in giving effect to these regulations, the Commission may, of its own motion or otherwise, by an order and after giving reasonable opportunity to those likely to be affected by such order, make such provisions, not inconsistent with these regulations, as may appear to be necessary for removing the difficulty.

(3) **Powers to Relax**

The Commission, for reasons to be recorded in writing, may relax or vary any of the provisions of these regulations on its own motion or on an application made before it by an interested person.

**Forms/Annexures of UERC (The  
Electricity Supply Code, Release of  
New Connections and Related  
Matters) Regulations, 2020**



**Annexure - I**

(ref. regulation 3.2)

**Application Form for Temporary LT/HT/EHT Connection**

(Distribution Licensee.....)

Electricity Distribution Division: \_\_\_\_\_ Sub-Division: \_\_\_\_\_

**To be filled by the Distribution Licensee:**

Load applied (kW/kVA/HP) \_\_\_\_\_ Applicable Tariff Category \_\_\_\_\_

Registration-Cum-Processing Fee + Tatkal Sewa Fee (if applicable) deposited by the applicant:-

Registration No.: \_\_\_\_\_ Date of receipt: \_\_\_\_\_

**To be filled by the Applicant:**

Whether applying for Tatkal Sewa as per clause (5) of Sub-regulation 3.2.1 - Yes/No (Tick whichever applicable)

**A. GENERAL PARTICULARS**

1) Name of Individual/Organisation in whose name connection is required :

For individual:

Mr./Ms./Mrs. \_\_\_\_\_

(First Name)

(Middle Name)

(Last Name)

For Organisation/Others:

Company's Name \_\_\_\_\_

Name of Owner/Director/Proprietor (with Contact Details):

Mr./Ms./Mrs. \_\_\_\_\_

(First Name)

(Middle Name)

(Last Name)

Affix passport size Photograph  
(4.5 cm x 3.5 cm in white  
background) of Applicant  
(owner/ occupier)/ Authorised  
person of Applicant namely  
Director/ Proprietor etc.

2) Address: \_\_\_\_\_

Tel. No.: \_\_\_\_\_

Fax No.: \_\_\_\_\_

Email ID: \_\_\_\_\_

Mobile No.: \_\_\_\_\_

3) Father / Husband's / Organization's Authorized Signatory's Name:

Mr./Ms. \_\_\_\_\_

(First Name)

(Middle Name)

(Last Name)

4) Full Address of Location (where connection is required/provided):

Tel. No.: \_\_\_\_\_

Fax No.: \_\_\_\_\_

Email ID: \_\_\_\_\_

Landmark: \_\_\_\_\_

5) Billing Address (where bill is to be sent):

☐ Same as Serial No.2 above ☐ Same as Serial No. 4 above☐ If different: \_\_\_\_\_

Tel. No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

Email ID: \_\_\_\_\_

6) Load applied for temporary connection (kW/kVA/HP) \_\_\_\_\_

## 7) Purpose of Connection (Tick whichever applicable):

- ☐ Construction: Please specify - Residential/Non-Residential/Industrial
- ☐ Marriage/function ☐ Thresher ☐ touring cinemas/theatres/circus
- ☐ fairs/exhibitions/congregations ☐ others, specify \_\_\_\_\_

## 8) Specify the period for connection

|                      |  |                    |  |
|----------------------|--|--------------------|--|
| From date (DD/MM/YY) |  | To date (DD/MM/YY) |  |
|----------------------|--|--------------------|--|

**B. LIST OF DOCUMENTS ATTACHED**

## 9) Identity Proof (Copy of anyone of the following), Tick attached one:

|                             |                                                                                                                                                                   |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (a) Aadhar Card             | (f) Photo identity card issued by Government Agency                                                                                                               |
| (b) Electoral identity card | (g) Certificate from village Pradhan or any village level Govt. functionary like Patawari/Lekhpal /Primary school teacher/in-charge of primary health center etc. |
| (c) Passport                |                                                                                                                                                                   |
| (d) Driving licence         |                                                                                                                                                                   |
| (e) Photo ration card       |                                                                                                                                                                   |

If the applicant is a company, firm, trust, school/college, government department etc., certified copy of relevant resolution/authority letter of the company/institution concerned etc., and the authorized signatory shall also submit copy of any of the identity proofs mentioned above at (a) to (f) above.

10) In case Temporary connection is required for construction purposes, the ownership proof or NOC from the owner.

11) In case the supply is required at a premise/place owned by the local authority, No Objection Certificate (NOC) from the local authority.

12) Whether any electricity connection is existing at the premises: - Yes/No;

If yes, Connection No. : \_\_\_\_\_, Account No : \_\_\_\_\_  
(copy of the latest paid bill is to be provided)

13) Whether applicant is seeking temporary connection for construction purposes and desiring a permanent Connection for load upto 75 kW on expiry of Temporary Connection or after completion of such construction:-

Yes/No (Tick whichever applicable)

If Yes, Load required \_\_\_\_\_ kW

**C. FEE/PAYMENT PARTICULARS (REGISTRATION-CUM-PROCESSING FEE AND TATKAL SEWA FEE)**

## 14) Fees Particulars:

|                                                                                                        |                                                                                                                                 |
|--------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| Non-refundable Registration-Cum-Processing Fee<br>LT- Rs. 1,000/-, HT- Rs. 20,000/-, EHT- Rs. 30,000/- | Tatkal Sewa Fee (Non-refundable and non-adjustable)<br>For 1 kW to 4 kW- Rs. 1,000/-,<br>For above 4 kW upto 10 kW- Rs. 3,000/- |
|--------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|

## 15) Payment Mode Particulars:

|                                                                |                                                                                      |
|----------------------------------------------------------------|--------------------------------------------------------------------------------------|
| Demand Draft/<br>Pay Order/<br>Electronic<br>transfer/<br>Cash | Issuing Bank _____                                                                   |
|                                                                | Reference number of DD/Pay Order/ Electronic Transfer (NEFT/RTGS/IMPS<br>etc.) _____ |
|                                                                | Dated: _____                                                                         |
|                                                                | Amount: Rs. _____                                                                    |
|                                                                | (in words Rs. _____ )                                                                |

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Place: \_\_\_\_\_

Signature of the Applicant:

Name:

Designation:

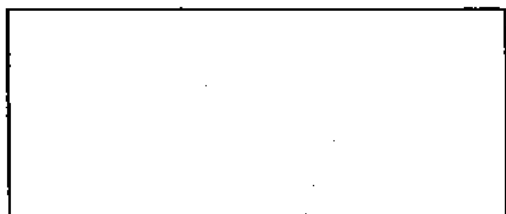
Seal of Company/Organisation, (if applicable):

## Acknowledgement

Received Application for Temporary LT/HT/EHT connection for electricity as per details given below:

- 1) Name of Applicant \_\_\_\_\_
- 2) Address where connection is required \_\_\_\_\_  
\_\_\_\_\_
- 3) Load Applied for \_\_\_\_\_ (kW/kVA/HP)
- 4) For Tatkal Sewa (connection to be released within one (1) working day i.e. latest by \_\_\_\_\_)
- 5) Applicant is seeking temporary connection for construction purposes and desiring a permanent Connection for load upto 75 kW on expiry of Temporary Connection or after completion of such construction:- Yes/No (Tick whichever applicable)  
If Yes, Load required (after completion of construction) \_\_\_\_\_ kW

Stamp



Signature of Distribution Licensee's Representative

Name and Designation

**Annexure - I (A)**

(ref. regulation 3.2, regulation 3.3)

**Test Result Report****(Refer regulation 31 & 33 of CEA Safety Regulations, 2010)**

(To be filled by representative of the Licensee)

Electricity Distribution Division: \_\_\_\_\_ Sub-Division: \_\_\_\_\_

Load applied (kW/kVA/HP) \_\_\_\_\_ Registration/Unique Application No.: \_\_\_\_\_

Nearest landmark Pole No./Feeder Pillar No. \_\_\_\_\_

Result of Insulation Resistance (to be measured on applying a pressure of 500 volts for one minute between phase conductor and earth) -

(i) Between Phase and Earth Phase-1 & Earth Phase-2 & Earth Phase-3 & Earth**Caution:** Insulation Resistance between phase and neutral or between phases shall not be measured when any of consumer's appliances, such as fans, tubes, bulbs, etc. is in circuit as results of such test would give resistance of appliance and not the insulation resistance of installation.

Certified that an Earth Terminal as required under Regulation 16 of CEA Safety Regulations, 2010 has been provided by UPCL and this terminal has been connected with UPCL's earthing system.

Following deficiencies have been found in your Electrical installation. You are requested to remove them within 15 days i.e. by \_\_\_\_\_ and inform UPCL, failing which your request for new connection would lapse:

1- \_\_\_\_\_

2- \_\_\_\_\_

Date: \_\_\_\_\_

Signature of Licensee representative

Name and Designation

**(To be filled by Applicant)**

The testing of the premises has been carried out by Licensee in my presence and

\*I am satisfied with the testing

\*I am not satisfied with the testing and may file an appeal with Electrical Inspector

It is also certified that UPCL has\*/has not\* provided an Earth Terminal as per Regulation 16 of CEA Safety Regulations, 2010 at the premises and this earth terminal has\*/has not\* been connected to UPCL's earthing system.

Date \_\_\_\_\_

Signature of Applicant

\* Strike out which is not applicable

**Annexure - II**

(ref. regulation 3.3)

**Application Form for New LT Connection****(Distribution Licensee .....)**

Electricity Distribution Division: \_\_\_\_\_ Sub-Division: \_\_\_\_\_

**To be filled by the Distribution Licensee:**

Load applied (kW/kVA/HP) \_\_\_\_\_ Applicable Tariff Category \_\_\_\_\_

Unique Application No.: \_\_\_\_\_ Date of Receipt: \_\_\_\_\_

CONSUMER No.: \_\_\_\_\_ Nearest landmark Pole No./Feeder Pillar No. \_\_\_\_\_

**To be filled by the Applicant:****A. GENERAL PARTICULARS**

- 1) Name of Individual/Organisation in whose name connection is required:

For individual:

Mr./Ms./Mrs. \_\_\_\_\_

(First Name)

(Middle Name)

(Last Name)

For Organisation/ Others:

Company's Name \_\_\_\_\_

Name of Owner/Director/Proprietor (with Contact Details):

Mr./Ms./Mrs. \_\_\_\_\_

(First Name)

(Middle Name)

(Last Name)

Address: \_\_\_\_\_

Tel. No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Email ID: \_\_\_\_\_

Mobile No.: \_\_\_\_\_ web site: \_\_\_\_\_

- 2) Father / Husband's / Organization's Authorized Signatory's Name:

Mr./Ms./Mrs./Dr./Prof. \_\_\_\_\_

(First Name)

(Middle Name)

(Last Name)

- 3) Full Address of Location (where connection is required/provided):

Tel./Mob. No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Email ID: \_\_\_\_\_

- 4) Address of Owner of property (If Applicant is tenant or occupier) \_\_\_\_\_

- 5) Whether any electricity connection is existing at the premises: - Yes/No;

If yes, Connection No.: \_\_\_\_\_ Account No.: \_\_\_\_\_

- 6) Date of Birth/Date of Incorporation: \_\_\_\_\_

Affix passport size  
Photograph (4.5 cm x 3.5  
cm in white background) of  
Applicant (owner/  
occupier)/ Authorized  
person of Applicant  
namely Director/  
Proprietor etc.

- 7) Plot size and built up area in sq. feet (For Residential/ Non-Residential/ Multiplex/ Malls/Townships/etc. - Refer regulation 3.6 \_\_\_\_\_)

#### B. PARTICULARS FOR NEW CONNECTION

- 8) Load applied for(kW/kVA/HP) \_\_\_\_\_
- 9) Whether applicant desires pre-paid meter connection (applicable for load upto 25 kW): - Yes/No
- 10) Voltage at which supply is required: - 230 V/415 V
- 11) Category of Connection:
- ☐ Domestic ☐ Non-domestic ☐ Govt. Public Utilities (Pl. specify) \_\_\_\_\_
- ☐ Private Tube wells ☐ LT Industry ☐ Others, specify \_\_\_\_\_
- 12) For Non-domestic Load:
- (a) Type
- |                                                  |                                            |                                                  |
|--------------------------------------------------|--------------------------------------------|--------------------------------------------------|
| <input type="checkbox"/> Educational Institution | <input type="checkbox"/> Hospital          | <input type="checkbox"/> Charitable Institutions |
| <input type="checkbox"/> Hotel/Restaurant        | <input type="checkbox"/> Guest house/Lodge | <input type="checkbox"/> Amusement Park          |
| <input type="checkbox"/> Shopping Complex/Mall   | <input type="checkbox"/> Religious place   | <input type="checkbox"/> Office                  |
| <input type="checkbox"/> Cinema Hall/Multiplex   | <input type="checkbox"/> Mobile Tower      | <input type="checkbox"/> Others, specify _____   |
- 13) For Industry Load:
- (a) Type of Industry: \_\_\_\_\_

#### C. LIST OF DOCUMENTS ATTACHED

- 14) Identity/Address Proof:
- (i) For individual Applicant (copy of anyone of the following), please tick attached one:
- (a) Aadhar Card
- (b) Electoral identity card
- (c) Passport
- (d) Driving license
- (e) Photo ration card
- (f) Photo identity card issued by Government Agency
- (ii) If the applicant is a company, firm, trust, school/college, government department etc., application along with certified copy of relevant resolution/authority letter of the company/institution concerned etc., and the authorized signatory shall also submit copy of any of the identity proofs mentioned above at (i).
- 15) Proof of Ownership/Occupancy:
- (i) Self-attested copy of any one of the following documents as proof of ownership or occupancy over premises for which the connection is required (please tick attached one):
- (a) Sale deed or lease deed (with latest rent receipt issued within three months prior to the date of application) or khasra or khatauni (inclusion of Applicant's name in the khasra or khatauni shall be sufficient for this purpose).

- (b) Registered General Power of attorney.
- (c) Municipal tax receipt or Demand notice or any other related document.
- (d) Letter of allotment.
- (e) An Applicant who is not an owner, but an occupier of the premises shall along with any one of the documents listed at (a) to (d) above also furnish a no objection certificate from owner of the premises.

**16) Statutory Permissions/Registrations, whichever applicable: -**

- (i) Proof of making application for approval/permission/NOC of the competent authority such as Pollution Control Board, Director of Industries etc., if required under any law/statute.
- (ii) In case of a partnership firm, partnership deed and list of Partners alongwith their certified addresses.
- (iii) In case of a Limited Company, Memorandum of Association, Articles of Association, Certificate of Incorporation and list of Directors alongwith their certified addresses.

**17) Declaration/Undertaking in the prescribed format as per Appendix along with this Application form.**

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Place: \_\_\_\_\_

Signature of the Applicant : \_\_\_\_\_

Name : \_\_\_\_\_

*(In case of Company/Organisation etc.)*

Designation : \_\_\_\_\_

Seal of Company/Organisation:



Appendix**DECLARATION /UNDERTAKING****(For new LT Connections)**

I, \_\_\_\_\_ son of \_\_\_\_\_ Resident of \_\_\_\_\_ (hereinafter referred as "Applicant", which term shall mean and include executors, administrators, heirs, successors and assigns), do hereby swear and declare as under:

Or

The \_\_\_\_\_, a company incorporated under the provisions of the Companies Act, 2013 having its registered office at \_\_\_\_\_ (hereinafter referred as "Applicant", which expression shall unless repugnant to the context or meaning thereof, include its successors and assigns), do hereby swear and declare as under:

THAT the Applicant is a lawful occupant of the premises at \_\_\_\_\_ in support of which the Applicant has enclosed a proof of occupancy.

Or

THAT the Applicant is lawful occupant of the premises but not an Owner and is unable to furnish NOC from the owner and is ready to pay the amount of security as specified by the Commission (Not applicable for PTW connections).

THAT the Applicant has requested UPCL to provide a service connection at the above-mentioned premises in the Applicant's name for the purpose mentioned in the Application form.

THAT in furnishing the Declaration, the Applicant has clearly understood that in case the above statements prove to be false or incorrect at any later stage, the UPCL shall have every right to disconnect supply to the Applicant without any notice and above right to adjust dues against Consumer Security Deposit.

THAT the Applicant hereby agrees and undertakes:

1. To indemnify UPCL against all proceedings, claims, demands, costs, damages, expenses that UPCL may incur by reason of a fresh service connection given to the Applicant.
2. That all the Electrical Works done within the premises are as per CEA Safety Regulations and has been carried out by a licensed electrical contractor (In case Applicant is owner and wiring in the premises is new)

Or

That all the Electrical Work done within the premises are as per CEA Safety Regulations to the best of our knowledge (where Application is for reconnection or Applicant is occupier of the premises)

3. UPCL is indemnified against any loss accrued to the Applicant on this account. Further, Applicant agrees that if there is any harm/loss to the property of UPCL due to the fault in Electrical work within the premises of Applicant, all the liabilities shall be borne by the Applicant.

4. To pay the Electricity consumption bills and all other charges at the rates set out in UPCL's Tariff Schedule and Miscellaneous charges for supply as may be in force from time to time, regularly as and when the same becomes due for payment.
5. To deposit the additional security deposit as revised by UPCL from time to time based on the consumption of the Applicant in preceding year.
6. To abide by the provisions of the Electricity Act, 2003, UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020, Tariff Orders and any other Rules or Regulations notified under the Act, as applicable from time to time.
7. That UPCL shall be at liberty to adjust the electricity consumption charges along with any other charges against the Security Deposit paid by the Applicant, in the event of termination of the agreement prior to expiry of the contracted period or in case of any contractual default.
8. To be responsible for safe custody of Meters, CTs, Cables etc. provided by UPCL in its premises and in case, there is any damage to equipment due to the reasons attributable to Applicant the same shall be chargeable to the Applicant. Further, all repercussions on account of breakage of seals of meters etc. or Direct/Dishonest Abstraction of energy shall be to the account of Applicant, as per the existing laws.
9. To allow clear and unencumbered access to the meters for the purpose of meter reading and its checking etc.
10. That the Applicant would let UPCL disconnect the Service connection under reference, in the event of any default, non-compliance of statutory provisions and in the event of a legally binding directive by Statutory Authority(s) to effect such an order. This shall be without prejudice to any other rights of UPCL including that of getting its payment as on the date of disconnection.
11. All the above declaration given by the Applicant shall be construed to an Agreement between UPCL and the Applicant.

Signature of the Applicant

Name of the applicant

**SIGNED AND DELIVERED**

**In presence of witness**

**Name of Witness**

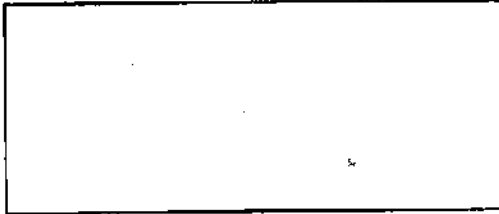
## Acknowledgement

Received Application for LT new connection for electricity as per details given below:

**Unique Application No.:**

- 1) Name of Applicant \_\_\_\_\_
- 2) Address where connection is required \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 3) Load Applied for \_\_\_\_\_ (kW/kVA/HP)

**Stamp**



**Signature of Distribution Licensee's Representative**

**Name and Designation**

**Annexure - III**

(ref. regulation 3.4)

**Application Form for New HT/EHT Connection****(Distribution Licensee .....)**

Electricity Distribution Division: \_\_\_\_\_ Sub-Division: \_\_\_\_\_

**To be filled by the Distribution Licensee:**

Load applied (kVA) \_\_\_\_\_ Applicable Tariff Category \_\_\_\_\_

Unique Application No.: \_\_\_\_\_ Date of Receipt: \_\_\_\_\_

CONSUMER No.: \_\_\_\_\_ Nearest landmark Pole No./Feeder Pillar No. \_\_\_\_\_

**To be filled by the Applicant:****A. GENERAL PARTICULARS**

- 1) Name of Individual/Organisation in whose name connection is required :

For individual:

Mr./Ms./Mrs. \_\_\_\_\_

(First Name)

(Middle Name)

(Last Name)

For Organisation/ Others:

Company's Name \_\_\_\_\_

Name of Owner/Director/Proprietor (with Contact Details):

Mr./Ms./Mrs. \_\_\_\_\_

(First Name)

(Middle Name)

(Last Name)

Address: \_\_\_\_\_

Tel. No.: \_\_\_\_\_ Fax No: \_\_\_\_\_ Email ID: \_\_\_\_\_

Mobile No.: \_\_\_\_\_ web site: \_\_\_\_\_

- 2) Father / Husband's / Organization's Authorized Signatory's Name:

Mr./Ms./Mrs./Dr./Prof. \_\_\_\_\_

(First Name)

(Middle Name)

(Last Name)

- 3) Full Address of Location (where connection is required/provided):

Tel. No.: \_\_\_\_\_ Fax No : \_\_\_\_\_ Email ID: \_\_\_\_\_

Contact Person with regard to the connection and supply therefrom:

Name: \_\_\_\_\_ Designation (if company/firm etc.) \_\_\_\_\_

Tel./Mob. No.: \_\_\_\_\_ Fax No: \_\_\_\_\_ Email ID: \_\_\_\_\_

- 4) Whether any electricity connection is existing at the premises:- Yes/No;

If yes, Connection No. : \_\_\_\_\_ Account No : \_\_\_\_\_ (copy of the latest paid bill is to be provided)

- 5) PAN/Aadhar number: \_\_\_\_\_

Affix passport size  
Photograph (4.5 cm x 3.5  
cm in white background) of  
Applicant (owner/  
occupier)/ Authorized  
person of Applicant  
namely Director/  
Proprietor etc.

- 6) Date of Birth/ Date of Incorporation: \_\_\_\_\_
- 7) Plot size and built up area in sq. feet (For Residential/ Non-Residential/ Multiplex/  
Malls/Townships/etc. - Refer regulation 3.6) \_\_\_\_\_

### B. PARTICULARS FOR NEW CONNECTION

- 8) Load applied for (in kVA) \_\_\_\_\_
- 9) Voltage at which supply is required:- 11 kV/33 kV/132 kV/220 kV \_\_\_\_\_
- 10) Category of Connection:
- ☐ Domestic      ☐ Non-domestic      ☐ Govt. Public Utilities (Pl. specify) \_\_\_\_\_
- ☐ Private Tube wells      ☐ Industry      ☐ Mixed Load      ☐ Railway Traction      ☐
- Others, specify \_\_\_\_\_
- 11) For Domestic Load:
- (a) Type
- ☐ Individual Consumer      ☐ Single Point Bulk supply (for a group of consumers)
- (b) In case of single point bulk supply
- ☐ Co-operative Group Housing Society      ☐ Employer for his staff      ☐ others, specify \_\_\_\_\_
- 12) For Non-domestic Load:
- (a) Type
- ☐ Educational Institution      ☐ Hospital      ☐ Charitable Institutions
- ☐ Hotel/Restaurant      ☐ Guest house/Lodge      ☐ Amusement Park
- ☐ Shopping Complex/Mall      ☐ Religious place      ☐ Office
- ☐ Cinema Hall/Multiplex      ☐ Mobile Tower      ☐ Others, specify \_\_\_\_\_
- 13) For Industry Load:
- (a) Type of Industry:
- ☐ Paper      ☐ Sugar      ☐ Chemical
- ☐ Glass      ☐ Textile      ☐ Rice Mill
- ☐ Steel unit      ☐ Automobile      ☐ Electrical/Electronic goods
- ☐ Straw/Pulp/Card board      ☐ Food Processing      ☐ Drugs/Pharmaceuticals
- ☐ Stone Crusher      ☐ Cement      ☐ Seasonal Industry      ☐ Others, specify \_\_\_\_\_
- (b) Type of Process: (For information purpose only, not applicable for tariff purposes.)
- ☐ Continuous      ☐ Non-continuous
- If Continuous process, please indicate minimum critical/protected load requiring continuous supply  
in kVA (applicable for HT/EHT industries only) \_\_\_\_\_
- (c) No. of Shift
- ☐ 1      ☐ 2      ☐ 3
- 14) For Mixed Load:
- Percentage of Domestic Load \_\_\_\_\_ Percentage of Non-domestic Load \_\_\_\_\_

**C. LIST OF DOCUMENTS ATTACHED****15) Identity/Address Proof**

(i) For individual Applicant (copy of anyone of the following), please tick attached one:

- (a) Aadhar Card
- (b) Electoral identity card
- (c) Passport
- (d) Driving Licence
- (e) Photo Ration Card
- (f) Photo Identity Card issued by Government Agency

(ii) If the applicant is a company, firm, trust, school/college, government department etc., application along with certified copy of relevant resolution/authority letter of the company/institution concerned etc., and the authorized signatory shall also submit copy of any of the identity proofs mentioned above at (i).

**16) Proof of Ownership/Occupancy**

(i) Self-attested copy of any one of the following documents as proof of ownership or occupancy over premises for which the connection is required (please tick attached one):

- (a) Sale deed or lease deed (with latest rent receipt issued within three months prior to the date of application) or khasra or khatauni (inclusion of Applicant's name in the khasra or khatauni shall be sufficient for this purpose).
- (b) Registered General Power of attorney.
- (c) Municipal tax receipt or Demand notice or any other related document.
- (d) Letter of allotment.
- (e) An Applicant who is not an owner, but an occupier of the premises shall along with any one of the documents listed at (a) to (d) above also furnish a no objection certificate from owner of the premises.

**17) Statutory Permissions/Registrations, whichever applicable: -**

- (i) Proof of making application for approval/permission/NOC of the competent authority such as Pollution Control Board, Director of Industries etc., if required under any law/statute.
- (ii) In case of a partnership firm, partnership deed and list of Partners alongwith their certified addresses.
- (iii) In case of a Limited Company, Memorandum of Association, Articles of Association, Certificate of Incorporation and list of Directors alongwith their certified addresses.

**18) Undertaking for tentative date on which applicant's works would be completed and ready for energisation.**

**D. FEE/ PAYMENT PARTICULARS****19) Payment particulars of Registration cum processing fee: -**

| Description                   | Charges in Rs. |
|-------------------------------|----------------|
| Connection at 11 kV           | 7,500/-        |
| Connection at 33 kV           | 15,000/-       |
| Connection at 132 kV          | 40,000/-       |
| Connection at 220 kV or above | 75,000/-       |

**20) Payment Mode:**

|                                                             |                                                                                  |
|-------------------------------------------------------------|----------------------------------------------------------------------------------|
| Demand Draft/<br>Pay Order/<br>Electronic transfer/<br>Cash | Issuing Bank _____                                                               |
|                                                             | Reference number of DD/Pay Order/Electronic transfer (NEFT/RTGS/IMPS etc.) _____ |
|                                                             | Dated: _____                                                                     |
|                                                             | Amount: Rs. _____                                                                |
|                                                             | (in words Rs. _____)                                                             |

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Place: \_\_\_\_\_

Signature of the Applicant : \_\_\_\_\_

Name : \_\_\_\_\_

(In case of Company/Organisation etc.)

Designation : \_\_\_\_\_

Seal of Company/Organisation:

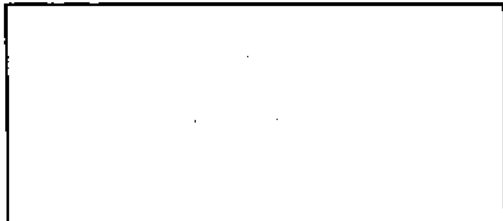
**Acknowledgement**

**Received Application for HT/EHT new connection for electricity as per details given below:**

Unique Application No.:

- 1) Name of Applicant: \_\_\_\_\_
- 2) Address where connection is required: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 3) Load Applied for: \_\_\_\_\_ (kVA)
- 4) Reference of payment details against Registration Cum Processing Fees: \_\_\_\_\_

**Stamp**



**Signature of Distribution Licensee's Representative**

**Name and Designation**



**Annexure - IV**

(ref. regulation 3.6)

**Procedure for Determination of normative Load in case of New Electricity Connection in Residential Complex/Non-Residential Complex/ Multiplex/ Malls/Townships etc. to be constructed by Developer/Builder****Load****(i) Residential Use**

For every 300 sq. ft. built up area or part thereof

- |                                                |         |
|------------------------------------------------|---------|
| a. In Municipal Corporation (Nagar Nigam) area | 1 KW    |
| b. In Municipal Board (Nagar Palika) area      | 0.75 KW |
| c. In Nagar Panchayat /Gram Panchayat area     | 0.50 KW |

**(ii) Non-Residential Use**

- |                                                                        |      |
|------------------------------------------------------------------------|------|
| a. For every 150 sq. ft. built up area or part thereof                 | 1 KW |
| b. 1000 sq. ft. built up area or part thereof for shed /godown /school | 1 KW |
| c. 1000 sq. ft. built up area or part thereof for parking              | 1 KW |

The distribution Licensee may refer the approved plan/layout of the premise issued by the competent authority for the purpose of assessment of built-up area for Sl. No. (i) & (ii) above.

**Note:**

The normative load of Residential Complex/Non-Residential Complex/Multiplex/Malls/Townships etc. shall be sum of the following loads and as calculated below:

1. The normative load of Residential Complex/Non-Residential Complex/ Multiplex/Malls/Townships etc. constructed or to be constructed by Developer shall be calculated based on the number of dwelling units/apartments/shops including their built-up area/constructed area of each such units/apartments/shops so approved as per plan/layout of the premise issued by the competent authority.
2. The load of the common facilities like lift, illumination, water pump, sewage treatment plant, street lights etc. shall be taken as declared by the Developer/Builder.

### Annexure - V (A)

(ref. regulation 3.4)

**Format: Work Completion Report**

1. Applicant's Name & Address: \_\_\_\_\_
2. Name & Address of Installation: \_\_\_\_\_
3. Voltage of Supply: \_\_\_\_\_
4. Purpose for which used: \_\_\_\_\_
5. Type of Wiring: \_\_\_\_\_
6. Particulars of installations: \_\_\_\_\_

[illegible]

II. Other equipment (complete details to be furnished):

7. Total connected load \_\_\_\_\_ kW (\_\_\_\_\_ kVA at 0.85 PF)
8. Maximum Current in Amp (on the basis of connected load) \_\_\_\_\_
9. Leakage to earth in Amp \_\_\_\_\_

10. Statement showing the fulfillment of Safety Requirements at the Applicant's Installation as per CEA Safety Regulations, 2010: -

| Sl. No.                             | Regulation No. | Particulars                                                                                                                                                                                                                                                                                                                                              | Applicant's reply and signature (Based on the test report of licensed contractor, wherever applicable) | Remarks by Distribution Licensee or his representative |
|-------------------------------------|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| 1                                   | 2              | 3                                                                                                                                                                                                                                                                                                                                                        | 4                                                                                                      | 5                                                      |
| <b>A-GENERAL SAFETY PRECAUTIONS</b> |                |                                                                                                                                                                                                                                                                                                                                                          |                                                                                                        |                                                        |
| 1                                   | —              | Has the prescribed fee for inspection been deposited? Quote T.C. no., date and amount?                                                                                                                                                                                                                                                                   |                                                                                                        |                                                        |
| 2                                   | —              | Have High voltage test, insulation test, and earth test been carried out?                                                                                                                                                                                                                                                                                |                                                                                                        |                                                        |
|                                     |                | Specify Results of the above Test.<br><u>High Voltage Test (specify Voltage Applied)</u><br>Result- Withstood/failed<br><u>Insulation Test (Specify Voltage Applied)</u><br>Insulation Between $\phi 1$ and earth<br>Insulation Between $\phi 2$ and earth<br>Insulation Between $\phi 3$ and earth<br><u>Earth Resistivity Test</u><br>Earth Resistance |                                                                                                        |                                                        |
| 3                                   | 12.            | Are electric supply lines and apparatus sufficient in power and size and of sufficient mechanical strength?                                                                                                                                                                                                                                              |                                                                                                        |                                                        |
| 4                                   | 15 (i).        | Has indication of permanent nature provided to distinguish earthed neutral conductor from live conductor at the point of commencement of supply?                                                                                                                                                                                                         |                                                                                                        |                                                        |
| 5                                   | 15 (ii).       | Has any cut-out, link or switch other than a linked switch to operate simultaneously on the earthed or earth natural and live conductor, for isolating the supply been inserted in the earthed neutral conductor?                                                                                                                                        |                                                                                                        |                                                        |
| 6                                   | 17.            | Where bare Conductors have been used-                                                                                                                                                                                                                                                                                                                    |                                                                                                        |                                                        |
|                                     |                | (a) Are they inaccessible?                                                                                                                                                                                                                                                                                                                               |                                                                                                        |                                                        |
|                                     |                | (b) Have switches for rendering them dead been provided?                                                                                                                                                                                                                                                                                                 |                                                                                                        |                                                        |
|                                     |                | (c) Have other proper safety measures been taken?                                                                                                                                                                                                                                                                                                        |                                                                                                        |                                                        |
| 7                                   | 18.            | Have caution notices on white enamel plates of 12" x 9" size with word "Danger"/"सावधान" and voltage in red letters been affixed in a conspicuous position to all motors, generators, transformers, etc., or at the entrance of the enclosure housing the apparatuses and also on H.T. line supports?                                                    |                                                                                                        |                                                        |
| 8                                   | 25.            | Have circuits or apparatus intended for operation at different voltage been provided with distinguishing marks?                                                                                                                                                                                                                                          |                                                                                                        |                                                        |
| 9                                   | 26.            | Have suitable precautions been taken to avoid accidental charging of an apparatus beyond the intended voltage?                                                                                                                                                                                                                                           |                                                                                                        |                                                        |
| 10                                  | 27 (1).        | Have electric fire extinguishers and fire buckets been provided?                                                                                                                                                                                                                                                                                         |                                                                                                        |                                                        |

| Sl. No.                                                          | Regulation No. | Particulars                                                                                                                                                                                                                                                                                                                                                                            | Applicant's reply and signature (Based on the test report of licensed contractor, wherever applicable) | Remarks by Distribution Licensee or his representative |
|------------------------------------------------------------------|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| 1                                                                | 2              | 3                                                                                                                                                                                                                                                                                                                                                                                      | 4                                                                                                      | 5                                                      |
| 11                                                               | 27 (3).        | Have first-aid boxes equipped with contents as specified by the Government been provided? Give names of persons qualified for first-aid.                                                                                                                                                                                                                                               |                                                                                                        |                                                        |
| 12                                                               | 28(1).         | Have shock restoration charts been provided?                                                                                                                                                                                                                                                                                                                                           |                                                                                                        |                                                        |
| 13                                                               | 28(2).         | Give names of authorized persons who are acquainted with and are competent to apply these instructions provided in 28(1) above.                                                                                                                                                                                                                                                        |                                                                                                        |                                                        |
| 14                                                               | 29.            | Has the electrical works been carried out by a licensed electrical contractor under direct supervision of a person holding a certificate of competency and by a person holding a permit issued or recognised by the State Government.                                                                                                                                                  |                                                                                                        |                                                        |
| <b>B-GENERAL CONDITIONS RELATING TO SUPPLY AND USE OF ENERGY</b> |                |                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                        |                                                        |
| 15                                                               | 35(2)          | Has a linked switch or circuit breaker of requisite capacity to carry and break the current been provided after, but near, the point of commencement of supply to completely isolate the supply?                                                                                                                                                                                       |                                                                                                        |                                                        |
| 16                                                               | 35(3).         | Has linked switch on the primary side being suitable to carry the full load current and for breaking only the magnetizing current of the transformer? Provided that for all transformers having capacity of 1000 kVA and above a circuit breaker shall be provided.                                                                                                                    |                                                                                                        |                                                        |
|                                                                  |                | Has a circuit breaker of adequate rating been inserted on secondary side of transformers?                                                                                                                                                                                                                                                                                              |                                                                                                        |                                                        |
| 17                                                               | 35(4).         | Has every distinct circuit been protected against excess energy by a suitable cut out or circuit breaker?                                                                                                                                                                                                                                                                              |                                                                                                        |                                                        |
| 18                                                               | 35(5).         | Has a suitable linked switch or circuit breaker been provided at appropriate place for controlling supply to each motor or group of motors or other apparatus meant for operating one particular machine?                                                                                                                                                                              |                                                                                                        |                                                        |
| 19                                                               | 35(7).         | Have adequate precautions been taken to ensure that no live parts are so exposed as to cause danger?                                                                                                                                                                                                                                                                                   |                                                                                                        |                                                        |
| 20                                                               | 37 (i)         | Have all the conductors (other than over-head lines) been completely enclosed in mechanically strong metal covering which is electrically and mechanically continuous and adequately protected against mechanical damage? If unprotected, are they accessible only to authorised persons, or are installed and protected to the satisfaction of the Inspector so as to prevent danger? |                                                                                                        |                                                        |
| 21                                                               | 37(ii)         | Have all the metal works enclosing, supporting or associated with the installation been connected with earth?                                                                                                                                                                                                                                                                          |                                                                                                        |                                                        |
| 22                                                               | 37 (iii)       | Have the following precautions been taken in respect of main switch board;                                                                                                                                                                                                                                                                                                             |                                                                                                        |                                                        |

| Sl. No.                                                                               | Regulation No.                  | Particulars                                                                                                                                                                                                                                                                    | Applicant's reply and signature (Based on the test report of licensed contractor, wherever applicable) | Remarks by Distribution Licensee or his representative |
|---------------------------------------------------------------------------------------|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| 1                                                                                     | 2                               | 3                                                                                                                                                                                                                                                                              | 4                                                                                                      | 5                                                      |
|                                                                                       |                                 | (i) Has a clear space of not less than 3 ft in width been provided in front of the main switch board?                                                                                                                                                                          |                                                                                                        |                                                        |
|                                                                                       |                                 | (ii) Are there bare connections at the back of the main switch board? If so, is the space behind, less than 9 inches or more than 30 inches in width?                                                                                                                          |                                                                                                        |                                                        |
|                                                                                       |                                 | (iii) Has a passage-way from either end of the switch-board clear to a height of 6 feet been provided, if the space behind the switch board exceeds 30 inches in width?                                                                                                        |                                                                                                        |                                                        |
| <b>C-ELECTRIC SUPPLY LINES, SYSTEM AND APPARATUS FOR HIGH AND EXTRA-HIGH VOLTAGES</b> |                                 |                                                                                                                                                                                                                                                                                |                                                                                                        |                                                        |
| 23                                                                                    | 41(i), (ii) & (iii). and 48(1). | Has the neutral conductor of three-phase four-wire system been connected with two separate and distinct connections with earth at the substation?                                                                                                                              |                                                                                                        |                                                        |
| 24                                                                                    | 41(xii).                        | Has the frame of every stationary motor, transformer, etc. and the metallic parts (not intended as conductors) of all transformers and other apparatus earthed by two separate and distinct connections with earth?                                                            |                                                                                                        |                                                        |
| 25                                                                                    | 44 (a).                         | Are all conductors and apparatus inaccessible except to authorized persons and, are all operations in connection with the said apparatus and conductor carried out only by an authorized person?                                                                               |                                                                                                        |                                                        |
| 26                                                                                    | 44 (b).                         | Has the consumer provided a separate building or a locked weather proof and fire-proof enclosure for housing distribution Licensee's high voltage apparatus and metering equipment or if impracticable, as the consumer segregated his apparatus from that of the supplier?    |                                                                                                        |                                                        |
| 27                                                                                    | 44 (2)(i).                      | Are clearances as per BIS provided for safe operation & maintenance of electrical apparatus?                                                                                                                                                                                   |                                                                                                        |                                                        |
| 28                                                                                    | 44(2)(iv).                      | Have the windings of H.V. Motors or other apparatus, where within easy reach, been suitably protected so as to prevent danger?                                                                                                                                                 |                                                                                                        |                                                        |
| 29                                                                                    | 44(2)(v).                       | Have suitable precautions been taken either by connecting with earth a point of the circuit at the lower voltage or otherwise to guard against danger by reason of the said circuit getting charged above its normal voltage by leakage from or contact with the H.V. Circuit. |                                                                                                        |                                                        |
| 30                                                                                    | 44(2)(vii)(b).                  | Have oil soak pits been provided where more than 9000 litres of oil is used in the transformers and switchgears installed in one chamber?                                                                                                                                      |                                                                                                        |                                                        |
|                                                                                       |                                 | Has provision been made for draining away the leaked or escaped oil used in one chamber?                                                                                                                                                                                       |                                                                                                        |                                                        |

| Sl. No. | Regulation No. | Particulars                                                                                                                                                                                                                                                                                                                                                                                                 | Applicant's reply and signature (Based on the test report of licensed contractor, wherever applicable) | Remarks by Distribution Licensee or his representative |
|---------|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| 1       | 2              | 3                                                                                                                                                                                                                                                                                                                                                                                                           | 4                                                                                                      | 5                                                      |
|         |                | Has provision been made for extinguishing any fire?                                                                                                                                                                                                                                                                                                                                                         |                                                                                                        |                                                        |
|         |                | Has any spare oil been stored in the sub-station or switch station?                                                                                                                                                                                                                                                                                                                                         |                                                                                                        |                                                        |
| 31      | 44(2)(xii).    | Have cable trenches inside sub-stations, etc. containing cables been filled with sand and or pebbles, etc. or completely covered with non-inflammable slabs?                                                                                                                                                                                                                                                |                                                                                                        |                                                        |
| 32      | 44(2)(xiii).   | Where it is not possible to disconnect the entire installation for cleaning or other purpose, have the conductors and apparatus been so arranged that they may be made dead in sections to enable the work on any dead section to be carried out by an authorized person without danger?                                                                                                                    |                                                                                                        |                                                        |
| 33      | 44(3).         | Have EHV apparatus been protected against lightning as well as switching over voltages?                                                                                                                                                                                                                                                                                                                     |                                                                                                        |                                                        |
| 34      | 46(2).         | Has the insulation of the H.V. electric supply lines or apparatus withstood the following tests?                                                                                                                                                                                                                                                                                                            |                                                                                                        |                                                        |
|         |                | (a) If the normal working voltage does not exceed 1000 volts the testing voltage of 2,000 volts.                                                                                                                                                                                                                                                                                                            |                                                                                                        |                                                        |
|         |                | (b) If normal voltage exceeds 1,000 V but does not exceed 11,000 V the testing voltage of double the normal.                                                                                                                                                                                                                                                                                                |                                                                                                        |                                                        |
|         |                | (c) If the normal working voltage exceeds 11,000 V the testing voltage of normal working voltage plus 10,000 V or 22,000 V whichever is higher.                                                                                                                                                                                                                                                             |                                                                                                        |                                                        |
| 35      | 46(3).         | If above tests have been carried out before installing the electric supply lines and apparatus in position have these tests also been applied after their installation or if impracticable, has the insulation of the entire installation withstood a pressure of not less than 1,000 volts, applied between the conductors and also between conductors and earth for a period of not less than one minute. |                                                                                                        |                                                        |
| 36      | 46(4).         | Has the test prescribed above been applied to the electric supply lines or apparatus after alterations or repairs?                                                                                                                                                                                                                                                                                          |                                                                                                        |                                                        |
| 37      | 46(5) :        | Have the results of above tests been recorded?                                                                                                                                                                                                                                                                                                                                                              |                                                                                                        |                                                        |
| 38      | 46(6).         | In case the above tests have not been carried out, has a copy of the manufacturer's certified tests been supplied? Quote reference and attach a copy.                                                                                                                                                                                                                                                       |                                                                                                        |                                                        |
| 39      | 47.            | Have the following provisions been complied for metal sheathed electric supply lines?                                                                                                                                                                                                                                                                                                                       |                                                                                                        |                                                        |
|         |                | (a) Have the conductors been enclosed in a metallic sheathing electrically continuous and efficiently earthed?                                                                                                                                                                                                                                                                                              |                                                                                                        |                                                        |

| Sl. No. | Regulation No.      | Particulars                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Applicant's reply and signature (Based on the test report of licensed contractor, wherever applicable) | Remarks by Distribution Licensee or his representative |
|---------|---------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| 1       | 2                   | 3                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 4                                                                                                      | 5                                                      |
|         |                     | (b) In the even of failure of insulation between one conductor and metal sheathing at any point is the impedance of the circuit such that with the full voltage maintained at the source of supply, the current resulting from such failure is not less than twice the value of the current for which suitable cutout of adequate rupturing capacity or a suitable overload protective device has been set to operate a suitable discriminative fault current relay? |                                                                                                        |                                                        |
| 40      | 49 (1) (i) & (iii). | Is the sub-station erected under ground? If so, have the controlling Switch-gears and cutout, etc. fixed in separate receptacle above ground?                                                                                                                                                                                                                                                                                                                        |                                                                                                        |                                                        |
| 41      | 49(1)(ii).          | Has an efficient fencing 1.8 metre high been provided to prevent access to electric supply lines and apparatus installed in an outdoor plinth type sub-station.                                                                                                                                                                                                                                                                                                      |                                                                                                        |                                                        |
| 42      | 50.                 | Have substantial hand rails been built around the plat form provided for a person to stand on a pole-type sub-station? Have the hand rails and platform if of metal been efficiently earthed?                                                                                                                                                                                                                                                                        |                                                                                                        |                                                        |
| 43      | 51.                 | In case static capacitors have been installed to improve load power factor, have suitable provisions been made for immediate and automatic discharge of every static condenser on disconnection of supply?                                                                                                                                                                                                                                                           |                                                                                                        |                                                        |
| 44      |                     | Any other remarks.                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                        |                                                        |

I certify that conditions laid down by the distribution Licensee relating to the supply of electrical energy and all the requirements of the Electricity Act, 2003 and CEA Safety Regulations especially Regulation 37 thereof have been correctly complied with. The maximum capacity of the main fuse does not exceed ..... amperes and no increase will be made in the loading without due notification and permission in accordance with the rules/regulations in this regard.

Dated: .....

(Signature and name of Applicant)

**Annexure -V (B)**

(ref. regulation 3.4)

**Format: Inspection Report-HT/EHT**

(Refer Regulations 31, 33, 41(xv) of CEA Safety Regulations, 2010)

(To be filled by representative of the distribution Licensee not below the rank of Sub-Division officer/ Asst. Engineer for 11 kV works and Executive Engineer for 33 kV and above works)

Electricity Distribution Division: \_\_\_\_\_ Sub-Division: \_\_\_\_\_

Load applied (kW/kVA/HP) \_\_\_\_\_ Unique Application No.: \_\_\_\_\_

Nearest landmark Pole No./Feeder Pillar No. ....

1. I, (name) \_\_\_\_\_ (designation) \_\_\_\_\_ have  
inspected the premises of the applicant and found that:

1. All Statements given by applicant in work completion report for new HT/EHT (tick whichever applicable) connection to be correct.
2. Following statements given by applicant in work completion report for new connection to be incorrect.

| <u>Statement No.</u> | <u>Under Regulation</u> | <u>Statement No.</u> | <u>Under Regulation</u> |
|----------------------|-------------------------|----------------------|-------------------------|
| _____                | _____                   | _____                | _____                   |
| _____                | _____                   | _____                | _____                   |
| _____                | _____                   | _____                | _____                   |
| _____                | _____                   | _____                | _____                   |

2. I have carried out Insulation Resistance tests and results of the same are as under:

(a) Result of Insulation Resistance of

(i) HT &amp; EHT installation (to be measured on applying a pressure of 2.5 kV DC between each live conductor and earth for a period of one minute):-

| Between | <u>Phase-1 &amp; Earth</u> | <u>Phase-2 &amp; Earth</u> | <u>Phase-3 &amp; Earth</u> |
|---------|----------------------------|----------------------------|----------------------------|
|         |                            |                            |                            |

Insulation resistance has been found to be above/below permissible limits



(ii) LT installation (to be measured on applying a pressure of 500 V DC between each live conductor and earth for a period of one minute):-

|         |                            |                            |                            |
|---------|----------------------------|----------------------------|----------------------------|
| Between | <u>Phase-1 &amp; Earth</u> | <u>Phase-2 &amp; Earth</u> | <u>Phase-3 &amp; Earth</u> |
|---------|----------------------------|----------------------------|----------------------------|

**Insulation resistance has been found to be above/below permissible limits**

3. I have carried out Earth Resistivity Test for the Earth system provided by applicant as required under Regulation 41(xv) of CEA Safety Regulations, 2010 and Earth Resistance has been found to be \_\_\_\_\_ Ohms which is within/above permissible limit.

Further certified that an 'Earth Terminal' has been provided by Distribution Licensee as required under Regulation 16 of CEA Safety Regulations, 2010.

Following additional deficiencies have been found in your Electrical installation. You are requested to remove all deficiencies as mentioned above (including incorrect statements made by you in work completion report pointed out in Para 1 above) within 30 days i.e. by \_\_\_\_\_ and inform Distribution Licensee failing which your request for new connection would lapse:

- 1- \_\_\_\_\_
- 2- \_\_\_\_\_
- 3- \_\_\_\_\_
- 4- \_\_\_\_\_

Date: \_\_\_\_\_

Signature of distribution Licensee representative

Name and Designation

**(To be filled by Applicant)**

The testing of the premises has been carried out by distribution Licensee in my presence and

\*I am satisfied with the testing

\*I am not satisfied with the testing and may file an appeal with Electrical Inspector

It is also certified that Distribution Licensee has\*/has not\* provided an Earth Terminal as per Regulation 16 of CEA Safety Regulations 2010 at the premises.

Date \_\_\_\_\_

Signature and name of Applicant

*\* Strike out which is not applicable*

**Annexure - V (C)**

(ref. regulation 3.4)

**Format: SUPPLY AGREEMENT**

(To be typed on stamp paper of Rs. 100)

This agreement is made on this \_\_\_\_\_ day of \_\_\_\_\_ month of 20\_\_ (year)  
at \_\_\_\_\_ between

(name of the Distribution Licensee), a company incorporated under the Companies Act, 2013, having its Registered office at \_\_\_\_\_ granted a Licence by Uttarakhand Electricity Regulatory Commission for carrying on the business of Distribution and Retail supply of electricity energy in the State of Uttarakhand (hereinafter referred to as "distribution Licensee" which expression shall unless repugnant to the context or meaning thereof, include its successors and assigns), of the one part and

Mr./Ms./Mrs. \_\_\_\_\_ applicant/authorized signatory for and on behalf of M/s \_\_\_\_\_, a company incorporated under the Companies Act, 2013/a sole proprietorship/partnership firm or any other establishment having its Registered Office at

(hereinafter referred to as "consumer" which expression shall unless repugnant to the context or meaning thereof, include its successors and permitted assigns) and collectively referred to as "Parties".

Whereas the consumer has requested the distribution Licensee to provide a supply of electrical energy exclusively for its own use only at (full address) \_\_\_\_\_ for (purpose)

\_\_\_\_\_ as per details given in Appendix on the basis of information submitted by the consumer in his application/other forms/reports and the distribution Licensee has agreed to provide such supply upon the terms and conditions herein set forth including compliance with the Applicable Laws:

Now therefore, in consideration for the mutual covenants and promises set out in this agreement, it is hereby agreed between the parties hereto as follows:

**1. Definitions**

In this agreement, unless there is anything repugnant in the subject or context, the under mentioned words and expressions shall have the meaning assigned to them respectively hereunder:

- a) "Act" shall mean the Electricity Act, 2003.

Signature of Distribution Licensee's Officer

Stamp & Signature of  
Consumer

- b) **"Applicable laws"** shall mean such Central, State and local laws which apply to and govern the Parties and the transaction envisaged in this Agreement. This would include but not limited to the Electricity Act, 2003, CEA Safety Regulations and Regulations and any statutory modifications or reenactment of the above laws.
- c) **"Commission"** shall mean the Uttarakhand Electricity Regulatory Commission (UERC).
- d) **"Connected load"** means aggregate of the manufacture's rating of all energy consuming apparatus duly wired and connected to the power supply system of distribution Licensee including portable apparatus in the consumer's premises. This shall not include the load of spare plug, sockets, load exclusively installed for firefighting purposes. The load of either water and room heating or room cooling apparatus, whichever is higher, shall be taken into account.  
Connected load shall be used only for the purpose of assessment in case of direct theft or dishonest abstraction of energy or un-authorised use of energy.
- e) **"Contracted Load"** means the load in kVA (kilo Volt Ampere) which the Distribution Licensee has agreed to supply from time to time subject to the governing terms and conditions and is different from the connected load.
- f) **"Distribution Licensee"** means a Licensee authorised to operate and maintain a distribution system for supplying electricity to the consumers in his area of supply and granted licence by the Commission.
- g) **"Tariff"** as approved by the Commission and as applicable including subsequent amendments or modifications thereof.
- h) **"Regulations"** means the subordinate or delegated legislation, rules, regulations, orders, codes and/or instructions, notifications or other similar directives issued or amended by any competent regulatory, legislative, administrative, judicial or executive authority including the Commission, governing and/or regulating the supply of electricity in line with Applicable Law including but not limited to UERC (State Grid Code) Regulations, 2016, UERC (Distribution Code) Regulations, 2018, UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020 and amendments issued from time to time.

Notwithstanding anything contained hereinafter, this Agreement shall be governed as per the provisions of the Electricity Act, 2003 and/or the Regulations of the Commission as applicable from time to time. Any word or expression used shall, unless otherwise defined in this agreement, bear the meanings ascribed to it under the Electricity Act, 2003 or Regulation made thereunder.

Signature of Distribution Licensee's Officer

Stamp & Signature of  
Consumer

**2. Contracted Load**

Subject to the provisions hereinafter contained and during the continuance of this agreement, the **distribution Licensee** shall supply and the **Consumer** shall take from the **distribution Licensee**, the energy required by him for the purpose of \_\_\_\_\_ at **High Tension/Extra High Tension**, which consumer confirms at \_\_\_\_\_ kVA (hereinafter referred to as the 'Contracted Load').

**3. System of Supply**

The system of supply for the purpose of supply under this agreement shall be three-phase alternating current at a frequency of 50 cycles per second and a voltage of 11000 Volts or above. The frequency and voltage of the supply at the point of commencement of supply to the **consumer** shall, however, be subject to fluctuations that are ordinarily usual and incidental to the generation, transmission and distribution of electrical energy, but such fluctuations shall not except owing to extraordinary reasons beyond the control of the **distribution Licensee**, exceed the limits of variations permitted by the CEA Safety Regulations, 2010 or any statutory modifications thereof, which may be in force from time to time.

**4. Commencement of Supply**

The **consumer** shall be deemed to have commence taking supply of electrical energy from the **distribution Licensee** under the conditions of this agreement from the date of energisation of connection or intimation is sent to him in writing by the **distribution Licensee** that the supply of electrical energy to the full extent of the Contracted Load is available under this agreement, whichever is earlier.

**5. Point of Supply**

The point at which the supply of energy shall be deemed to have commenced for the purpose of this agreement shall be the point at out-going terminals of the **distribution Licensee's apparatus**, installed at the **consumer's premises** or elsewhere, which shall be located in a position as to be approved by the **distribution Licensee**.

**6. Failure of Supply**

The supply shall be made available except in cases such as beyond **distribution Licensee's** control, including like strikes, breakdowns of equipment or network, grid constraints or disturbance, lockout or where the supply is affected for other reasons over which the **distribution Licensee** has no control. The **distribution Licensee** shall not be liable for any claims for loss, damage or compensations whatsoever, arising out of failure of supply or variation in parameters thereof due to such reasons.

Signature of Distribution Licensee's Officer

Stamp & Signature of  
Consumer

**7. Consumer to accommodate Distribution Licensee's Apparatus**

The consumer shall provide in his (Consumer's) premises necessary accommodation required and considered suitable by the distribution Licensee for housing its (distribution Licensee's) apparatus for giving supply under this agreement free of rent to the distribution Licensee and afford all other facilities necessary for the proper operation, if required, the same shall be made available by the consumer at his own expense.

Such accommodation shall be maintained and protected by the consumer at his own cost.

**8. Distribution Licensee's Apparatus & Equipment**

**8 (a)** All the meters, plant, apparatus and equipment belonging to the distribution Licensee and installed in the consumer's premises, notwithstanding that the same or any part thereof may be fixed or fastened to any part of the consumer's premises or to the soil under it shall at all times continue to be the sole and absolute property of distribution Licensee and removable by the distribution Licensee and shall not be, in any way disturbed except by authorised officials of the distribution Licensee. The consumer further agrees with the distribution Licensee as follows: -

- (i) That the distribution Licensee shall be at liberty to place its name plates or any marks or numbers of the said apparatus and equipment belonging to the distribution Licensee and the consumer shall not alter or remove such plates, marks or numbers.
- (ii) That the said apparatus and equipment belonging to the distribution Licensee shall be kept at the consumer's premises and the same shall be duly protected and shall not be sold, assigned or dealt with or shall not be parted possession thereof by the consumer.

**8 (b) Consumer's responsibility for Distribution Licensee's property**

The consumer shall exercise proper care to protect the property of the distribution Licensee on his premises and in the event of loss or damage to the distribution Licensee's property arising due to any act (including negligence) of consumer or due to any reason attributable to the business and operation of the consumer, cost of necessary repairs or replacement shall be paid by the consumer.

Signature of Distribution Licensee's Officer

Stamp & Signature of  
Consumer

**9.1 The Consumer shall**

- (i) Exercise proper care to protect the **distribution Licensee's** equipment in his premises; and
- (ii) Ensure that the **distribution Licensee's** equipment in his premises is not tampered with, sold, assigned, altered or removed; and
- (iii) In the event of loss or damage to the **distribution Licensee's** equipment in his premises, the **consumer** shall pay the cost of necessary repairs or replacement.

**9.2** All cases shall be processed with the procedure and conditions set out herein and energisation of any connection shall be made only after due verification by the **distribution Licensee**.

**9.3** Consumer agrees to abide by the relevant and applicable provisions of UERC (State Grid Code) Regulations, 2016, UERC (Distribution Code) Regulations, 2018, UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020 and all other Rules/Regulations amended from time to time.

**9.4** Subject to the terms of this agreement and the Applicable Laws, the consumer agrees that it shall not, and that it shall ensure that its agents contractors, employees and invitees shall not, interfere in any way with the **distribution Licensee's** equipment without the prior consent of the **distribution Licensee**. For the purpose of this clause "interfere" shall include: -

- (a) Severing, terminating, restricting, impairing or impeding any Point of Supply and/or any connection between the Distribution System and the Point of Supply;
- (b) Disconnection or altering the connection of any equipment to any system of cables, foundations, pipes, drains or other media to which it may be connected from time to time or to prevent supply of any substance or thing through such connected system;
- (c) Affixing or removing any item or substance of any nature whatsoever to or from any equipment.
- (d) Damaging any equipment or doing or omitting to do any act, or allowing any state of affairs to subsist, as a result of which any equipment would be likely to sustain any material damage;
- (e) Allowing any other person to interfere with any equipment;
- (f) Altering any meters or settings on any equipment;

Signature of Distribution Licensee's Officer

Stamp & Signature of  
Consumer

- (g) Obstructing access to any equipment; and
- (h) Impairing the effectiveness of any gate, fence, wall, alarm system or the means of keeping out intruders.

Consumer shall always inform **distribution Licensee** about any illegal/unauthorised tapping for supply from the apparatus/network of **distribution Licensee** and/or consumer.

**10. Apparatus Equipment**

All consumer's equipment connected with the **distribution Licensee's** system shall be efficiently operated and maintained by the consumer. The setting and capacities of the various apparatus; belonging to the consumer may be fixed in consultation with the **distribution Licensee**.

**11. Metering**

For the purpose of registering the electrical energy and the Maximum Demand taken by the consumer under this agreement, there shall be provided at the point of Commencement of Supply as defined in **Clause 4** above, suitable metering equipment which shall be the property of and shall be kept calibrated by **distribution Licensee**.

**12. Testing of Meters**

The consumer shall be entitled on application to the **distribution Licensee** to have a test carried out on the meters at any time after paying the prescribed fee of such test. Such meters shall be deemed to be correct if the limits of the error do not exceed those laid down in CEA (Installation & Operation of Meters) Regulations, 2006 or any statutory modification thereof as may be in force from time to time. If as a result of such test, the meter is proved to be not correct, the **distribution Licensee** shall adjust the consumer's account as may be required in accordance with UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020 amended from time to time.

Signature of Distribution Licensee's Officer

Stamp & Signature of  
Consumer



**13. Meter Reading**

The readings of the meters or meter referred to in **Clause 11** above shall be taken at regular intervals by **distribution Licensee** through **MRI/AMR/AMI** and the readings so taken shall be conclusive and binding on both the **consumer** and the **distribution Licensee** as to the amount of maximum demand and electrical energy supplied to the **consumer**, except in case of tampering of such meters whereby **distribution Licensee** shall have right to proceed as deemed fit. **Distribution Licensee** shall provide a copy of **MRI** report alongwith the monthly bill. **Distribution Licensee** also agrees to provide full **MRI** report along with load survey on payment of amount as decided by the Commission from time to time.

Provided that in the event of any meter of the **distribution Licensee** being found defective for reasons not attributable to the **consumer**, the energy consumed during the period when the meter remained defective shall be determined and adjustment of amounts payable shall be carried out as per **UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020**.

**14. Power Factor**

The **consumer** shall install at his own expense suitable apparatus like shunt capacitors, etc. of standard design at the point of commencement of supply and will endeavour to maintain power factor of the load at not less than 0.85 lagging at any time in relation to the period relevant to determination of maximum demand.

**15. Payment for Supply**

The **consumer** shall pay to the **distribution Licensee** for electrical energy supplied during the preceding billing period such amount as billed, which shall be based on, calculated and ascertained in accordance with the tariff category as per applicable Rate Schedule.

Signature of Distribution Licensee's Officer

Stamp & Signature of  
Consumer

**16. Non-Payment**

The consumer shall pay in full the bill or bills within respective due dates which shall normally be fifteen days from the date of delivery of bills, notwithstanding any difference or dispute. If the consumer fails to pay the entire amount of any bill due under this agreement as aforesaid, he shall pay a surcharge at rate as per approved tariff order of the Commission in force for each month or part thereof.

Notwithstanding the above, **distribution Licensee** reserves the right to disconnect the supply after the due date in the event of non-payment in accordance with Section 56 of the Electricity Act, 2003 after giving the consumer 15 days notice from the due date. If the payment is not received, on expiry of such period the Licensee shall be at its liberty to disconnect the supply of electrical energy. The supply may be restored only after full payment of all the outstanding dues including the charges for the work of disconnection and reconnection together with the surcharge as applicable.

**17. Payment of Levies**

Any levy, whether it is called electricity duty/tax, cess, sales or service tax, octroi or by whatever other name called, made by the State Government or other competent authorities on energy purchased by the consumer from the **distribution Licensee** shall be paid by the consumer as billed by **distribution Licensee**.

**18. Security Deposit**

The consumer as required by the **distribution Licensee**, has deposited with it a sum of Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_ only) as security/consumption deposit for its performance of the terms and conditions of this agreement and shall on **distribution Licensee's** requisition from time to time renew or replenish such deposit, in the event of the same becoming exhausted or insufficient. The **distribution Licensee** shall, as per Commission's guidelines/regulations, be at liberty at any time and from time to time to appropriate and apply the security so deposited as aforesaid in or towards payment or satisfaction of all or any money, which becomes due from the consumer to the **distribution Licensee**.

Provided that, this clause shall apply in respect of the supply of energy or otherwise under this agreement and shall be without prejudice to any other rights or remedy to which the **distribution Licensee** may be entitled to.

Signature of Distribution Licensee's Officer

Stamp & Signature of  
Consumer

**19. Right of Access**

The consumer shall, at all reasonable times, permit duly authorized representatives of the **distribution Licensee** to have access to his (consumer's) premises for the purpose of inspecting and testing his (consumer's) installation or reading meters and for testing, repairing, renewing or replacing any or all equipment belonging to the **distribution Licensee** and doing all things necessary or incidental to the proper maintenance of supply to the consumer.

**20.1 Period of Supply**

This agreement shall, subject to as hereinafter provided, be and remain in force unless validly terminated in accordance with the Clause 20.2 to 20.4 below.

**20.2. Distribution Licensee shall have the right to terminate this agreement based on bill cum disconnection notice/serving a written notice to the consumer in any of the following events:-**

- (a) The consumer is in default of its obligations to ensure the maintenance of the Security in accordance with Clause 18 of this agreement upon Licensee's requisition raised as per relevant Regulations or Orders of the Commission; or
- (b) The consumer fails to pay the full amount towards payment for supply in accordance with Clause 15 of this agreement on the date on which the same shall have become payable; or
- (c) The consumer fails to rectify the issues pointed out by the distribution Licensee which are jeopardising its distribution network.

and such failure is not remedied to the satisfaction of **distribution Licensee** within a period of 15 clear days from the due date or from the date of applicability of disconnection notice. Provided that **distribution Licensee's** right to terminate the agreement in terms of this clause shall be without prejudice to its other rights.

**20.3 The consumer shall be entitled to permanently disconnect its connection and terminate this agreement by-**

- (a) Giving an advance written notice of minimum one (1) month to **distribution Licensee**, and apply for disconnection in the prescribed format seven days in advance of the proposed date of permanent disconnection.
- (b) After conducting special reading by the distribution Licensee, the final bill based on special reading shall be prepared and issued to the consumer by the distribution Licensee. The Consumer shall pay to **distribution Licensee**, within 03 days upon service of such final bill, without deduction, set-off or withholding on any account whatsoever, the amount of such bill.

Provided that if the consumer disputes the reasonability of the final bill, the same shall be resolved in accordance with Clause 25 of this Agreement.

Signature of Distribution Licensee's Officer

Stamp & Signature of  
Consumer

20.4 For termination of this Agreement pursuant to 20.3 above, the **distribution Licensee** shall proceed for disconnection as per the procedure specified in UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020 subject to any subsequent modifications /amendments therein read with any other Regulation and Order passed by the Commission and prepare and deliver final bill to the consumer.

**21. Contract not Transferable**

Neither this contract nor any interest herein shall be transferred or assigned by the consumer in any manner whatsoever without the prior consent in writing of the **distribution Licensee**.

**22. Maintenance of records by Consumer**

The consumer shall afford to the **distribution Licensee** all reasonable information and facilities to enable the **distribution Licensee** to keep all records required under the provisions of the Electricity Act, 2003 or the Rules and the Regulations applicable under the government or Municipal Regulations relating to the supply of electrical energy. Consumer shall immediately inform **distribution Licensee** in writing about any change in use of supply or in any records pertaining to this agreement.

**23. Agreement to be read with Applicable Laws**

This agreement shall be read and construed as subject in all respects to the relevant provisions of Applicable Laws.

**24. Indemnity**

(a) The consumer shall indemnify, defend, save and hold harmless **distribution Licensee** against any and all suits, proceedings, actions, demands and third party claims for any loss, damage, cost and expense suffered by **distribution Licensee** on account of the negligence, act or omission inaction by the consumer under this agreement.

(b) The consumer shall also be responsible and liable to **distribution Licensee** for any loss or damage caused to the **distribution Licensee** for any negligence or inaction, damage to the property of the **distribution Licensee** caused by the consumer or its employees.

(c) The consumer shall make to its own employees, if any, payment of compensation on account of injury, fatal or otherwise due to accident during service. It shall indemnify **distribution Licensee** and its employees against any claim on this account.

Signature of Distribution Licensee's Officer

Stamp & Signature of  
Consumer

**25. Dispute Resolution**

If any question or difference whatsoever arises between the parties to these presents or as to any clause or thing herein contained or the construction hereafter as to any other matter in any way connected with or arising out of these persons of the operation hereof or the rights, duties or liabilities either in connection herewith, then, unless the procedure for settling such a question or difference is laid down by the Electricity Act, 2003 and amendments issued from time to time as the case may be or otherwise specifically by this agreement, in every such case, the matter in difference shall be referred for Arbitration. In this connection, an application maybe made by either party to the Managing Director, UPCL, for nominating a person as the sole arbitrator with the mutual consent of both the parties. However, in case the parties fail to mutually agree on the appointment of such person as the sole arbitrator, the Commission may appoint another person as the sole arbitrator upon an application made to it by either party in this regard. The award of the arbitrator shall be final and binding upon the parties to this agreement. Subject as aforesaid the provisions of Arbitration and Conciliation Act, 1996 and the rules thereunder and statutory modifications thereon in force shall be deemed to apply to the arbitration proceedings under this clause. Venue of arbitration proceedings shall be Dehradun only.

In witness whereof all parties hereto have executed or caused to be executed these presents the day and year first above written through their respective authorized signatories as under:

**Signed, Stamped/Sealed and delivered by:**

.....  
**Distribution Licensee's Officer**  
**For and on behalf of**  
**(Name of the distribution Licensee)**

.....  
**For and on behalf of Consumer**  
**Name:**  
**Designation**  
**Consumer stamp/seal**

**Witness:**

1. Signature .....  
 Name & Address .....  
 .....  
 2. Signature .....  
 Name & Address .....  
 .....

1. Signature .....  
 Name & Address .....  
 .....  
 2. Signature .....  
 Name & Address .....  
 .....

**Appendix****CONNECTION SUMMARY**

Book No. \_\_\_\_\_

Service Connection No. \_\_\_\_\_ Connected on \_\_\_\_\_

|   |                                                                                                           |  |
|---|-----------------------------------------------------------------------------------------------------------|--|
| 1 | Name of Consumer                                                                                          |  |
| 2 | Full Address where Electricity Supply is required including telephone, mobile, fax and email              |  |
| 3 | Registered Address of the Consumer (Postal & Nearest Landmark) including telephone, mobile, fax and email |  |
| 4 | Billing Address, where bill is required to be sent including telephone, mobile, fax and email             |  |
| 5 | Purpose for which Supply is required (Category as per purpose of use)                                     |  |
| 6 | Type of Industrial /Commercial /other activity                                                            |  |
| 7 | Contracted Load (in kVA)                                                                                  |  |
| 8 | Voltage of supply                                                                                         |  |
| 9 | Desired date of energisation of Connection                                                                |  |

Total Connected Load \_\_\_\_\_ kW (kilo-Watt) / ( \_\_\_\_\_ kVA at 0.85 PF)

Signature of Distribution Licensee's Officer

Stamp &amp; Signature of Consumer

**Annexure - VI**

(ref. regulation 3.3 &amp; regulation 3.4)

**Formats:- Monthly Division-wise reports on delay in release of LT/HT/EHT connections****Performa A1- For delay in Release of new LT connection**

Month: \_\_\_\_\_

Name of Zone :

Name of Circle :

Name of Division :

1. Number of applications pending on the last day of the preceding month \_\_\_\_\_
2. Number of applications received during the month \_\_\_\_\_
3. Number of connections released during the month \_\_\_\_\_
4. Number of applications pending on last day of the month \_\_\_\_\_
5. Number of connections released which were delayed by more than 90 days from the stipulated time frames.
6. Number of connections released within specified period of 15 days or extended period specified in the regulations.
7. Number of connections not energised within specified period of 15 days or extended period specified.

**Details of connections not energised within specified period**

| Name of the applicant                                                                                                                      | Date of Application | Amount received from applicant | Date of energisation | Number of days of delay | Amount of penalty | Reason for delay |
|--------------------------------------------------------------------------------------------------------------------------------------------|---------------------|--------------------------------|----------------------|-------------------------|-------------------|------------------|
| 1                                                                                                                                          | 2                   | 3                              | 4                    | 5                       | 6                 | 7                |
| (A) Where connection should have been released within 15 days as per the Regulations                                                       |                     |                                |                      |                         |                   |                  |
|                                                                                                                                            |                     |                                |                      |                         |                   |                  |
| (B) Where connection should have been released within 60 days as per Regulations (If only extension of distributing mains is required)     |                     |                                |                      |                         |                   |                  |
|                                                                                                                                            |                     |                                |                      |                         |                   |                  |
| (C) Where connection should have been released within 90 days as per Regulations (If commissioning of a new sub-stations is also required) |                     |                                |                      |                         |                   |                  |
|                                                                                                                                            |                     |                                |                      |                         |                   |                  |
| (D) Where connection should have been released within 180 days as per Regulations (If commissioning of a new 33/11 KV S/S is required)     |                     |                                |                      |                         |                   |                  |
|                                                                                                                                            |                     |                                |                      |                         |                   |                  |

**Note:** - Details of connections delayed by more than 90 days from the stipulated time frames to be highlighted in this report.

Executive Engineer

**Performa A2- For delay in Enhancement of LT Load**

Month: \_\_\_\_\_

Name of Zone :

Name of Circle :

Name of Division :

1. Number of applications pending on the last day of the preceding month \_\_\_\_\_
2. Number of applications received during the month \_\_\_\_\_
3. Number of connections where load is enhanced during the month \_\_\_\_\_
4. Number of applications pending on last day of the month \_\_\_\_\_
5. Number of connections where load is enhanced within specified period of 15 days or extended period specified in the regulations
6. Number of connections where load is not enhanced within specified period of 15 days or extended period specified

**Performa A3- For delay in Reduction of LT Load**

Month: \_\_\_\_\_

Name of Zone :

Name of Circle :

Name of Division :

1. Number of applications pending on the last day of the preceding month \_\_\_\_\_
2. Number of applications received during the month \_\_\_\_\_
3. Number of connections where load is reduced during the month \_\_\_\_\_
4. Number of applications pending on last day of the month \_\_\_\_\_
5. Number of connections where load is reduced within specified period of 15 days or extended period specified in the regulations
6. Number of connections where load is not reduced within specified period of 15 days or extended period specified



**Performa B1- For delay in Release of new HT/EHT connection**

Month: \_\_\_\_\_

Name of Zone :

Name of Circle :

Name of Division :

1. Number of applications pending on the last day of the preceding month \_\_\_\_\_
2. Number of applications received during the month \_\_\_\_\_
3. Number of connections released during the month \_\_\_\_\_
4. Number of applications pending on last day of the month \_\_\_\_\_
5. Number of connections released which were delayed by more than 90 days from the stipulated time frames.
6. Number of connections where connection is released within the specified period \_\_\_\_\_
7. Number of connections not energised within specified time limit as per Regulation \_\_\_\_\_

**Details of Connections Not energized within specified period**

| S. No.                                                           | Name of the Applicant | Date of Application | Date of Deposition of amount | Amount Deposited | Time allowed for Energisation of Connection as per regulations | Date of Energisation of Connection | Time taken to Energise the Connection | No. of days of delay | Amount of penalty @ Rs. 500 per day for each day of default |
|------------------------------------------------------------------|-----------------------|---------------------|------------------------------|------------------|----------------------------------------------------------------|------------------------------------|---------------------------------------|----------------------|-------------------------------------------------------------|
| 1                                                                | 2                     | 3                   | 4                            | 5                | 6                                                              | 7                                  | 8                                     | 9                    | 10                                                          |
| (i) 11 kV works including line not involving independent feeder: |                       |                     |                              |                  |                                                                |                                    |                                       |                      |                                                             |
|                                                                  |                       |                     |                              |                  |                                                                |                                    |                                       |                      |                                                             |
|                                                                  |                       |                     |                              |                  |                                                                |                                    |                                       |                      |                                                             |
| (ii) 11 kV works including line involving independent feeder:    |                       |                     |                              |                  |                                                                |                                    |                                       |                      |                                                             |
|                                                                  |                       |                     |                              |                  |                                                                |                                    |                                       |                      |                                                             |
|                                                                  |                       |                     |                              |                  |                                                                |                                    |                                       |                      |                                                             |
| (iii) 33 kV works including line:                                |                       |                     |                              |                  |                                                                |                                    |                                       |                      |                                                             |
|                                                                  |                       |                     |                              |                  |                                                                |                                    |                                       |                      |                                                             |
|                                                                  |                       |                     |                              |                  |                                                                |                                    |                                       |                      |                                                             |
| (iv) 132 kV and above works including line:                      |                       |                     |                              |                  |                                                                |                                    |                                       |                      |                                                             |
|                                                                  |                       |                     |                              |                  |                                                                |                                    |                                       |                      |                                                             |
|                                                                  |                       |                     |                              |                  |                                                                |                                    |                                       |                      |                                                             |

**Note:** Time allowed for energization of connection shall be as shown in para-A below. However, If works are required to be done in addition as per para-B below, then the total time period allowed for energizing the connection shall be sum of time periods as shown in para-A & B below.

- (A) Cases, where supply of electricity to premises applied for does not require commissioning of new substation/bay, the distribution/transmission Licensee shall complete installation of HT/EHT works within the time specified below from the date of deposition of amount by the Applicant:
- (i) 11 kV works including line not involving independent feeder - specified time period 60 days
  - (ii) 11 kV works including line involving independent feeder - specified time period 90 days
  - (iii) 33 kV works including line - specified time period 180 days
  - (iv) 132 kV and above works including line - specified time period 300 days
- (B) Cases, where supply of electricity to premises applied for requires commissioning of a new substation/bay, the distribution/transmission Licensee shall take up the work on the new sub-station/bay at its own cost and complete the work within the "Additional time" specified below for different sub-stations:
- (i) New 33/11 kV sub-station - specified time period 180 days
  - (ii) Augmentation of existing 33/11 kV sub-station - specified time period 120 days
  - (iii) Extension of bay at 33/11 kV sub-station - specified time period 45 days
  - (iv) 132 kV and above sub-station - specified time period 540 days
  - (v) Extension of bay at 132 kV and above sub-station - specified time period 90 days

Note:- Details of connections delayed by more than 90 days from the stipulated time frames to be highlighted in this report.

Executive Engineer

**Performa B2- For delay in Enhancement of HT/EHT Load**

Month: \_\_\_\_\_

Name of Zone :

Name of Circle :

Name of Division :

1. Number of applications pending on the last day of the preceding month \_\_\_\_\_
2. Number of applications received during the month \_\_\_\_\_
3. Number of connections where load is enhanced during the month \_\_\_\_\_
4. Number of applications pending on last day of the month \_\_\_\_\_
5. Number of connections where load is enhanced within specified period of 30 days or extended period specified in the regulations
6. Number of connections where load is not enhanced within specified period of 30 days or extended period specified

**Performa B3- For delay in Reduction of HT/EHT Load**

Month: \_\_\_\_\_

Name of Zone :

Name of Circle :

Name of Division :

1. Number of applications pending on the last day of the preceding month \_\_\_\_\_
2. Number of applications received during the month \_\_\_\_\_
3. Number of connections where load is reduced during the month \_\_\_\_\_
4. Number of applications pending on last day of the month \_\_\_\_\_
5. Number of connections where load is reduced within specified period of 30 days or extended period specified in the regulations
6. Number of connections where load is not reduced within specified period of 30 days or extended period specified

**Annexure - VII**

(ref. regulation 4.1)

**Application for Load Enhancement or Reduction/ Change of Consumer's name due to change in Ownership or occupancy of the property/ Transfer of Consumer's name to Legal heir/Change of Category (Distribution Licensee.....)**

**Applying for the purpose of:**

- ☐ Load Enhancement/Reduction [A & B below]    ☐ Change of Consumer's Name [A & C below]  
☐ Transfer of Consumer's Name to Legal heir [A & C below]    ☐ Change of Category [A & D below]

*[Only applicable sections in the form are to be filled by the Applicant]*

*(To be filled by Licensee)*

|                     |  |
|---------------------|--|
| Application Number  |  |
| Date of Application |  |

|          |                                                   |                              |                            |     |
|----------|---------------------------------------------------|------------------------------|----------------------------|-----|
| <b>A</b> | <b>Connection Particulars of Consumer:</b>        |                              |                            |     |
| 1        | Existing Consumer                                 | Book No                      |                            |     |
|          |                                                   | S.C. No.                     |                            |     |
| 2        | Address at which supply is provided               | House                        |                            |     |
|          |                                                   | Street                       |                            |     |
|          |                                                   | Colony/ Area                 |                            |     |
|          |                                                   | District                     |                            | Pin |
| 3        | Name (In Capital) of Existing Consumer            |                              |                            |     |
| 4        | Telephone No. (if any)                            |                              | Mob.                       |     |
| <b>B</b> | <b>Particulars for Load Enhancement/Reduction</b> |                              |                            |     |
| 1        | Particulars                                       | Load Enhancement (kW/kVA/HP) | Load reduction (kW/kVA/HP) |     |
|          | Existing Contracted Load                          |                              |                            |     |
|          | Load requested                                    |                              |                            |     |

**Note:-** Connections requiring change in supply voltage after enhancement/reduction of load, shall be processed as fresh application for new LT/HT/EHT connection, as the case may be, by the Licensee duly adjusting the amounts already paid by the applicant.

|                                                                                                                                                                                                                                                                                |                                                                                                                      |                                                                                                                                    |                                                                                                                                                                                                                                                 |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>C</b>                                                                                                                                                                                                                                                                       | <b>Particulars of New Owner/Occupant: [For Change of Consumer's name/ Transfer of Consumer's name to Legal heir]</b> |                                                                                                                                    |                                                                                                                                                                                                                                                 |  |
| 1                                                                                                                                                                                                                                                                              | Name (In Capital) of the applicant in whose name connection is to be transferred                                     |                                                                                                                                    |                                                                                                                                                                                                                                                 |  |
| 2                                                                                                                                                                                                                                                                              | Telephone No.                                                                                                        |                                                                                                                                    | Mob.                                                                                                                                                                                                                                            |  |
| 3                                                                                                                                                                                                                                                                              | E-mail                                                                                                               |                                                                                                                                    |                                                                                                                                                                                                                                                 |  |
| 4                                                                                                                                                                                                                                                                              | List of Documents Required:                                                                                          | Change of Consumer's name due to change in Ownership or occupancy of the property                                                  | Transfer of Consumer's name to Legal heir                                                                                                                                                                                                       |  |
|                                                                                                                                                                                                                                                                                |                                                                                                                      | 1. Copy of latest bill duly paid<br>2. Proof of ownership of property<br>3. NOC of previous owner for transfer of security deposit | 1. Copy of latest bill duly paid<br>2. Copy of Registered Will, Succession Certificate, Mutation in municipal/ land records etc.<br>3. NOC from other Legal heir in case connection is to be transferred in the name of one of the Legal heirs. |  |
| <b>D</b>                                                                                                                                                                                                                                                                       | <b>Change of Category</b>                                                                                            |                                                                                                                                    |                                                                                                                                                                                                                                                 |  |
| 1                                                                                                                                                                                                                                                                              | Existing load as per electricity bill (kW/kVA/HP)                                                                    |                                                                                                                                    |                                                                                                                                                                                                                                                 |  |
| 2                                                                                                                                                                                                                                                                              | Load after change in Category (kW/kVA/HP)                                                                            |                                                                                                                                    |                                                                                                                                                                                                                                                 |  |
| 3                                                                                                                                                                                                                                                                              | Existing category                                                                                                    |                                                                                                                                    | Change of category desired                                                                                                                                                                                                                      |  |
| <p><b>Note:-</b> Wherever applicable, the Applicant shall submit documents as per regulation 3.4.2 (4) (b) pertaining to Statutory Permissions/Registrations irrespective of voltage level LT/HT/EHT.</p> <p>No change in category shall be allowed for a PTW connections.</p> |                                                                                                                      |                                                                                                                                    |                                                                                                                                                                                                                                                 |  |
| Applicant shall submit the proof for duly paid latest bill along with this application form.                                                                                                                                                                                   |                                                                                                                      |                                                                                                                                    |                                                                                                                                                                                                                                                 |  |
| Date:                                                                                                                                                                                                                                                                          |                                                                                                                      | Signature of Applicant                                                                                                             |                                                                                                                                                                                                                                                 |  |

**Annexure - VIII**

(ref. regulation 5.1)

**METER TESTING REPORT****1. CONSUMER PARTICULARS**

Name (In Capital) of consumer: \_\_\_\_\_

Address: \_\_\_\_\_

Consumer S.C. No./Book No.: \_\_\_\_\_

Contracted Load: \_\_\_\_\_

**2. METER PARTICULARS**

Meter No. \_\_\_\_\_ Size: \_\_\_\_\_

Dial No. \_\_\_\_\_

Type: \_\_\_\_\_ C. T. Ratio: \_\_\_\_\_

E/L- LED Status \_\_\_\_\_ Rev LED status \_\_\_\_\_

**3. PULSE TEST**

Meter Constant: \_\_\_\_\_ Load: \_\_\_\_\_

Reading before test: \_\_\_\_\_ Reading after test: \_\_\_\_\_

No. of pulse taken: \_\_\_\_\_ Actual Time Taken for the test: \_\_\_\_\_

Energy Recorded by meter: \_\_\_\_\_ Energy Recorded by Testing Equipment: \_\_\_\_\_

Error: \_\_\_\_\_

**RESULT**

Consumer Meter recorded \_\_\_\_\_ % Less/More Consumption, Need Replacement/Results are within Limits

**Certificate**

It is to certify that the testing has been carried out as per the procedure prescribed by the Commission on \_\_\_\_\_ (date). An external load of \_\_\_\_\_ kW was used for testing for 1 kWh and total time taken was \_\_\_\_\_ min. The testing was carried out by using suitable scanner for counting the pulses.

Signature of Consumer

Signature of Licensee's representative

Name and Designation

**Note:** Approximate time taken for test for different external loads is as under

| Load in kW | Approximate time in Minutes |
|------------|-----------------------------|
| 1 kW       | 100                         |
| 2 kW       | 50                          |
| 3 kW       | 30                          |

**Annexure - IX**

(ref. regulation 5.1 &amp; regulation 5.2)

**Application for Self-Assessed/ Advance Payment of Anticipated Bills**

(Distribution Licensee.....)

**Applying for the purpose of:**☐ Self-Assessed Bill [A, B & D below]☐ Advance Payment of anticipated bills [A, C & D below]*[Only applicable sections in the form are to be filled by the Applicant]**(To be filled by Licensee)*

|                     |  |
|---------------------|--|
| Application Number  |  |
| Date of Application |  |

|          |                                                       |                     |      |       |
|----------|-------------------------------------------------------|---------------------|------|-------|
| <b>A</b> | <b>Consumer Details:</b>                              |                     |      |       |
| 1        | Existing Consumer                                     | Book No             |      |       |
|          |                                                       | S.C. No.            |      |       |
| 2        | Address at which supply is provided                   | House               |      |       |
|          |                                                       | Street              |      |       |
|          |                                                       | Colony/Area         |      |       |
|          |                                                       | District            |      | Pin   |
| 3        | Name (In Capital) of Consumer                         |                     |      |       |
| 4        | Telephone No. (if any)                                |                     | Mob. |       |
| <b>B</b> | <b>Self-Assessed Bill</b>                             |                     |      |       |
| 1        | Based on reading (Self-taken)                         | a. Previous Reading |      | Date: |
|          |                                                       | b. Current Reading  |      |       |
|          |                                                       | c. Net Consumption  |      |       |
|          |                                                       | Amount              |      |       |
| 2        | Based on average consumption of last 3 billing cycles | Amount:             |      |       |

|                               |                                             |                                              |                 |                          |
|-------------------------------|---------------------------------------------|----------------------------------------------|-----------------|--------------------------|
| <b>C</b>                      | <b>Advance Payment of anticipated bills</b> |                                              |                 |                          |
| <b>1</b>                      | Advance Payment being made:                 |                                              |                 |                          |
| <b>2</b>                      | Previous dues (if any):                     |                                              |                 |                          |
| <b>3</b>                      | Net Advance Payment                         |                                              |                 |                          |
| <b>D</b>                      | <b>Mode of Payment</b>                      | Cheque <input type="checkbox"/>              | <b>Details:</b> | <b>Remarks (if any):</b> |
|                               |                                             | Electronic Transfer <input type="checkbox"/> |                 |                          |
|                               |                                             | DD/P.O. <input type="checkbox"/>             |                 |                          |
|                               |                                             | Cash <input type="checkbox"/>                |                 |                          |
| <b>Date:</b>                  |                                             |                                              |                 |                          |
| <b>Signature of Applicant</b> |                                             |                                              |                 |                          |



**Annexure - X**

(ref. regulation 6.2)

**Application for Permanent Disconnection on Consumer's request**

(To be filled by Licensee)

|                     |  |
|---------------------|--|
| Application Number  |  |
| Date of Application |  |

|          |                                                      |                                  |      |     |  |
|----------|------------------------------------------------------|----------------------------------|------|-----|--|
| <b>A</b> | <b>Particular of existing owner</b>                  |                                  |      |     |  |
| 1        | Existing Consumer                                    | Book No                          |      |     |  |
|          |                                                      | S.C. No.                         |      |     |  |
| 2        | Name (In Capital) of Consumer                        |                                  |      |     |  |
| 3        | Address at which disconnection of supply is required | House                            |      |     |  |
|          |                                                      | Street                           |      |     |  |
|          |                                                      | Colony/ Area                     |      |     |  |
|          |                                                      | District                         |      | Pin |  |
|          | Telephone No. (if any)                               |                                  | Mob. |     |  |
| 4        | Date on which disconnection is to be carried out     |                                  |      |     |  |
| 5        | Reason for Permanent Disconnection                   |                                  |      |     |  |
| 6        | List of documents                                    | 1. Copy of latest bill duly paid |      |     |  |

Date:

Signature of Applicant

**Annexure - XI**

(ref. regulation 7.1)

**Inspection Report regarding Theft and Unauthorised use of Electricity**

|                          |                  |                          |                 |
|--------------------------|------------------|--------------------------|-----------------|
| Date of Inspection       |                  | Sl. No/<br>(Booklet No)  |                 |
| Name of the Consumer     |                  | Division                 |                 |
|                          |                  | Circle/Zone              |                 |
| Name of the User         |                  | S.C. No.                 |                 |
| Address                  |                  | Book No.                 |                 |
|                          |                  | Load Details             |                 |
|                          |                  | Contracted Load          |                 |
|                          |                  | Billing demand           |                 |
|                          |                  | Total Connected Load     |                 |
|                          |                  | Category/Tariff Code     |                 |
| Type of Irregularity     |                  |                          |                 |
| <input type="checkbox"/> | Unauthorized Use | <input type="checkbox"/> | Suspected Theft |
| <input type="checkbox"/> | Theft            |                          |                 |

|                                     |                          |             |
|-------------------------------------|--------------------------|-------------|
| Meter Details                       | Status of Seals & Cable  |             |
| Meter Sl. No.<br>_____              | CT Box Seal<br>No. _____ | Found _____ |
| Meter Make.<br>_____                |                          |             |
| Meter No.<br>(Painted/Marked) _____ | Meter Box Seal No        | Found _____ |
|                                     |                          | Found _____ |

|                        |                                 |             |
|------------------------|---------------------------------|-------------|
| Reading<br>kWh _____   | Meter Terminal Seal<br>No _____ | _____       |
| Reading<br>kVAh _____  | Half Seal No<br>_____           | Found _____ |
| Reading<br>kVARh _____ |                                 | _____       |
| MDI _____              |                                 | _____       |
| Power<br>Factor _____  |                                 |             |
| Size _____             | Testing Equipment Results       |             |
| Type _____             | Working of<br>meter _____       | Found _____ |
| CT<br>Ratio _____      | Cable Status<br>_____           | Found _____ |

Shunt Capacitor ☐ No. of Shunt Capacitor of \_\_\_\_\_ rating  
make \_\_\_\_\_ found installed in working order to maintain the power factor/ ☐ no shunt  
capacitor found installed. Power factor measured \_\_\_\_\_ lagging.

|                        |
|------------------------|
| Connected load details |
|                        |
|                        |
|                        |
|                        |

|                                                                      |                              |
|----------------------------------------------------------------------|------------------------------|
| <b>Establishment Type:</b> _____ <b>Working Hours</b> _____          |                              |
| <b>Condition of Working</b> _____<br>(Specific type of factory/shop) |                              |
| <b>Details of Seal</b>                                               |                              |
| <b>Other Observations by Inspection Team:</b>                        |                              |
| <b>Consumer's Name &amp; Signature</b>                               | <b>Signature (s)</b> _____   |
|                                                                      | <b>Name(s)</b> _____         |
|                                                                      | <b>Designation (s)</b> _____ |

**Annexure - XII**

(ref. regulation 7.1)

**Assessment of Energy in cases of Theft/Pilferage**

Assessment of energy in the cases of theft/pilferage shall be done based on the following formula:

$$\text{Units assessed} = L \times D \times H \times F,$$

where 'L' is load (connected/contracted load whichever is higher) in kW where kWh rate is applicable and in kVA where kVAh rate is applicable.

'D' is number of working days per month, during which theft/pilferage is suspected and shall be taken for different categories of use as below:

|     |                                                                                                                   |         |
|-----|-------------------------------------------------------------------------------------------------------------------|---------|
| (a) | Continuous industry                                                                                               | 30 days |
| (b) | Non-continuous industry                                                                                           | 25 days |
| (c) | Domestic use                                                                                                      | 30 days |
| (d) | Agriculture                                                                                                       | 30 days |
| (e) | Non-Domestic (continuous)<br>Viz. Hospitals, hotels and restaurants,<br>guest houses, nursing homes, petrol pumps | 30 days |
| (f) | Non domestic (general) i.e. other than (e)                                                                        | 25 days |

'H' is use of supply hours per day, which shall be taken for different categories of use as below:

|     |                                          |         |
|-----|------------------------------------------|---------|
| (a) | Single shift industry (day / night only) | 10 hrs. |
| (b) | Non-continuous industry (day & night)    | 20 hrs. |
| (c) | Continuous industry                      | 24 hrs. |
| (d) | Non-domestic                             | 20 hrs. |
| (e) | Domestic                                 | 8 hrs.  |
| (f) | Agriculture                              | 10 hrs. |

'F' is load factor, which shall be taken for different categories of use as below:

|     |               |      |
|-----|---------------|------|
| (a) | Industrial    | 60%  |
| (b) | Non-domestic  | 60%  |
| (c) | Domestic      | 40%  |
| (d) | Agriculture   | 100% |
| (e) | Direct theft# | 100% |

The working hours for the purpose of assessment in the cases of bonafide domestic use for operating domestic water pump, microwave Owens, washing machines and petty domestic appliances shall not be considered for more than one hour working per day on 100% load factor.

**Assessment of energy in case of temporary connection**

In the case of temporary connection the assessment for pilferage of energy shall be done as per the following formula:

Units assessed =  $L \times D \times H$ , where

L = Load (connected/ contracted load whichever is higher) in kW where kWh rate is applicable and in kVA where kVAh rate is applicable.

D = No. of days for which supply is used.

H = 12 hours.

**Abbreviations**

Following abbreviations have been used in this code but have not been defined;

| S. No. | Abbreviations | Description               |
|--------|---------------|---------------------------|
| 1      | V             | Volt                      |
| 2      | A             | Ampere                    |
| 3      | W             | Watt                      |
| 4      | kV            | kilo Volt                 |
| 5      | kA            | kilo Ampere               |
| 6      | kWh           | kilo Watt hour            |
| 7      | kVA           | kilo Volt Ampere          |
| 8      | CT            | Current Transformer       |
| 9      | PT            | Potential Transformer     |
| 10     | kVAh          | kilo Volt Ampere hour     |
| 11     | kW            | kilo Watt                 |
| 12     | kVAR          | kilo Volt Ampere Reactive |

By Order of the Commission,

**NEERAJ SATI,**

*Secretary,*

Uttarakhand Electricity Regulatory Commission.



# सरकारी गजट, उत्तराखण्ड

## उत्तराखण्ड सरकार द्वारा प्रकाशित

रुड़की, शनिवार, दिनांक २८ फरवरी, २०१५ ई० (फाल्गुन ०९, १९३६ शक सम्वत्)

भाग- १-क

नियम, कार्य-विधियां, आझाए, विज्ञप्तियां इत्यादि जिनको उत्तराखण्ड के राज्यपाल महोदय, विभिन्न विभागों के अध्यक्ष तथा राजस्व परिषद् ने जारी किया

**UTTARAKHAND ELECTRICITY REGULATORY COMMISSION, DEHRADUN**

**UERC (Terms and Conditions of Intra-State Open Access) Regulations, 2015**

**NOTIFICATION**

*Dated: January 13, 2015*

**No. UERC/F(9)RG/UERC/2015/1883**—In exercise of the powers conferred by section 181, read with sections 39, 40, 42 and 86 of the Electricity Act, 2003 (36 of 2003), and all other powers enabling it in this behalf, the Uttarakhand Electricity Regulatory Commission hereby proposes to make the following Regulations, namely:-

### **CHAPTER 1**

### **PRELIMINARY**

#### **1. Short Title, Extent and Commencement :**

- (1) These regulations shall be called the Uttarakhand Electricity Regulatory Commission (Terms and Conditions of Intra-State Open Access) Regulations, 2015.
- (2) These regulations shall come into force from the date of their publication in the Government Gazette replacing the existing Uttarakhand Electricity Regulatory Commission (Terms and Conditions of Intra-State Open Access) Regulations, 2010 with effect from the aforesaid date.

#### **2. Scope :**

These regulations shall apply to open access customers using intra-State transmission system and distribution systems of the State, including when such system is used in conjunction with inter-State transmission system.



**3. Definitions :**

In these regulations, unless the context otherwise requires :

- (1) "Act" means the Electricity Act, 2003 (36 of 2003) ;
- (2) "Approved Capacity" means capacity in MW approved by NLDC/RLDC/SLDC for bilateral/collective transactions at the point(s) of injection for open access customers ;
- (3) "Applicant" means a consumer, trader, distribution licensee or a Generating company who has applied for seeking connectivity or open access as the case may be ;
- (4) "CEA Connectivity Regulations" means Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007 and as amended from time to time ;
- (5) "Commission" means the Uttarakhand Electricity Regulatory Commission referred to in Section 82 of the Act ;
- (6) The word "consumer" shall carry the same meaning as in the Act, but shall be restricted to such consumers within the State of Uttarakhand to whom these regulations apply ;
- (7) "Contracted load" means the load in kVA (Kilo Volt Ampere) which the distribution licensee has agreed to supply from time to time subject to the governing terms and conditions and is different from the connected load ;
- (8) "Day" means a period starting at 00.00 hours and ending at 24.00 hours ;
- (9) "Distribution licensee" means a licensee authorised to operate and maintain a distribution system for supplying electricity to the consumers in the State of Uttarakhand ;
- (10) "Embedded open access consumer" means consumer who has a supply agreement with the distribution licensee in whose area of supply the consumer is located and avails the option of drawing part or full of its demand from any other person under open access, in any one or more time slots during a day or more in any month or more during the year, without ceasing to be a consumer of the said distribution licensee and continues to pay monthly demand charges and other charges as per rate schedule applicable to relevant category ;
- (11) "Force Majeure Event" for the purpose of these regulations shall mean the events or circumstances or a combination of events and/or circumstances stated below :--
  - a. Act of God including lightning, drought, fire and explosion, earthquake, volcanic eruption, landslide, flood, cyclone, typhoon, tornado, geological surprises, or exceptionally adverse weather conditions which are in excess of the statistical measures for the last hundred years ; or
  - b. Any act of war, invasion, armed conflict or act of public enemy, blockade, embargo, revolution, riot, insurrection, terrorist or military action ; or
  - c. Fire, explosion, radioactive contamination and toxic dangerous chemical contamination ;

- (12) "IEGC" means Indian Electricity Grid Code Specified by Central Electricity Regulatory Commission under clause (h) of sub-section (1) of section 79 of the Act, and as amended from time to time;
- (13) "Imbalance" in a time block for a generating station means its Actual Generation in MW minus its Approved Capacity (in MW) and for a consumer or buyer means its Actual Recorded Energy minus its Scheduled Energy at consumer premises ;
- (14) "Long-term Access" means the Open Access in the Intra-State transmission system or distribution system for a period exceeding 12 years but not exceeding 25 years ;
- (15) "Medium-term Open Access" means the Open Access in the Intra-State transmission system or distribution system for a period exceeding three months but not exceeding three years ;
- (16) "Month" means a calendar month as per the Gregorian calendar ;
- (17) "Nodal Agency" means the Nodal Agency defined in Regulation 12(3) of these regulations ;
- (18) "Open access customer (in short customer)" means a consumer, trader, distribution licensee or a generating company who has been granted open access under these regulations ;
- (19) "Short-term Open Access" means open access for a period up to one month at a time ;
- (20) "State" means State of Uttarakhand ;
- (21) "State Grid Code" means the State Grid Code specified by the Commission under clause (h) of sub-section (1) of section 86 of the Act, applicable on the date of commencement of these regulations and as amended from time to time;
- (22) "Stranded Transmission/distribution capacity" means the transmission/ distribution capacity which is likely to remain unutilized due to relinquishment of access rights by a long-term open access customer ;
- (23) "State Transmission Utility" means the Government company specified by the Government of Uttarakhand under sub-section (1) of section 39 of the Electricity Act, 2003 ;
- (24) "Transmission licensee" means a licensee authorised to establish and operate transmission lines in the State of Uttarakhand ;
- (25) All words and expressions used and not defined in these regulations but defined in the Act or IEGC or the State Grid Code, Distribution code shall have the meaning assigned to them under the Act or the IEGC or the State Grid Code, Distribution Code as the case may be ;
- (26) The General Clauses Act, 1897(10 of 1897), and as amended from time to time shall apply for the interpretation of these regulations as it applies for interpretation of an Act of Parliament.

**CHAPTER 2****CONNECTIVITY****4. Connectivity :**

Open Access customers shall be eligible to obtain connectivity, unless already connected, at the voltage levels specified in UERC (Release of New HT& EHT Connections, Enhancement and Reduction of Loads) Regulations, 2008 and as amended from time to time :

Provided RE generators shall be granted connectivity at voltage levels, unless already connected, as per the provisions of the UERC ( Tariff and Other Terms for Supply of Electricity from Renewable Energy Sources and non-fossil fuel based Co-generating Stations) Regulations, 2013 and as amended from time to time.

**5. Application procedure for Connectivity at Intra-State transmission System :**

- (1) Applicant shall apply to the STU for connectivity in the Form prescribed in the detailed procedure to be laid down by the STU.
- (2) The Application shall be accompanied by a non-refundable fee of Rs. five lakh through demand draft in favour of Power Transmission Corporation of Uttarakhand (PTCUL) payable at Dehradun.
- (3) The Application for connectivity shall contain details such as, proposed geographical location of the Applicant, quantum of power to be interchanged that is the quantum of power to be injected in the case of a generating station including a captive generating plant and quantum of power to be drawn in the case of consumer, with the intra-State transmission system and such other details as may be laid down by the State Transmission Utility in the aforesaid detailed procedure :

Provided that in cases where once an application has been filed and thereafter there has been any material change in the location of the Applicant or change by more than 10 percent in the quantum of power to be interchanged with the intra-State transmission system, the Applicant shall make a fresh application, which shall be considered in accordance with these regulations.

**6. Processing of Application for Connectivity and Grant thereof by STU :**

- (1) On receipt of the application, the STU shall process the application and carry out the necessary interconnection study as specified in CEA Connectivity Regulations.
- (2) The State Transmission Utility shall, within thirty (30) days, from the receipt of an application under sub-regulation (1) above and after considering all suggestions and comments received from State Load Despatch Centre:
  - (a) accept the application with such modifications or such conditions as may be specified by SLDC;
  - (b) reject the application for reasons to be recorded in writing, if such application is not in accordance with the provisions of these Regulations.
- (3) In case of acceptance of an application as per clause (a) of sub-regulation (2) above, the State Transmission Utility shall make a formal offer to the Applicant.
- (4) The STU shall upon compliance of the required conditions by the Applicant notify the concerned Applicant that it can be connected to the intra-State transmission system.
- (5) The STU shall sign a Connection Agreement with Applicant and shall provide a copy of the same to the State Load Despatch Center.

- (6) While granting connectivity, the STU shall specify the name of the sub-station or pooling station or switchyard where connectivity is to be granted. In case connectivity is to be granted by looping-in and looping-out of an existing or proposed line, the STU shall specify the point of connection and name of the line at which connectivity is to be granted. The STU shall indicate the broad design features of customer's facilities/equipments such as switchyard, interconnection equipments upto the point of injection/drawal on the sub-station of the STU and the timeframe for completion of the same. The cost of creation of these facilities shall be borne by the open access customer. In cases where connectivity is given at STU sub-station, the open access customer shall also bear the cost of bay, breaker etc. in the STU sub-station and equipments required for transmission of real time data to SLDC :

Provided that for works, other than those to be carried out in STU substation, the open access customer shall have option to carry out these works under the supervision of STU.

- (7) The STU and the Applicant shall comply with the provisions of CEA Connectivity Regulations. The grant of connectivity shall not entitle an Applicant to interchange any power with the grid unless it obtains long-term access, medium-term open access or short-term open access in accordance with the provisions of these regulations.
- (8) A generating station, including captive generating plant which has been granted connectivity to the grid shall be allowed to undertake testing including full load testing by injecting its infirm power into the grid before that generating station being put into commercial operation, even before availing any type of open access, after obtaining permission of the State Load Despatch Centre, which shall keep grid security in view while granting such permission. Commercial treatment of such infirm power from a generating station or a unit thereof, whose tariff is to be determined by the Commission, will be governed by the applicable regulations on Terms and Conditions of Tariff for such generators. The infirm power injected into the grid from other generating stations whose tariff is not to be determined by Commission shall be charged at the UI rates, as determined by the Central Commission, till such time rates of imbalance are determined by the Commission.

#### 7. Application procedure for Connectivity to distribution system by Open Access customer :

- (1) All eligible open access customers, seeking connectivity to the distribution system, shall apply to the distribution licensee for connectivity in the Form prescribed in the detailed procedure to be laid down by the Distribution Licensee.
- (2) The Application shall be accompanied by a non-refundable fee of **Rs. three lakh** through demand draft in favour of UPCL payable at Dehradun.
- (3) The application for connectivity shall contain details such as, address of the open access customer, quantum of power to be injected/drawal and such other details as may be laid down by the distribution licensee in the procedure :

Provided that in cases where once an application has been filed and thereafter there has been any material change in the location of the Applicant or change by more than 10 percent in the quantum of power to be interchanged with the distribution system, the Applicant shall make a fresh application, which shall be considered in accordance with these regulations.

**9. Processing of Application and Grant of connectivity in distribution system to a open access customer, by the distribution licensee :**

- (1) On receipt of the application, the distribution licensee shall, in consultation and through coordination with STU, process the application and carry out the necessary inter-connection study as specified in CEA Connectivity Regulations.
- (2) The distribution licensee shall, within thirty (30) days, from the receipt of an application under sub-regulation (1) above:
  - (a) accept the application;
  - (b) reject the application for reasons to be recorded in writing, if such application is not in accordance with the provisions of these Regulations.
- (3) In case of acceptance of an application as per clause (a) of sub-regulation (2) above, the distribution licensee shall make a formal offer to the Applicant.
- (4) The distribution licensee shall upon compliance of the required conditions by the Applicant notify the concerned Applicant that it can be connected to the distribution system.
- (5) The distribution licensee shall sign a Connection Agreement with Applicant and shall provide a copy of the same to the State Load Despatch Center.
- (6) While granting connectivity, the distribution licensee shall specify the name of the sub-station or pooling station or switchyard where connectivity is to be allowed. In case connectivity is to be given by looping-in and looping-out of an existing or proposed line, the distribution licensee shall specify the point of connection and name of such line.
- (7) The Distribution licensee shall indicate the broad design features of customer's facilities/equipments such as switchyard, interconnection equipments upto the point of injection/drawal in the sub-station of the Distribution licensee and the timeframe for completion of the same. The cost of creation of these facilities shall be borne by the open access customer. In cases where connectivity is given at Distribution licensee's sub-station, the open access customer shall also bear the cost of bay, breakers etc. in the Distribution licensee's sub-station and equipments required for transmission of real time data to SLDC. The Applicant and the distribution licensee shall comply with the provisions of CEA Connectivity Regulations :

Provided that for works other than those to be carried out in the Distribution licensee's sub-station, the open access customer shall have option to carry out these works under the supervision of distribution licensee.

- (8) The grant of connectivity shall not entitle an Applicant to interchange any power with the grid unless it obtains long-term access, medium-term open access or short-term open access in accordance with the provisions of these regulations.
- (9) If the Customer is a generating company, including captive generating plant which has been granted connectivity to the distribution system shall be allowed to undertake testing including full load testing by injecting its infirm power into the grid before being put into commercial operation, even before availing any type of open access, after obtaining permission of the State Load Despatch Centre and the distribution licensee, who shall keep grid security in view while granting such permission. Commercial treatment of such infirm power from a generating station or a unit thereof, whose tariff is to be determined by the Commission, will be governed by the applicable regulations on Terms and Conditions of Tariff for such generators. The infirm power injected into the grid from other generating stations whose tariff is not to be determined by Commission shall be charged at the UI rates, as determined by the Central Commission from time to time, till such time UI rates under intra-State ABT mechanism are determined by the Commission.

**9. Application procedure for Connectivity in distribution system to a Consumer of the distribution licensee seeking open access :**

Connectivity in distribution system to a consumer shall be governed in accordance with procedure laid down in UERC (Release of new HT & EHT connections, Enhancement and Reduction of Loads) Regulations, 2008 and the applicable provisions of these Regulations for such customers.

## CHAPTER 3

## GENERAL PROVISIONS FOR OPEN ACCESS

**10. Eligibility for Open Access and conditions to be satisfied :**

- (1) Subject to the provisions of these regulations, the licensees, generating companies, captive generating plants and consumers shall be eligible for open access to the intra-State transmission system of the State transmission licensee on payment of transmission and other charges as may be determined by the Commission in accordance with Chapter 5 of these regulations.
- (2) Subject to the provisions of these regulations, the licensees, generating stations, captive generating plants and consumers shall be eligible for open access to distribution system of a distribution licensee on payment of the wheeling and other charges as may be determined by the Commission in accordance with Chapter 5 of these regulations.
- (3) Subject to the provisions of these regulations, open access shall be permissible to the consumers, located within the area of the distribution licensee of the State having a contracted load of 100 kVA and above and connected to the distribution system of licensee at 11 kV or above, and are connected through an independent feeder emanating from a substation of licensee or industrial feeder :

Provided that when the consumer is connected to a industrial feeder, open access shall be allowed only if all the consumers on such industrial feeder opt for open access and are having simultaneous schedule of drawl under such open access :

Provided that when two or more consumers connected to industrial feeder are availing continuous supply option then they need not have simultaneous schedule of drawal under open access :

Provided that the consumers who are not on independent feeders, shall be allowed open access subject to the condition that they agree to rostering restrictions imposed by utility on the feeders serving them :

Provided further that duties of the distribution licensee with respect to such open access customer shall be of a common carrier providing non-discriminatory open access as per Section 42(3) of the Act.

- (4) A person having been declared insolvent or bankrupt or having outstanding dues against him of more than two months billing of distribution/transmission licensee at the time of application shall not be eligible for open access.

**11. Criteria for granting long-term access or medium-term or short-term open access :**

- (1) Before awarding long-term access, the STU/distribution licensee shall have due regard to the augmentation required for their respective intra-State transmission/distribution system.
- (2) Medium-term open access or short-term open access to any applicant shall be granted if the resultant power flow on account of such open access transaction can be accommodated in the existing/expected transmission/distribution system or the transmission/distribution system under execution after duly taking into consideration the existing power flow vis-à-vis capacity of the aforesaid systems :

Provided that no augmentation shall be carried out of the transmission/distribution system for the sole purpose of granting medium-term open access or short-term open access.

Provided further that construction of a dedicated transmission/ distribution line shall not be construed as augmentation of the transmission/distribution system for the purpose of this regulation.

## CHAPTER 4

## APPLICATION PROCEDURE AND APPROVAL FOR OPEN ACCESS

## 12. Application procedure for Open Access :

- (1) All applications for open access shall be made in the prescribed Form and submitted to the Nodal Agency in accordance with these regulations. In case an Applicant is connected to the distribution licensee, the copy of the application shall also be sent to the distribution licensee for information.

Provided that in case an applicant is a consumer of distribution licensee, then alongwith other documents he shall submit a copy of last paid bill alongwith the application.

- (2) All Applicants seeking open access shall submit an affidavit of not having entered into power purchase agreement (PPA) or any other bilateral agreement for the capacity (quantum of power) for which open access is sought.

- (3) The Nodal Agency, Application fee, Documents to accompany the application and time frame for disposal of application shall be as specified in the following Table :

| Sl. No. | Period                 | Inter-se location of drawal and injection point                                                    | Nodal Agency          | Application fee (Rs.) | Documents to accompany the Application                                                                                                                                             | Time frame for disposal of Application (days from the receipt of Application)                                                                                                                                    |
|---------|------------------------|----------------------------------------------------------------------------------------------------|-----------------------|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1       | 2                      | 3                                                                                                  | 4                     | 5                     | 6                                                                                                                                                                                  | 7                                                                                                                                                                                                                |
| 1.      | Short term Open Access | Drawal and Injection point in the distribution system                                              | Distribution Licensee | 2000                  | <ul style="list-style-type: none"> <li>Proof of payment of Application fee</li> <li>Copy of last paid bill in case the applicant is a consumer of distribution licensee</li> </ul> | <ul style="list-style-type: none"> <li>7 working days in case STOA applied for first time</li> <li>3 working days on subsequent STOA application the applicant is a consumer of distribution licensee</li> </ul> |
| 2.      |                        | Drawal point in the distribution system and injection point in the Intra-State transmission system | SLDC                  | 5000                  | <ul style="list-style-type: none"> <li>Proof of payment of Application fee</li> <li>Copy of last paid bill in case the applicant is a consumer of distribution licensee</li> </ul> | -do-                                                                                                                                                                                                             |
| 3.      |                        | Drawal point in intra-State transmission system and injection point in distribution system         | SLDC                  | 5000                  | <ul style="list-style-type: none"> <li>Proof of payment of Application fee</li> <li>Copy of last paid bill in case the applicant is a consumer of distribution licensee</li> </ul> | -do-                                                                                                                                                                                                             |
| 4.      |                        | Drawal and injection point in the intra-State transmission system                                  | SLDC                  | 5000                  | <ul style="list-style-type: none"> <li>Proof of payment of Application fee</li> <li>Copy of last paid bill in case the applicant is a consumer of distribution licensee</li> </ul> | -do-                                                                                                                                                                                                             |

| 1  | 2                       | 3                                                                                                  | 4                                            | 5                      | 6                                                                                                                                                                                                                                                                                                                        | 7                      |
|----|-------------------------|----------------------------------------------------------------------------------------------------|----------------------------------------------|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| 5. | Short term Open Access  | Drawal and injection point in different States                                                     | RLDC of the region where consumer is located | As per CERC Regulation | <ul style="list-style-type: none"> <li>• Consent from concerned SLDCs as applicable</li> <li>• Proof of payment of Application fee.</li> <li>• Copy of last paid bill in case the applicant is a consumer of distribution licensee</li> </ul>                                                                            | As per CERC Regulation |
| 1. | Medium term Open Access | Drawal and injection point in the distribution system                                              | Distribution Licensee                        | 50000                  | <ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• PPA or Sale purchase agreement of power.</li> <li>• In case of generating station not already connected to grid, documentary evidence showing that the connectivity shall be completed before Intending date of MTOA</li> </ul> | 20 days                |
| 2. |                         | Drawal point in the distribution system and injection point in the intra-State transmission system | STU                                          | 100000                 | <ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• PPA or Sale purchase agreement of power.</li> <li>• In case of generating station not already connected to grid, documentary evidence showing that the connectivity shall be completed before Intending date of MTOA</li> </ul> | 40 days                |
| 3. |                         | Drawal point in Intra-State transmission system and injection point in distribution system         | STU                                          | 100000                 | <ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• PPA or Sale purchase agreement of power.</li> <li>• In case of generating station not already connected to grid, documentary evidence showing that the connectivity shall be completed before Intending date of MTOA</li> </ul> | 40 days                |



| 1  | 2                       | 3                                                                 | 4                     | 5                      | 6                                                                                                                                                                                                                                                                                                                                                                                            | 7                      |
|----|-------------------------|-------------------------------------------------------------------|-----------------------|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| 4. | Medium term Open Access | Drawal and injection point in the Intra-State transmission system | STU                   | 100000                 | <ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• PPA or Sale purchase agreement of power.</li> <li>• In case of generating station or consumer not already connected to grid, documentary evidence showing that the connectivity shall be completed before intending date of MTOA.</li> </ul>                                                        | 20 days                |
| 5. |                         | Drawal and injection point in different State                     | CTU                   | As per CERC Regulation | <ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• PPA or Sale purchase agreement of power.</li> <li>• In case of generating station or consumer not already connected to grid, documentary evidence showing that the connectivity shall be completed before intending date of MTOA.</li> <li>• Consent from concerned SLDCs as applicable.</li> </ul> | As per CERC Regulation |
| 1. | Long term Open Access   | Drawal and injection point in the distribution system             | Distribution Licensee | 50000                  | <ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• PPA or Sale purchase agreement of power.</li> <li>• In case of generating station not already connected to grid, documentary evidence showing that the connectivity shall be completed before intending date of LTA.</li> </ul>                                                                     | 20 days                |

| 1  | 2                     | 3                                                                                                  | 4   | 5      | 6                                                                                                                                                                                                                                                                                                                                                   | 7                                                                                                                                                                                                                                                                                         |
|----|-----------------------|----------------------------------------------------------------------------------------------------|-----|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2. | Long term Open Access | Drawal point in the distribution system and injection point in the intra-State transmission system | STU | 200000 | <ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• PPA or Sale purchase agreement of power.</li> <li>• In case of generating station not already connected to grid, documentary evidence showing that the connectivity shall be completed before intending date of LTA.</li> </ul>                            | <ul style="list-style-type: none"> <li>• 120 days where augmentation of transmission/distribution system is not required</li> <li>• 270 days, where augmentation of transmission system is required.</li> <li>• 180 days where augmentation of distribution system is required</li> </ul> |
| 3. |                       | Drawal point in intra-State transmission system and injection point in distribution system         | STU | 200000 | <ul style="list-style-type: none"> <li>• Proof of payment of Application fee. Bank Guarantee</li> <li>• PPA or Sale purchase agreement of power.</li> <li>• In case of generating station or consumer not already connected to grid, documentary evidence showing that the connectivity shall be completed before intending date of LTA.</li> </ul> | -do-                                                                                                                                                                                                                                                                                      |
| 4. |                       | Drawal and Injection point in the Intra-State transmission system                                  | STU | 200000 | <ul style="list-style-type: none"> <li>• Proof of payment of Application fee. Bank Guarantee</li> <li>• PPA or Sale purchase agreement of power.</li> <li>• In case of generating station or consumer not already connected to grid, documentary evidence showing that the connectivity shall be completed before intending date of LTA.</li> </ul> | -do-                                                                                                                                                                                                                                                                                      |

| 1  | 2                     | 3                                              | 4   | 5                      | 6                                                                                                                                                                                                                                                                                                                                                                                                         | 7                      |
|----|-----------------------|------------------------------------------------|-----|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| 5. | Long term Open Access | Drawal and injection point in different States | CTU | As per CERC Regulation | <ul style="list-style-type: none"> <li>• Proof of payment of Application fee.</li> <li>• Bank Guarantee</li> <li>• PPA or Sale purchase agreement of power.</li> <li>• In case of generating station or consumer not already connected to grid, documentary evidence showing that the connectivity shall be completed before intending date of LTA.</li> <li>• Consent from concerned SLD, STU</li> </ul> | As per CERC Regulation |

**13. Procedure for Long Term Access :**

as applicable.

**(1) Involving inter-State transmission system :**

Notwithstanding anything contained in sub-regulation (2) and (3) herein below, procedure for inter-State long-term Access shall be as per Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 and as amended from time to time:

**(2) Without Involving inter-State transmission system :**

Subject to the provisions of sub-regulation (1) herein above, intra-State long-term Access involving intra-State transmission/distribution system shall be in accordance with the provisions of clause (a) to (j) herein below.

- (a) The application for grant of long-term access shall contain details such as name of the entity or entities from whom electricity is proposed to be procured along with the quantum of power and such other details as may be laid down by the Nodal Agency in the detailed procedure :

Provided that in case augmentation of transmission/distribution system is required, the Applicant shall also have to bear the transmission/wheeling charges for the same as per 3<sup>rd</sup> proviso of sub-regulation (1) and 4<sup>th</sup> proviso of sub-regulation (2) of Regulation 20 contained in Chapter 5 of these regulations:

Provided further that in cases where there is any material change in location of the Applicant or change by more than 10 percent in the quantum of power to be interchanged using the intra-State transmission/distribution system, a fresh application shall be made, which shall be considered in accordance with these regulations.

- (b) The Applicant shall submit any other information sought by the Nodal Agency including the basis for assessment of power to be interchanged using the intra-State transmission/distribution system and power to be transmitted to or from various entities or regions to enable the Nodal Agency to plan the intra-State transmission/distribution system in a holistic manner.

- (e) The application shall be accompanied by a bank guarantee of Rs 10,000/- (ten thousand) per MW of the total power to be transmitted.

The bank guarantee shall be in favour of the Nodal Agency, in the manner laid down under the detailed procedure.

- (d) The bank guarantee of Rs. 10,000 /- (ten thousand) per MW shall be kept valid and subsisting till the execution of the long-term access agreement. Thereafter the bank guarantee shall stand discharged :

Provided that in case augmentation of transmission/distribution system is required the applicant shall submit another bank guarantee to the STU for the construction phase, in accordance with the provisions in the detailed procedure.

- (e) The bank guarantee may be encashed by the Nodal Agency, if the application is withdrawn by the Applicant or the long-term access is relinquished prior to its operationalisation when augmentation of transmission system is not required.
- (f) On receipt of the application, the Nodal Agency shall, in consultation with the distribution licensee carry out the necessary system studies as expeditiously as possible so as to ensure that the decision to grant long-term access is arrived at within the timeframe specified in sub-regulation (3) of Regulation 12 above :

Provided that in case the Nodal Agency faces any difficulty in the process of consultation or coordination, it may approach the Commission for appropriate directions.

- (g) Based on the system studies, the Nodal Agency shall specify the intra- State transmission/distribution system that would be required to give long-term access. In case augmentation of the existing intra-State transmission/distribution system is required, the same will be intimated to the Applicant.

While granting long-term access, the Nodal Agency shall communicate to the Applicant, the date from which such long-term access shall be granted and an estimate of the transmission/wheeling charges including additional transmission/wheeling charges, if any, for works pertaining to augmentation of transmission/distribution system as per 1<sup>st</sup> proviso of sub-regulation (a) above, likely to be payable based on the prevailing costs, prices and methodology of sharing of transmission/wheeling charges specified by the Commission subject to approval by the Commission in accordance with 3<sup>rd</sup> proviso of sub-regulation (1) and 4<sup>th</sup> proviso of sub-regulation (2) of Regulation 20 contained in Chapter 5 of these regulations.

- (h) The Applicant shall sign an agreement for long-term access with the STU in case the drawal point and injection point are located in the intra-state transmission system in accordance with the provision as may be provided in the detailed procedure. However, in case the applicant is connected to the distribution system of the distribution licensee (either drawal point or injection point is at the distribution system) the Applicant shall sign a tripartite agreement with STU and distribution licensee. The long-term access agreement shall contain the date of commencement of long-term access, the point of injection of power into the grid and point of drawal from the grid and the details of dedicated transmission/distribution lines, if any, required. In case augmentation of transmission/distribution system is required, the long-term access agreement shall contain the time line for construction of the facilities of the Applicant and the transmission/distribution licensee, the bank guarantee required to be given by the Applicant and other details in accordance with the detailed procedure.
- (i) Immediately after grant of long-term access, the Nodal Agency shall inform the State Load Despatch Centre so that it can consider the same while processing requests for grant of short-term open access, received under these regulations.
- (j) On the expiry of the period of long-term access, the same shall stand extended on a written request by the consumer, to the Nodal Agency submitted at least six months prior to such expiry, mentioning the period for which extension is required :

Provided that in case no written request is received from the customer within the timeline specified above, the said long-term access shall stand terminated on the date up to which it was initially granted.

**(3) Involving only the distribution system :**

In cases of long-term access where the point of injection and the point of drawal are located in the distribution system, the Nodal Agency shall be distribution licensee and the procedure specified in sub-regulation (2) above shall apply mutatis mutandis.

**14. Procedure for medium-term open access :****(1) Involving inter-State transmission system :**

Notwithstanding anything contained in sub-regulation (2) and (3) herein below, procedure for inter-State medium-term open access shall be as per Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009 and as amended from time to time.

**(2) Without Involving Inter-State transmission system :**

Subject to the provisions of sub-regulation (1) herein above, intra-State medium-term open access involving intra-State transmission/distribution system shall be in accordance with the provisions of sub-regulation (a) to (g) herein below :—

- (a) The application for grant of medium-term open access shall contain such details as may be laid down by the Nodal Agency under the detailed procedure and shall, in particular, include the point of injection into the grid, point of drawal from the grid and the quantum of power for which medium-term open access has been applied for.
- (b) The start date of the medium-term open access shall not be earlier than 5 months and not later than 1 year from the last day of the month in which application has been made.
- (c) On receipt of the application, the Nodal Agency shall, in consultation with the distribution licensee process the application and carry out the necessary system studies as expeditiously as possible so as to ensure that the decision to grant or refuse medium-term open access is made within the timeframe specified in sub-regulation (3) of Regulation 12 herein above.

Provided that in case the Nodal Agency faces any difficulty in the process of consultation or coordination, it may approach the Commission for appropriate directions.

- (d) On being satisfied that the requirements, with respect to criteria for granting medium-term open access specified under sub-regulation (2) of Regulation 11 are met, the Nodal Agency shall grant medium-term open access for the period stated in the application :

Provided that for reasons to be recorded in writing, the Nodal Agency may grant medium-term open access for a period less than that sought for by the Applicant.

- (e) The Applicant shall sign an agreement for medium term open access with the STU in case the drawal point and injection point are located in the intra-state transmission system, in accordance with the provision as may be provided in the detailed procedure. However, in case the Applicant is connected to the distribution system of the distribution licensee (either drawal point or injection point is at the distribution system) the Applicant shall sign a tripartite agreement with STU and distribution licensee. The medium-term open access agreement shall contain the date of commencement and end of medium-term open access, the point of injection of power into the grid and point of drawl from the grid, the details of dedicated transmission/distribution lines required, if any, the bank guarantee required to be given by the Applicant and other details in accordance with the detailed procedure.

- (f) Immediately after grant of medium-term open access, the Nodal Agency shall inform the State Load Despatch Centre so that it can consider the same while processing requests for short-term open access received under these regulations.
- (g) On expiry of the period of the medium-term open access, the medium-term customer shall not be entitled to any overriding preference for renewal of the term.

**(3) Involving only the distribution system :**

In cases of medium-term open access where the point of injection and the point of drawal are located in the distribution system, the Nodal Agency shall be distribution licensee and the procedure specified in sub-regulation (2) above shall apply mutatis mutandis.

**15. Procedure for short-term Open Access :**

**(1) Involving inter-State transmission system :**

Notwithstanding anything contained in sub-regulation (2) to (3) herein below, procedure for inter-State short-term Open Access shall be as per Central Electricity Regulatory Commission (Open Access in inter-State Transmission) Regulations, 2008, and as amended from time to time.

**(2) Without involving inter-State transmission system :**

Subject to the provisions of sub-regulation (1) herein above, intra-State short-term Open Access shall be in accordance with the provisions of clause (a) to (g) herein below :

**(a) Open Access in advance**

- (i) Application may be submitted to the Nodal Agency seeking short-term open access upto the fourth month, considering the month in which an application is made being the first month :  
Provided that separate application shall be made for each month and for each transaction.
- (ii) The application to the Nodal Agency shall be on the prescribed format [FORMAT ST-1] containing such details as capacity needed, generation planned or power purchase contracted, point of injection, point of drawal, duration of availing open access, peak load, average load and such other additional information as may be required by the Nodal Agency. The application shall be accompanied by a non-refundable application fee in cash or by demand draft in favour of the officer so notified by Nodal Agency or any other mode acceptable to the Nodal Agency involved.
- (iii) An application for grant of open access commencing in any month may be submitted in a cover marked "Application for Short-Term Open Access – in advance" up to 15<sup>th</sup> day of the preceding month.  
For example, application for grant of open access commencing in the month of July shall be received up to 15<sup>th</sup> day of June.
- (iv) Nodal Agency shall acknowledge receipt of the application by indicating time and date on "ACKNOWLEDGEMENT" to the Applicant.
- (v) A consumer of distribution licensee intending to avail open access shall also furnish a copy of his application to the distribution licensee.
- (vi) Based on the type of transactions, Nodal Agency shall take a decision on the applications for short-term open access in the manner provided herein below.
- (vii) All applications received under sub-clause (ii) above shall be taken up for consideration together and processed as per allotment priority criteria specified under Regulation 18 of these regulations.

- (viii) Nodal Agency shall check transaction for congestion of any element (line and transformer) of transmission and distribution system involved in transaction.
- (ix) Nodal Agency shall convey grant of open access or otherwise in format [FORMAT-ST2] along with schedule of payments to the customer latest by 19<sup>th</sup> day of such preceding month.
- (x) Nodal Agency shall assign specific reasons if open access is denied under sub clause (ix).

**(b) Bidding Procedure for open access in advance**

- (i) If the capacity sought by the customers for open access in Advance for the following month is more than the available capacity or SLDC perceives congestion of any element of transmission and distribution system involved in the transaction, the allocation shall be made through electronic bidding procedure.
- (ii) The decision of SLDC in respect of an expected congestion shall be final and binding.
- (iii) SLDC shall convey information of congestion and decision for invitation of bidding indicating floor price on format [FORMAT-ST3] to the Applicants.
- (iv) SLDC shall also display bidding information on its website.
- (v) The floor price of transmission and wheeling charges determined on the basis of relevant order of the Commission shall be indicated in FORMAT-ST3.
- (vi) The Bids shall be accepted on format [FORMAT-ST4] up to the "bid closing time" as indicated in bidding invitation FORMAT-ST3. Modification / amendment to a bid, once submitted shall not be entertained.
- (vii) If any customer does not participate in bidding process, his application shall be deemed to have been withdrawn and shall not be processed.
- (viii) SLDC shall not entertain any request for extension of time/date for submission of bids.
- (ix) The bidders shall quote price (rounded-off to whole number) in denomination in which floor price has been determined.
- (x) The quoted price shall be arranged in descending order and allocation of available capacities shall be accorded in such descending order until the available capacity is exhausted.
- (xi) In case of equal price quoted by two or more customers, the allocation from the residual available capacity at any stage under sub-clause (x) above shall be made in proportion to capacity being sought by such customers.
- (xii) All customers, in favour of whom full capacities have been allotted, shall pay the highest price obtained from bids.
- (xiii) The customers, who are allotted less capacity, shall pay the price as quoted by them.
- (xiv) SLDC shall reject bid which are incomplete, vague in any manner or not found in conformity with bidding procedure.
- (xv) The successful bidder, in favour of whom the capacities have been allocated, shall pay transmission charges, wheeling charges, as the case may be, determined by bidding under sub-clause (xii) or (xiii) of this clause.

**(c) Day-Ahead Open Access**

- (i) An application for grant of day ahead open access may be received by Nodal Agency within three days prior to the date of scheduling but not later than 1300 Hours of the day immediately preceding the day of scheduling for day-ahead transaction.
- (ii) For example, application for day-ahead transaction on 25<sup>th</sup> day of July shall be received on 22<sup>nd</sup> day or 23<sup>rd</sup> day or up to 1300 hours on 24<sup>th</sup> day of that month.

- (iii) Nodal Agency shall check for congestion and convey grant of approval or otherwise in the same format [FORMAT-ST2] as provided in sub-clause (ix) of clause (a) above. All other provisions of application for short-term open access shall apply.

(d) Procedure for scheduling transaction in a contingency

In the event of a contingency, the open access customer may locate a source of power to meet short-term contingency requirement even after the cut-off time of 1300 hrs of the preceding day and apply to the Nodal Agency for open access and scheduling and in that event, the Nodal Agency shall endeavour to accommodate such request as soon as and to the extent practically feasible, in accordance with the detailed procedure.

- (e) The approved capacity by a short-term open access customer is not transferable to others.
- (f) The capacity available as a result of surrender or reduction or cancellation of the approved capacity by the State Load Dispatch Centre, may be reserved for any other short-term open access customer in accordance with these regulations.
- (g) On expiry of the period of the short-term open access, the short-term customer shall not be entitled to any overriding preference for renewal of the term.

**(3) Involving only the distribution system :**

In cases of short-term open access where the point of injection and the point of drawal are located in the distribution system, the Nodal Agency shall be distribution licensee and the procedure specified in sub-regulation (2) above shall apply mutatis mutandis.

**16. Consent by STU/ SLDC for Open Access :**

**(1) Involving inter-State transmission system :**

STU, in the case of application for grant of long-term access and medium term open access and SLDC in the case of grant of short-term open access shall convey its consent or otherwise as per the provisions respectively of Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in Inter-State Transmission and related matters) Regulations, 2009 and Central Electricity Regulatory Commission (Open Access in Inter-State Transmission) Regulations, 2008, and as amended from time to time.

**(2) Without involving Inter-State transmission system :**

- (a) While processing the application seeking consent for intra-State open access, the Nodal Agency shall verify the following, namely :--
- (i) Existence of infrastructure necessary for time-block-wise energy metering and accounting in accordance with the provisions of the State Grid Code in force,
  - (ii) Availability of capacity in the transmission and/or distribution network, and
  - (iii) Availability of RTU and communication facility to transmit real time data to SLDC.
- (b) Where existence of necessary infrastructure and availability of capacity in the transmission and/or distribution network has been established, the Nodal Agency shall convey its consent to the Applicant by e-mail or fax or by any other usually recognised mode of communication, within the time periods specified in Table of Regulation 12 for long term access, medium and short term open access.



- (c) in case the Nodal Agency finds that the application for consent is incomplete or defective in any respect, it shall communicate the deficiency or defect to the Applicant by e-mail or fax or by any other usually recognised mode of communication, within two (2) working days of receipt of the application for short term open access and 7 working days for long term access and medium term open access.
- (d) In case the application has been found to be in order but the Nodal Agency refuses to give consent on the grounds of non-existence of necessary infrastructure or unavailability of surplus capacity in the distribution/transmission network, such refusal shall be communicated to the Applicant by e-mail or fax or by any other usually recognized mode of communication, within the time periods specified in Table of Regulation 12 for long term access, medium and short term open access alongwith reasons for such refusal.
- (e) Where the Nodal Agency has not communicated any deficiency or defect in the application within two (2) working days of receipt of the application for short term open access and 7 working days for long term access and medium term open access or refusal or consent within the time period specified in Table of Regulation 12 the consent shall be deemed to have been granted.

**(3) Involving only the distribution system :**

The procedure specified in sub-regulation (2) above, mutatis mutandis, shall apply to the applicant seeking consent for intra-State open access when the point of injection and the point of drawal are located in the same distribution system.

**17. Consideration of applications from defaulters :**

Notwithstanding anything contained in these regulations, the Nodal Agency shall be at liberty to summarily reject an application for Open Access on the ground of non-compliance of the provisions of these regulations, more specifically the provisions relating to timely payment of the charges leviable hereunder.

**18. Allotment Priority :**

- (1) The priority for allotment of open access in intra-State transmission system shall be decided on the following criteria :—
  - (a) A distribution Licensee shall have the highest priority in allotment of open access capacity irrespective of whether the open access request is for long-term, medium-term or short-term.
  - (b) The long-term access Applicants shall have the priority next to the distribution licensee.
  - (c) The medium-term open access Applicants shall have the priority next to the long-term open access Applicants.
  - (d) The short-term open access Applicants shall have the priority next to the medium-term open access Applicants.
  - (e) Allotment priority for short-term open access Applicants shall be decided subject to capacity availability.
  - (f) An existing open access customer shall have the priority higher than new open access Applicant under respective category provided the former applies for its renewal thirty days prior to the expiry of existing term of open access.
  - (g) When the requirement projected by an Applicant is more than the available capacity and the said Applicant is not able to limit his requirement to the available capacity, the request of Applicant having next lower priority shall be taken up for consideration.

## CHAPTER 3

## → OPEN ACCESS CHARGES

## 19. Settlement of energy at drawal point in respect of Embedded OA consumers :

- (1) The Scheduled Drawal (in MW) for any 15 minute time block shall be worked out on the basis of Approved Capacity (in MW) for that block after adjusting the transmission and distribution losses as determined by the Commission in the Tariff Order for the relevant year.
- (2) The minimum of Actual Recorded Energy (in kVAh) and Scheduled Energy (in kVAh) calculated on the basis of Scheduled Drawal worked out in sub-regulation (1) above shall be considered as the quantum of energy drawn under open access. Such quantum of energy drawn under open access shall be adjusted from the monthly consumption of energy recorded in the meter for each Time of the Day block for the billing purpose.

## 20. Transmission Charges &amp; Wheeling Charges :

## (1) Transmission Charges :

Open Access customer using transmission system shall pay the charges as stated hereunder:

- (a) For use of Inter-State transmission system—As specified by the Central Commission from time to time.
- (b) For use of intra-State transmission system—Transmission charges payable by an open access customer to STU for usage of its system shall be determined as under:

$$\text{Transmission Charges} = \text{ATC}/(\text{PLS}_r \times 365) \text{ (Rs./MW/day)}$$

Where,

**ATC** = Annual Transmission Charges determined by the Commission for the State transmission system for the relevant year

**PLS<sub>r</sub>** = Peak load served by the State transmission system in the previous year

Provided that transmission charges shall be payable on the basis of Approved Capacity :

Provided for Open Access, for part of the day, the transmission charges shall be levied as under:

- (i) Upto 6 hours in a day :  $\frac{1}{2}$  of the transmission charges as determined in sub-regulation (1) (b) above.
- (ii) Above 6 hours in a day : equal to the transmission charges determined in sub-regulation (1) (b) above.

Provided further that where augmentation of transmission system including construction of dedicated transmission system used for open access has been done for exclusive use of or being used exclusively by an open access customer, the transmission charges for such augmentation including dedicated system shall be worked out by STU for its system and got approved by the Commission and shall be borne entirely by such open access customer till such time the surplus capacity is allotted and used for by other open access customers, where after the cost of the above system will be shared on pro-rata basis depending upon open access capacity allotted to them.

## (2) Wheeling Charges :

Wheeling charges payable to distribution licensee, by an open access customer for usage of its system shall be as determined as under:

$$\text{Wheeling Charges} = (\text{ARR} - \text{PPC} - \text{TC}) / (\text{PLS}_d \times 365) \text{ (Rs./MW/Day)}$$

Where,

**ARR** = Annual Revenue Requirement of the distribution licensee for the relevant year

**PPC** = Total Power Purchase Cost of distribution licensee for the relevant year

**TC** = Total transmission charges paid by distribution licensee for State and Inter-State transmission system for the relevant year

**PLS<sub>d</sub>** = Total Peak load served by the concerned distribution system for the previous year

Provided Embedded open access consumer shall pay wheeling charges as determined by the Commission in the following manner :—

$$\text{WC}_{\text{Embedded consumer}} = \text{WC} - [\text{FC} \times 0.85 \times 12 \times 1000 / 365] \text{ (in Rs./MW/day)}$$

Where,

WC Embedded consumer = Net wheeling charges for embedded consumers

WC = Wheeling charges as determined by the Commission in accordance with the methodology specified in Regulation 20(2) contained in Chapter 5 of these regulations.

FC = Fixed/demand charges in Rs/kVA/month as per rate schedule approved in the Tariff Order for the relevant year. For the purpose of conversion of kVA into kW power factor of 0.85 has been taken.

Note : In case Wheeling Charges for Embedded consumer worked out as above becomes negative, such charge shall be zero.

Provided that wheeling charges shall be payable on the basis of Approved Capacity.

Provided for Open Access, for part of the day, the Wheeling Charges shall be levied as under:

- (i) Upto 6 hours in a day:  $\frac{1}{2}$  of the applicable wheeling charges as determined in sub-regulation (2) above.
- (ii) Above 6 hours in a day: Equal to the applicable wheeling charges as determined in sub-regulation (2) above.

Provided further that where a dedicated distribution system used for open access has been constructed for exclusive use of an open access customer, the wheeling charges for such dedicated system shall be worked out by distribution licensee for its respective system and got approved by the Commission and shall be borne entirely by such open access customer till such time the surplus capacity is allotted and used for by other open access customers, where after the cost of the above system will be shared on pro-rata basis depending upon open access capacity allotted to them :

Provided further that wheeling charges shall not be levied on the open access customers connected to the transmission system at 132 kV and above voltage levels.

## 21. SLDC and System Operation Charges :

SLDC and System Operation charges shall be payable by the Open Access customers at the following rates:-

### (1) Transactions involving inter-State transmission system

#### (a) Long-term access and Medium-term open access :

- (i) Regional Load Despatch Centre fees and charges including charges for the Unified Load Despatch and Communication Scheme as specified by the Central Commission under section 28(4) of the Act.
- (ii) State Load Despatch Centre charges as specified by the Commission under sub-section (3) of Section 32 of the Act.

#### (b) Short-term open access

Regional Load Despatch Centre and State load despatch centre system operation charges as specified by the Central Commission.

### (2) Transactions not involving inter-State transmission system

#### (a) Long-term access and medium-term open access

Long-term access and medium-term open access customers shall be liable to pay SLDC charges determined by the Commission under sub-section (3) of section 32 of the Act.

#### (b) Short-term open access

System Operation charge per day or for part of the day shall be payable by a short-term open access customer for each transaction to SLDC as determined by the Commission from time to time.

[Explanation: System Operation charge includes fee for scheduling and system operation, energy accounting, fee for affecting revisions in schedule on bonafide grounds and collection and disbursement of charges.]

## 22. Cross subsidy surcharge:

- (1) Embedded open access consumer, in addition to transmission and/or wheeling charges, shall pay cross subsidy surcharge determined by the Commission. Cross subsidy surcharge determined on Per Unit basis shall be payable, each month, by such consumer based on the actual energy drawn during the month through open access. The amount of surcharge shall be paid to the distribution licensee :

Provided that no cross subsidy surcharge shall be levied on energy drawn by such consumers, through open access, during the period of power cut imposed by the distribution licensee :

Provided further that such surcharge shall not be levied on long term/medium term such open access consumer and a person who has established a captive generation plant for carrying the electricity to the destination of his own use :

Provided also that in case power supply position or the load of such consumers, seeking open access, changes substantially, the Commission may review the Cross Subsidy Surcharge as and when required.

- (2) The cross subsidy surcharge for such short term open access consumers shall be determined in accordance with the following formula:

Surcharge formula:

$$S = T - C$$

Where,

S is the cross subsidy surcharge;

T is the retail tariff payable by the relevant category of such consumers;

C is the average cost of supply of distribution licensee.

### 23. Additional Surcharge :

- (1) Any consumer, receiving supply of electricity from a person other than the distribution licensee of his area of supply, shall pay to the distribution licensee an additional surcharge on the charges of wheeling, in addition to wheeling charges and cross-subsidy surcharge, to meet out the fixed cost of such distribution licensee arising out of his obligation to supply as provided under sub-section (4) of Section 42 of the Act.
- (2) This additional surcharge shall become applicable only if the obligation of the licensee in terms of power purchase commitments has been and continues to be stranded or there is an unavoidable obligation and incidence to bear fixed costs consequent to such a contract. However, the fixed costs related to network assets would be recovered through wheeling charges.
- (3) The distribution licensee shall submit to the Commission, on six monthly basis, a detailed calculation statement of fixed cost which the licensee is incurring towards his obligation to supply :

The Commission shall scrutinize the statement of calculation of fixed cost submitted by the distribution licensee and obtain objections, if any, and determine the amount of additional surcharge.

Provided that any additional surcharge so determined by the Commission shall be applicable on prospective basis on all open access consumers.

- (4) Additional surcharge determined on Per Unit basis shall be payable, on monthly basis, by the open access consumers based on the actual energy drawn during the month through open access.

Provided that such additional surcharge shall not be levied in case distribution access is provided to a person who has established a captive generation plant for carrying the electricity to the destination of his own use.

### 24. Standby charges for drawal of power by open access customer from distribution licensee :

- (1) In case of outages of generator supplying power under open access to open access customer who is not a consumer of the licensee, standby arrangements shall be provided by the distribution licensee subject to the load shedding as applicable to consumers of the licensee and the licensee shall be entitled to collect tariff under temporary rate of charge for that category of consumer in the prevailing rate schedule :

Provided that in case such customer is a consumer of the distribution licensee, the licensee shall be entitled to collect tariff under rate of charge for that category of consumer in the prevailing rate schedule :

Provided further that if a generator connected to the distribution system injecting power through open access requires startup power, the rate of such power shall be the same as that of firm power provided in regulation 6(8) above of these Regulations :

Provided also that open access customer would have the option to arrange standby power from any other source :

### 25. Other Charges :

The congestion charges and any other charges, whenever imposed by Central Commission and/or State Commission shall be payable by all the open access customers.

## CHAPTER 6

## SCHEDULING, METERING, REVISION AND LOSSES

## 26. Scheduling:

- (1) Notwithstanding anything contained in the succeeding sub-regulation of this regulation, scheduling of inter-State open access transactions shall be in accordance with the Regulations specified by the Central Commission.
- (2) Subject to the foregoing clause, intra-State open access transactions in respect of all customers and generating stations irrespective of the capacity shall be scheduled by SLDC in accordance with the provisions of the State Grid Code.

## 27. Metering:

- (1) All open access customers, existing as well as new including generating stations irrespective of their capacity, shall be provided with ABT compatible Special Energy Meters by the distribution licensee for and at the cost of the open access customers.
- (2) The distribution licensee shall provide Check Meter of the same specifications as Main Meter at its own cost:

Provided that Main and Check ABT compliant meters can also be procured by open access customers from the suppliers notified by the distribution/transmission licensee as applicable. However, the cost of Check meter shall be refunded through adjustment in open access charges bills of the customers:

Provided that open access shall be allowed at the existing metering arrangement for a period of upto three months from the date of notification of these Regulations. Thereafter, the above provisions with regard to ABT compliant Main and Check meters shall become mandatory.

- (3) Special Energy Meters installed shall be capable of time-differentiated measurements for time-block-wise active energy and voltage differentiated measurement of reactive energy in accordance with the State Grid Code.
- (4) Special Energy Meters shall always be maintained in good condition.
- (5) Special Energy Meters shall be open for inspection by any person authorised by the STU/distribution licensee /State Load Despatch Centre.
- (6) All the open access customers shall abide by the metering standards of CEA.

## 28. Revision :

Revision of scheduled energy shall be permitted in accordance with the provisions of IEGC or the State Grid Code as the case may be.

## 29. Losses :

- (1) **Transmission losses** : System transmission losses shall be payable in kind by all open access customers.

(a) Inter-State transmission(i) **Long-term access and medium-term open access :**

The buyers shall bear apportioned energy losses in the transmission system in accordance with the provisions of the Regulations specified by the Central Commission.

(ii) **Short-term Open Access :**

The buyers and sellers shall bear apportioned energy losses in the transmission system in accordance with the provisions of the Regulations specified by the Central Commission.

(b) Intra-State transmission

- (i) The transmission losses for the intra-State system determined by the Commission in its tariff orders for the relevant year, shall be payable in kind by the open access customers.

- (2) **Distribution losses** : System distribution losses, as determined by the Commission in its tariff order for the relevant year, shall be payable in kind by the open access customers.

CHAPTER 7

IMBALANCE AND REACTIVE ENERGY CHARGES

30. Imbalance Charge :

- (1) Scheduling of all transactions pursuant to grant of long-term access or medium term open access or short-term open access shall be carried out on day-ahead basis in accordance with the relevant provisions of IEGC for inter-State transactions and in accordance with State Grid Code for intra-State transactions.

- (2) Actual Recorded Energy and Scheduled Energy shall be recorded/accounted for in each 15 minutes time block. In case of difference between these two following shall apply :—

(a) When open access consumer is not a consumer of the distribution licensee :

- (i) In case of over-drawal by such consumer .

The imbalance charges payable by such consumer to the distribution licensee shall be equivalent to the average billing rate of HT industry consumers approved by the Commission in its Tariff Order for the relevant year.

- (ii) In case of under-drawal by the consumer due to non-availability of the distribution system and/or transmission system.

The imbalance charges payable by the distribution licensee to such consumer shall equal the average power purchase cost of the distribution licensee as projected in the Tariff Order of the relevant year.

(b) When open access consumer is a consumer of the distribution licensee.

- (i) In case of over-drawal subject to maximum demand within the Contracted load.

Imbalance charges payable by such consumer to the distribution licensee shall equal the applicable tariff rates as determined by the Commission in the Tariff Order of the relevant year.

- (ii) In case of over-drawal subject to maximum demand more than the contracted load.

Imbalance charges payable by such consumer to the distribution licensee shall be equal to the applicable tariff rates alongwith excess demand charges, as approved by the Commission, for such categories of consumers in its Tariff Order for the relevant year.

- (iii) In case of under drawal due to non-availability of the distribution system and/or intra-State transmission system.

In case of under-drawal is caused by non-availability of the distribution system and/or intra-State transmission system the such consumer shall be compensated by the distribution licensee at the average power purchase cost of the distribution licensee as projected in the Tariff Order for the relevant year.

[For the purpose of this Regulation Actual Recorded Energy and Schedule Energy shall have the same meaning as in Regulations 19(2) above].

(c) When open access customer is a generator :

- (i) In case of under injection by generator due to reasons attributable to the generator.

Imbalance charges payable by the generator to the distribution licensee shall be charged at average power purchase cost of the distribution licensee as projected in the tariff order for the relevant year.

- (ii) In case of under injection by the generator due to non-availability of distribution system and/or transmission system.

Imbalance charges payable by the distribution licensee to the generator shall be charged at average power purchase cost of the distribution licensee as projected in the tariff order for the relevant year.

- (iii) In case of over injection by the generator.

Imbalance charges payable by the distribution licensee to the generator shall be charged at average power purchase cost of the distribution licensee as projected in the tariff order for the relevant year.

Provided that in case of non availability of distribution system and/or transmission system due to force majeure events then distribution licensee shall not be liable to pay any imbalance charges to the open access customers specified in clause a(ii), b(iii) & c(ii) above of this sub-regulation (2) :

Provided further that the above imbalance charges covered in this sub-regulation (2) is an interim arrangement and shall be applicable till intra-State ABT mechanism is operational in the State whereafter the imbalance/un-scheduled interchange shall be settled based on the State Energy Account including statement of State unscheduled interchange (UI) charges issued by SLDC in accordance with the orders of the Commission with regard to State UI charges and related matters when issued by the Commission.

- (3) SLDC shall be the Nodal Agency to ascertain the reasons for non-availability of transmission/distribution system and for fixing the responsibility thereupon.
- (4) Payment of imbalance charges shall have a high priority and the concerned constituents (including the licensees or the open access customers as the case may be) shall pay the indicated amounts within 10 (ten) days of the issue of the statement, into a State Pool Account operated and maintained by the SLDC. The person who has to receive the money on account of imbalance charges would then be paid out from the State Pool Account, within three (3) working days.
- (5) If payments against the above imbalance charges are delayed by more than two days, i.e. beyond twelve (12) days from the date of issue of statement, the defaulting party shall have to pay simple interest @ 0.04% for each day of delay. The interest so collected shall be paid to the person who had to receive the amount, payment of which got delayed. Persistent payment defaults, if any, shall be reported by the SLDC to the Commission, for initiating remedial action.

**31. Reactive Energy Charge :**

In respect of open access customer (except embedded open access consumers), the payment for the reactive energy charges by such open access customers shall be in accordance with provisions stipulated in the Indian Electricity Grid Code (IEGC) and State Grid Code :

Provided further that after the ABT mechanism is operational in the State the reactive energy charges shall be settled based on the State Reactive Energy Account issued by SLDC in accordance with the orders of the Commission.

## CHAPTER 8

## COMMERCIAL MATTERS

## 1. Billing, Collection and Disbursement :

Billing in respect of the charges payable under these regulations shall be made as per the following procedure:

## (1) Inter-State transactions :

(a) Short-term Open Access

- (i) Collection and disbursement of transmission charges for use of CTU and STU systems and operating charges payable to RLDCs and SLDCs towards short-term open access shall be done by the nodal RLDC, in accordance with the procedure specified by the Central Commission and thereafter, it shall disburse the respective amounts to the CTU, STU and SLDC.
- (ii) The short-term open access customer connected to distribution system of a distribution licensee shall pay to such distribution licensee, the wheeling charges payable to the distribution licensee within 3 days from the grant of the short-term open access by the Nodal Agency.

(b) Long-term access and medium-term open access

- (i) Fee and charges payable to CTU and RLDC including charges for the Unified Load Despatch and Communication Scheme shall be in accordance with the procedure specified by the Central Commission.
- (ii) Bills towards the charges payable to STU and SLDC shall be raised by the STU and SLDC directly to the open access customer connected to STU before the 3<sup>rd</sup> working day of the succeeding calendar month. Such open access customer shall pay the bills to STU and SLDC within 5 working days of the receipt of the bills :

Provided that in case such open access customer is connected to distribution system, such bills shall be raised by STU and SLDC to the distribution licensee before the 3<sup>rd</sup> working day of the succeeding calendar month. Distribution licensee shall raise the bill with the open access customer connected to it within 3 days of receipt of bill from STU and SLDC. Open access customer shall pay the charges within five days of receipt of bill from distribution licensee. Thereafter, the distribution licensee shall disburse the amount payable to STU and SLDC on a monthly basis.

## (2) Intra-State transactions:

(a) Short-term Open Access

- (i) The short-term open access customer shall deposit with SLDC the transmission charges and operating charges within 3 working days of grant of the short-term open access by SLDC.
- (ii) In addition to the above, the short-term open access customer connected to distribution system of a distribution licensee shall also pay to SLDC, the wheeling charges payable to the distribution licensee within 3 days from the grant of the short-term open access by the Nodal Agency. Such charges would be disbursed to the distribution licensee on a weekly basis by SLDC.

(b) Long-term and Medium-Term open access

- (i) SLDC, transmission licensee and distribution licensee, where applicable, shall communicate to STU the details of the bills due to them by the 3<sup>rd</sup> day of the succeeding calendar month. STU shall separately indicate the above charges and raise the bill with the open access customer, together with the charges receivable by it, if any, before the 5<sup>th</sup> day of the above month. The open access customer shall pay the charges within 7 days from the date of receipt of the bill. STU shall disburse the charges payable to SLDC, transmission licensee and distribution licensee on a monthly basis.

## 33. Late payment surcharge :

In case the payment of any bill for charges payable under these regulations is delayed by an open access customer beyond the due date, without prejudice to any action under the Act or any other regulation thereunder, a late payment surcharge at the rate of 1.25% per month shall be levied.



**34. Default in payment :**

Non-payment of any charge or sum of money payable by the open access customer under these regulations shall be considered as non-compliance of these regulations. The STU and/or distribution licensee may discontinue open access after giving customer an advance notice of fifteen days without prejudice to its right to recover such charges by suit.

In case of default in payment of charges due to RLDC and/or SLDC, the concerned Load Despatch Centre may refuse to schedule power of the defaulting open access customer and direct the licensee concerned to disconnect such customer from the grid.

**35. Payment Security Mechanism :**

In case of long-term access and medium-term open access, the Applicant for open access will open an unconditional, revolving and irrevocable Letter of Credit (L/C) equivalent to the estimated amount of applicable open access charges for a period of two months in favour of the agency responsible for collection of such charges. The L/C shall be opened in a scheduled Bank at Dehradun.

**CHAPTER 9****INFORMATION SYSTEM****36. Information system :**

The State Load Despatch Centre shall post following information on its website in a separate web page titled "Open access information" and also issue a monthly and annual report containing such information.

- (1) A status report on long-term/medium term/short term open access by customers indicating:
  - (a) Name of the customer;
  - (b) Period of open access granted (date of commencement and date of termination);
  - (c) Schedule of power from distribution licensee/UPCL for each day. (*applicable to embedded open access consumers*)
  - (d) Schedule of power through open access period for each day. (*applicable to embedded open access consumers*)
  - (e) Point of injection;
  - (f) Point of drawal;
  - (g) Transmission system/distribution system used, and
  - (h) Open access capacity used.
- (2) Peak load flows and capacity available including the reserve capacity on all EHV lines and HV lines emanating from EHV sub-stations.
- (3) The information regarding average loss in transmission and distribution system as determined by respective licensees.

CHAPTER 10

MISCELLANEOUS

**37. Detailed Procedure :**

STU/Distribution licensee shall lay down their respective detailed procedures including time lines for implementation of various activities as required under these Regulations and submit the same for approval of the Commission within 3 months of the notification of these Regulations.

**38. Under-utilisation or Non-utilisation of open access capacity in intra-State transmission and distribution system :**

**(1) Long-term Access :** A long-term customer may relinquish the long-term access rights fully or partly before the expiry of the full term of long-term access, by making payment of compensation for stranded capacity as follows :-

(a) Long-term customer who has availed access rights for at least 12 years.

- (i) Notice of one (1) year - If such a customer submits an application to the Nodal Agency at least 1 (one) year prior to the date from which such customer desires to relinquish the access rights, there shall be no charges.
- (ii) Notice of less than one (1) year - If such a customer submits an application to the Nodal Agency at any time lesser than a period of 1 (one) year prior to the date from which such customer desires to relinquish the access rights, such customer shall pay an amount equal to 66% of the estimated open access charges (net present value) for the stranded transmission and/or distribution capacity for the period falling short of a notice period of one (1) year.

(b) Long-term customer who has not availed access rights for at least 12 (twelve) years.

Such customer shall pay an amount equal to 66% of the estimated open access charges (net present value) for the stranded transmission and/or distribution capacity for the period falling short of 12 (twelve) years of access rights :

Provided that such a customer shall submit an application to the Nodal Agency at least 1 (one) year prior to the date from which such customer desires to relinquish the access rights :

Provided further that in case a customer submits an application for relinquishment of long-term access rights at any time at a notice period of less than one year, then such customer shall pay an amount equal to 66% of the estimated open access charges (net present value) for the period falling short of a notice period of one (1) year, in addition to 66% of the estimated open access charges (net present value) for the stranded transmission and/or distribution capacity for the period falling short of 12 (twelve) years of access rights.

- (c) The discount rate that shall be applicable for computing the net present value as referred to in clause (a) & (b) of sub-regulation (1) above shall be the discount rate to be used for bid evaluation in the Central Commission's Notification issued from time to time in accordance with the Guidelines for Determination of Tariff by Bidding Process for Procurement of Power by distribution Licensees issued by the Ministry of Power.
- (d) The compensation paid by the long-term customer for the stranded transmission and/or distribution capacity shall be used for reducing transmission and/or wheeling charges payable by other long-term customers and medium-term customers in the year in which such compensation payment is due in the ratio of open access charges payable for that year by such long-term customers and medium-term customers.

**(2) Medium-term Open Access Customers :**

A medium-term open access customer may relinquish rights, fully or partly, by giving at least 30 days prior notice to the Nodal Agency :

Provided that the medium-term open access customer relinquishing its rights shall pay applicable open access charges for the period of relinquishment or 30 days whichever is lesser.

**(3) Short-term open access customer :**

- (a) The short-term open access schedules accepted by the Nodal Agency in advance may be cancelled or revised downwards on an application to that effect made to the Nodal Agency by the short-term open access customer :

Provided that such cancellation or downward revision of the short-term open access schedules shall not be effective before expiry of a minimum period of two (2) days.

Provided further that the day on which notice for cancellation or downward revision of schedule is served on the Nodal Agency and the day from which such cancellation or downward revision is to be implemented, shall be excluded for computing the period of two (2) days.

- (b) The person seeking cancellation or downward revision of short-term open access schedule shall pay the transmission/wheeling charges except open access charges for the first two (2) days of the period for which the cancellation or downward revision of schedule, as the case may be, has been sought, in accordance with the schedule originally approved by the Nodal Agency, and thereafter in accordance with the revised schedule prepared by the Nodal Agency during the period of such cancellation or downward revision.
- (c) Any person seeking downward revision of short term open access schedule (including revision to zero schedule) shall pay, scheduling and system operation charges specified in clause (b) of sub Regulation (2) of Regulation 21 contained in Chapter 5 of these Regulations corresponding to the number of days for which power has been scheduled and in case of cancellation, operating charges shall be payable in addition for two (2) days or the period of cancellation in days, whichever is less.

**39. Computation of capacity availability for open access :**

- (1) The capacity available for the open access shall be computed for each transmission segment and for every sub-station by the STU following the methodology given below :
- (a) Available open access capacity of a transmission system segment =  $(DC - SD - AC) + NC$  where, DC=Designed capacity of the transmission segment in MW, SD = Sustained demand in MW recorded in the segment, AC = Already allotted capacity, but not availed in MW and NC = New capacity in MW expected to be added.
- (b) Available open access capacity of a sub-station =  $(TC - SP - AC) + NC$  where, TC= Transformer capacity of the sub-station in MVA, SP= Sub-station peak in MVA, AC= Already allotted capacity but not availed in MVA and New transformer capacity in MVA expected to be added.
- (c) The STU shall update these values on monthly basis on the first calendar day of the month and publish it in their website.
- (2) The distribution licensee shall determine the available capacity for allotment for the portion of the distribution system over which open access has been requested for.

**40. Curtailment Priority :**

When, because of constraints or otherwise, it becomes necessary to curtail the open access service of the customers, subject to the requirements of State Grid Code, the open access to a distribution licensee shall be the last to be curtailed. Among others, short-term open access customers shall be curtailed first, followed by the medium-term open access customers followed by long-term open access customers. In case of inter-state transactions, curtailment of open access customers shall be governed in accordance with CERC Regulations. However, in case of intra-state transactions curtailment shall be done by SLDC in accordance with the guidelines frame by it for curtailment of open access customers.

**41. Powers to Remove Difficulties :**

If any difficulty arises in giving effect to any of the provisions of these regulations, the Commission may by general or special order, direct the State Transmission Utility, State Load Despatch Centre, distribution licensee and the open access customer, to take such action, as may appear to the Commission to be necessary or expedient for the purpose of removing difficulties.

### FORMATS for Short-Term

FORMAT-ST1

## APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS

(to be submitted by the customer to SLDC)

To: Dy. General Manager (SLDC),

|    |                          |                                                                             |      |  |
|----|--------------------------|-----------------------------------------------------------------------------|------|--|
| 1. | Customer Application No. |                                                                             | Date |  |
| 2. | Period of Transaction    |                                                                             |      |  |
| 3. | Nature of Customer*      | <seller/buyer/captive user/trader (on behalf of seller/buyer/captive user)> |      |  |

< \* In terms of power transfer >

|    |                   |  |             |  |
|----|-------------------|--|-------------|--|
| 4. | Customer Name     |  |             |  |
| 5. | Registration Code |  | Valid up to |  |

< Registration code shall be as provided by SLDC >

|    |                                        |                  |               |
|----|----------------------------------------|------------------|---------------|
| 6. | Details of Transaction Party's to Grid |                  |               |
|    |                                        | Injecting Entity | Drawee Entity |
|    | Name of Entity                         |                  |               |
|    | Status of Entity*                      |                  |               |
|    | Utility in which it is Embedded        |                  |               |

< \*In terms of ownership-State Utility/CPP/IPP/ISGS/Discom/Consumer/ specify, if any other >

|    |                                                                  |              |                  |               |
|----|------------------------------------------------------------------|--------------|------------------|---------------|
| 7. | Details of Injecting/Drawee Connectivity with Intra-State System |              |                  |               |
|    |                                                                  |              | Injecting Entity | Drawee Entity |
|    | Name of sub-station                                              | Transmission |                  |               |
|    |                                                                  | Distribution |                  |               |
|    | Voltage Level                                                    | Transmission |                  |               |
|    |                                                                  | Distribution |                  |               |
|    | Name of Licensee (Owner of S/S)                                  |              |                  |               |
|    | Intervening Intra-State Licensee                                 |              |                  |               |
|    | Intervening Inter-State Licensee                                 |              |                  |               |

|    |                                                                |    |       |    |          |
|----|----------------------------------------------------------------|----|-------|----|----------|
| 8. | Open Access Sought for (Period from date _____ to date _____ ) |    |       |    |          |
|    | Date                                                           |    | Hours |    | Capacity |
|    | From                                                           | To | From  | To | MW       |
|    |                                                                |    |       |    |          |
|    |                                                                |    |       |    |          |

|    |                           |       |                        |                 |        |          |
|----|---------------------------|-------|------------------------|-----------------|--------|----------|
| 9. | Details of PPA/PSA/MoU    |       |                        |                 |        |          |
|    | Name & Address of Parties |       | Date of<br>PPA/PSA/MoU | Validity Period |        | Capacity |
|    | Seller                    | Buyer |                        | Commencement    | Expiry | MW       |
|    |                           |       |                        |                 |        |          |

| 10. | Details of Non-Refundable Application Fee Made |                    |                |      | Amount (Rs.) |
|-----|------------------------------------------------|--------------------|----------------|------|--------------|
|     | Bank Details                                   | Instrument Details |                |      |              |
|     |                                                | Type (Draft/Cash)  | Instrument No. | Date |              |
|     |                                                |                    |                |      |              |

FORMATS for Short-Term

11. I hereby authorize SLDC to process said application, in case open access capacity allotted, for day-ahead scheduling in accordance with the provisions of the relevant regulations.

12. Declaration

All Entities/Utilities to transaction shall abide by provisions of the Electricity Act, 2003(the Act), UERC (Terms and Conditions for Intra State Open Access) Regulations, 2015 and any other relevant regulation/ order/ code as amended from time to time.

Place :

Signature (with stamp)

Date :

Name &amp; Designation

Enclosures--

- (1) Non-refundable application fee by Demand draft or cash receipt or any other mode acceptable to the Nodal Agency.
- (2) Self-certified copy of PPA/PSA/MoU entered between the parties (buyer and seller) of transaction stating contracted power, period of transaction, drawal pattern, point(s) of injection and drawal etc.
- (3) If any other.

Copy to along with relevant enclosures [except (1) & (2) above] :

- (1) Managing Director of transmission licensee.
- (2) Managing Director of distribution licensee.
- (3) Officer in charge of transmission substation involved in transaction.
- (4) Officer in charge of distribution substation involved in transaction.
- (5) Any other concerned.

For use of SLDC (with Reference to Enrolment of Application)

|                         |                 |
|-------------------------|-----------------|
| SLDC Reference ID No.   |                 |
| Nodal SLDC Approval No. | < If approved > |
| Or Reason of Refusal*   |                 |
| (If Refused).           |                 |

< \* SLDC may also enclose supporting documents for the reasons of refusal duly signed on each page >

FORMAT-ST1: APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS (Page -2 of 3)

FORMATS for Short-TermACKNOWLEDGEMENT

(for office use only)

**APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS**

(A) &lt; to be filled by the customer &gt;

|    |                          |                                                                               |      |  |
|----|--------------------------|-------------------------------------------------------------------------------|------|--|
| 1. | Customer Application No. |                                                                               | Date |  |
| 2. | Period of Transaction    |                                                                               |      |  |
| 3. | Nature of Customer*      | < seller/buyer/captive user/trader (on behalf of seller/buyer/captive user) > |      |  |

&lt; \* In terms of power transfer &gt;

|    |                   |  |             |  |
|----|-------------------|--|-------------|--|
| 4. | Customer Name     |  |             |  |
| 5. | Registration Code |  | Valid up to |  |

&lt; Registration code shall be as provided by SLDC &gt;

(B) &lt; to be filled by SLDC &gt;

|                                         |  |
|-----------------------------------------|--|
| Date and Time of Receipt of Application |  |
|-----------------------------------------|--|

Place :

Signature (with stamp)

Date :

Name &amp; Designation

FORMAT-ST1: APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS (Page -3 of 3)

✂

✂

ACKNOWLEDGEMENT

(to be issued by SLDC to the customer immediately on receipt of application duly filled in)

**APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS**

(A) &lt; to be filled by the customer &gt;

|    |                          |                                                                               |      |  |
|----|--------------------------|-------------------------------------------------------------------------------|------|--|
| 1. | Customer Application No. |                                                                               | Date |  |
| 2. | Period of Transaction    |                                                                               |      |  |
| 3. | Nature of Customer*      | < seller/buyer/captive user/trader (on behalf of seller/buyer/captive user) > |      |  |

&lt; \* In terms of power transfer &gt;

|    |                   |  |             |  |
|----|-------------------|--|-------------|--|
| 4. | Customer Name     |  |             |  |
| 5. | Registration Code |  | Valid up to |  |

&lt; Registration code shall be as provided by SLDC &gt;

(B) &lt; to be filled by SLDC &gt;

|                                         |  |
|-----------------------------------------|--|
| Date and Time of Receipt of Application |  |
|-----------------------------------------|--|

Place :

Signature (with stamp)

Date :

Name &amp; Designation

N.B. : This counterfoil may be scored out and issued to the customer.

FORMAT-ST1: APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS (Page -3 of 3)

FORMATS for Short-Term

FORMAT-ST2

## APPROVAL FOR SHORT-TERM OPEN ACCESS

(to be issued by SLDC)

|                                                                                              |                                                                  |                                                                             |                  |                           |
|----------------------------------------------------------------------------------------------|------------------------------------------------------------------|-----------------------------------------------------------------------------|------------------|---------------------------|
| Nodal SLDC Approval                                                                          |                                                                  | Date                                                                        |                  |                           |
| 1.                                                                                           | Customer Application No.                                         | <as provided on FORMAT-ST1>                                                 |                  |                           |
| 2.                                                                                           | Period of Transaction                                            | Date                                                                        |                  |                           |
| 3.                                                                                           | Nature of Customer*                                              | <seller/buyer/captive user/trader (on behalf of seller/buyer/captive user)> |                  |                           |
| < * In terms of power transfer >                                                             |                                                                  |                                                                             |                  |                           |
| 4.                                                                                           | Customer Name                                                    |                                                                             |                  |                           |
| 5.                                                                                           | Registration Code                                                | Valid up to                                                                 |                  |                           |
| 6.                                                                                           | Details of Transaction Party's to Grid                           |                                                                             |                  |                           |
|                                                                                              | Name of Entity                                                   | Injecting Entity                                                            | Drawee Entity    |                           |
|                                                                                              | Status of Entity*                                                |                                                                             |                  |                           |
|                                                                                              | Utility in which it is embedded                                  |                                                                             |                  |                           |
| < *In terms of ownership-State Utility/CPP/IPP/ISGS/Discom/Consumer/ specify, if any other > |                                                                  |                                                                             |                  |                           |
| 7.                                                                                           | Details of Injecting/Drawee Connectivity with intra-State System |                                                                             |                  |                           |
|                                                                                              | Name of Sub-station                                              | Transmission                                                                | Injecting Entity |                           |
|                                                                                              |                                                                  | Distribution                                                                | Drawee Entity    |                           |
|                                                                                              | Voltage Level                                                    | Transmission                                                                |                  |                           |
|                                                                                              |                                                                  | Distribution                                                                |                  |                           |
|                                                                                              | Name of Licensee (Owner of S/S)                                  |                                                                             |                  |                           |
|                                                                                              | Intervening Intra-State Licensee                                 |                                                                             |                  |                           |
|                                                                                              | Intervening inter-State Licensee                                 |                                                                             |                  |                           |
| 8.                                                                                           | Open Access Approved for (Period from date _____ to date _____ ) |                                                                             |                  |                           |
|                                                                                              | Month                                                            | Date                                                                        | Hours            | Capacity (MW)             |
|                                                                                              |                                                                  | From To                                                                     | From To          | Applied Allotted          |
|                                                                                              |                                                                  |                                                                             |                  |                           |
|                                                                                              |                                                                  |                                                                             |                  |                           |
|                                                                                              |                                                                  |                                                                             |                  |                           |
|                                                                                              |                                                                  |                                                                             |                  | Total MWh                 |
| 9.                                                                                           | Details of Bidding < only in case of Bidding >                   |                                                                             |                  |                           |
|                                                                                              | Details of Intra-State System                                    | Date                                                                        | Hours            | Applicable Rate (Rs./Kwh) |
|                                                                                              |                                                                  | From To                                                                     | From To          |                           |
|                                                                                              | Transmission System                                              |                                                                             |                  |                           |
|                                                                                              | Distribution System                                              |                                                                             |                  |                           |

FORMATS for Short-Term

10. The approval is subject to provisions of UERC (Terms and Conditions for Intra-State Open Access) Regulations, 2015 and any other relevant regulation/order/code as amended and applicable from time to time.

< only in case of approval >

11. No approval is being granted on account of

<only in case of rejection>

< SLDC shall convey specific reasons if open access is denied and may also enclose supporting documents to support the same duly signed on each page >

Place :

Signature (with stamp)

Date :

Name & Designation

Enclosures

(1) Schedule of payments

< only in case of approval >

(2) If any other

Copy to along with enclosures

(1) Customer

(2) Managing Director of transmission licensee.

(3) Managing Director of distribution licensee.

(4) Officer in charge of transmission substation involved in transaction.

(5) Officer in charge of distribution substation involved in transaction.

(6) Any other concerned.



FORMATS for Short-Term  
Enclosure to FORMAT-ST2

**SCHEDULE OF PAYMENTS**

(to be enclosed for each month by SLDC along with FORMAT-ST2)

|                                 |                                                                                                    |                                                                               |             |             |
|---------------------------------|----------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|-------------|-------------|
| 1.                              | Nodal SLDC Approval No.                                                                            |                                                                               | Date        |             |
| 1.                              | Customer Application No.                                                                           | < as provided on FORMAT-ST1 >                                                 | Date        |             |
| 2.                              | Period of Transaction                                                                              |                                                                               |             |             |
| 3.                              | Nature of Customer*                                                                                | < seller/buyer/captive user/trader (on behalf of seller/buyer/captive user) > |             |             |
| < *In terms of power transfer > |                                                                                                    |                                                                               |             |             |
| 4.                              | Customer Name                                                                                      |                                                                               |             |             |
| 5.                              | Registration Code                                                                                  |                                                                               | Valid up to |             |
| 6.                              | Tentative* Monthly Payment Schedule for Short-Term Open Access Charges<br>(Period : date to date ) |                                                                               |             | Month       |
|                                 | Payment Chargeable for                                                                             | Rate (Rs./kWh)                                                                | MWh         | Total (Rs.) |
|                                 | (1) Intra-State Network                                                                            |                                                                               |             |             |
|                                 | (a) Transmission Charges                                                                           |                                                                               |             |             |
|                                 | Intervening Intra-State Licensee (if any)                                                          |                                                                               |             |             |
|                                 | (b) Wheeling Charges                                                                               |                                                                               |             |             |
|                                 | Distribution Licensee                                                                              |                                                                               |             |             |
|                                 | Intervening Intra-State Licensee (if any)                                                          |                                                                               |             |             |
|                                 | (c) Surcharge                                                                                      |                                                                               |             |             |
|                                 | Distribution Licensee                                                                              |                                                                               |             |             |
|                                 | (d) Additional Surcharge                                                                           |                                                                               |             |             |
|                                 | Distribution Licensee                                                                              |                                                                               |             |             |
|                                 | (e) SLDC Charges                                                                                   |                                                                               |             |             |
|                                 | SLDC                                                                                               |                                                                               |             |             |
|                                 | (2) Inter-State Network                                                                            |                                                                               |             |             |
|                                 | Transmission Charges                                                                               |                                                                               |             |             |
|                                 | Intervening Inter-State Licensee (if any)                                                          |                                                                               |             |             |
|                                 | Total Monthly Payment Amount (Rs.)                                                                 |                                                                               |             |             |

Place :

Date :

Signature (with stamp)

Name &amp; Designation

\* Tentative on the basis of MWh mentioned in application which may vary on actual operation.

FORMAT-ST2: APPROVAL FOR SHORT-TERM OPEN ACCESS (Page -3 of 3)

FORMATS for Short-Term

FORMAT-ST3

## CONGESTION INFORMATION AND INVITATION OF BIDDING

(to be invited by SLDC)

SLDC Bidding Invitation No. \_\_\_\_\_

Date \_\_\_\_\_

|                                  |                                                                               |             |
|----------------------------------|-------------------------------------------------------------------------------|-------------|
| 1. Customer Application No.      | < as on FORMAT-ST1 >                                                          | Date        |
| 2. Period of Transaction.        |                                                                               |             |
| 3. Nature of Customer*           | < seller/buyer/captive user/trader (on behalf of seller/buyer/captive user) > |             |
| < * In terms of power transfer > |                                                                               |             |
| 4. Customer Name                 |                                                                               |             |
| 5. Registration Code             |                                                                               | Valid up to |

6. The anticipated congestion (transformer and electric line/link) is as follow :

| Network Corridor                               |                                        | Congestion Period |    |       |    | Margin/<br>Capacity<br>Available | Total Capacity<br>Applied by all the<br>Customers |
|------------------------------------------------|----------------------------------------|-------------------|----|-------|----|----------------------------------|---------------------------------------------------|
| Sub-station with<br>Transformation<br>Capacity | Electric<br>Line/Link<br>with Capacity | Date              |    | Hours |    |                                  |                                                   |
|                                                |                                        | From              | To | From  | To | MW                               | MW                                                |
| Intra-State Transmission System                |                                        |                   |    |       |    |                                  |                                                   |
|                                                |                                        |                   |    |       |    |                                  |                                                   |
|                                                |                                        |                   |    |       |    |                                  |                                                   |
| Intra-State Distribution System                |                                        |                   |    |       |    |                                  |                                                   |
|                                                |                                        |                   |    |       |    |                                  |                                                   |
|                                                |                                        |                   |    |       |    |                                  |                                                   |
| Intra-State Transmission System                |                                        |                   |    |       |    |                                  |                                                   |
|                                                |                                        |                   |    |       |    |                                  |                                                   |
|                                                |                                        |                   |    |       |    |                                  |                                                   |

7. In view of above please submit bid on format [FORMAT-ST4]. The details for bidding are hereunder :

|                         |      |
|-------------------------|------|
| (a) Bid Invitation Date | Time |
| (b) Bid Submission Date | Time |
| (c) Bid Opening Date    | Time |
| (d) Bids Invited for    |      |

| Intra-State Network Corridor |                       | Congestion Period |    |       |    | Margin/Capacity<br>Available<br>for Bidding | Floor Price |
|------------------------------|-----------------------|-------------------|----|-------|----|---------------------------------------------|-------------|
| Sub-Station                  | Electric<br>Line/Link | Date              |    | Hours |    |                                             |             |
|                              |                       | From              | To | From  | To | MW                                          | Rs/kWh      |
| Name of Transmission System  |                       |                   |    |       |    |                                             |             |
|                              |                       |                   |    |       |    |                                             |             |
| Name of Distribution System  |                       |                   |    |       |    |                                             |             |
|                              |                       |                   |    |       |    |                                             |             |

8. In case of non submission of bid, application shall be deemed to have been withdrawn and shall not be processed.

Place :

Date :

Signature (with stamp)

Name &amp; Designation

To: Customers with their reference's &lt; as provided by customers at sl.no. 1 on FORMAT-ST1 &gt;

FORMAT-ST3: CONGESTION INFORMATION AND INVITATION OF BIDS (Page -1 of 1)

FORMATS for Short-Term  
FORMAT-ST4

## BID PROPOSAL

(to be submitted by the customer to SLDC)

Ref. SLDC Bidding Invitation No. \_\_\_\_\_

Date: \_\_\_\_\_

To: Dy. General Manager (SLDC),

|                                                                                  |                                                                               |                   |             |                                       |             |                                  |           |            |
|----------------------------------------------------------------------------------|-------------------------------------------------------------------------------|-------------------|-------------|---------------------------------------|-------------|----------------------------------|-----------|------------|
| 1. Customer Application No.                                                      | <as provided on FORMAT-ST1>                                                   |                   | Date        |                                       |             |                                  |           |            |
| 2. Period of Transaction                                                         |                                                                               |                   |             |                                       |             |                                  |           |            |
| 3. Nature of Customer*                                                           | <'seller/buyer/captive user/trader (on behalf of seller/buyer/captive user)'> |                   |             |                                       |             |                                  |           |            |
| <* In terms of power transfer>                                                   |                                                                               |                   |             |                                       |             |                                  |           |            |
| 4. Customer Name                                                                 |                                                                               |                   |             |                                       |             |                                  |           |            |
| 5. Registration Code                                                             |                                                                               |                   | Valid up to |                                       |             |                                  |           |            |
| 6. In reference to above bidding invitation, I hereby submit my bid as follows : |                                                                               |                   |             |                                       |             |                                  |           |            |
| Bidding Details as provided by SLDC                                              |                                                                               |                   |             |                                       |             |                                  |           |            |
| Intra-State Network Corridor                                                     |                                                                               | Congestion Period |             | Margin/Capacity Available for Bidding | Floor Price | Bid Price to be Quoted by Bidder |           |            |
| Sub-Station                                                                      | Electric Line/Link                                                            | Date              |             | Hours                                 |             | MW                               | Paise/kWh | Paise/kWh* |
|                                                                                  |                                                                               | From              | To          | From                                  | To          |                                  |           |            |
| Name of Transmission System                                                      |                                                                               |                   |             |                                       |             |                                  |           |            |
|                                                                                  |                                                                               |                   |             |                                       |             |                                  |           |            |
| Name of Distribution System                                                      |                                                                               |                   |             |                                       |             |                                  |           |            |
|                                                                                  |                                                                               |                   |             |                                       |             |                                  |           |            |

&lt; \* Bidder shall quote price (rounded-off to whole number) in denotation of floor price &gt;

7. I do hereby agree that determined bid price(s) shall be transmission and/or wheeling charges.

Place :

Date

Signature (with stamp)

Name &amp; Designation

FORMAT-ST4: BID PROPOSAL (Page -1 of 1)

By Order of the Commission,

(NEERAJ SATI)

Secretary,

Uttarakhand Electricity Regulatory Commission.

पी०एस०यू० (आर०ई०) ०९ हिन्दी गजट/९४-भाग 1-क-2015 (कम्प्यूटर/रीजियो)।

मुद्रक एवं प्रकाशक-अपर निदेशक, राजकीय मुद्रणालय, उत्तराखण्ड, रुड़की।

## UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

NOTIFICATION*September 22, 2022***UERC (Standards of Performance) Regulations, 2022**

No. F-9(33)/RG/UERC/2022/771 - In exercise of powers conferred under Section 181(1) and 181(2)(za&z b) read with Section 57, 58, 59 & 86(1)(i) of the Electricity Act 2003 and all powers enabling it in that behalf, Uttarakhand Electricity Regulatory Commission hereby makes the following Regulations:

**1. Short title, Extent, Commencement and Interpretation**

- (1) These Regulations may be called Uttarakhand Electricity Regulatory Commission (Standards of Performance) Regulations, 2022.
- (2) These Regulations shall be applicable to all the Distribution and Retail Supply Licensee(s) including Deemed Licensee(s) and all its consumers in the State of Uttarakhand.
- (3) These Regulations shall come into force on the date of the publication in the official Gazette replacing the existing UERC (Standards of Performance) Regulations, 2007.
- (4) These Regulations shall be interpreted and implemented in accordance with, and not at variance from, the provisions of the Electricity Act, 2003 read with the Central Electricity Authority (Installation & Operation of Meters) Regulations, 2006, CEA (Measures relating to Safety and Electric Supply) Regulations, 2010, any other relevant CEA Regulations, UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020, and any other relevant UERC Regulations, as amended from time to time in this regard.
- (5) Interpretation of these Regulations, unless the context otherwise requires, words in the singular or plural term, as the case may be, shall also be deemed to include the plural or the singular terms and the headings inserted in this Regulation is for convenience only.

## 2. Definitions

(1) In these Regulations, unless the context otherwise requires:

- (a) "Act" means the Electricity Act, 2003;
- (b) "Area of Supply" means the area within which a distribution Licensee is authorised by his licence to supply electricity;
- (c) "Billing cycle" or "Billing period" means the period as approved by the Commission for which regular electricity bills are to be prepared by the Licensee for different categories of consumers;
- (d) "Breakdown" means an occurrence relating to the equipment of the distribution system of the licensee including electrical line up to the consumer meter that prevents its normal functioning;
- (e) "CEA" means the Central Electricity Authority;
- (f) "CEA Safety Regulations" means the CEA (Measures Relating to Safety and Electric Supply) Regulations, 2010 as amended from time to time.
- (g) "Centralized Customer Care Centre" means suitable IT enabled infrastructure/setup (with voice recording feature) for submission of complaint or claim of compensation, electronically (e-mail, mobile App, website of the Licensee) or telephonically (voice call-Landline/Mobile) or through any other mode as mentioned in these Regulations and shall remain operational 24x7x365;
- (h) "Claim Application" means any application put before the Licensee for compensation in the format prescribed in these Regulations.
- (i) "Commission" means Uttarakhand Electricity Regulatory Commission;
- (j) "Distributing Main" means the portion of any main with which a service line is, or is intended to be, immediately connected;
- (k) "Distribution System" means the system of wires and associated facilities used for distribution/supply of electricity between the delivery points on the transmission lines or the generating station connection and the point of connection to the installation of the consumers.

The distribution system of a distribution Licensee shall also include electric line, sub-station and electrical plant that are primarily maintained for the purpose of distributing electricity in the area of supply of such distribution Licensee notwithstanding that such line, sub-station or electrical plant are high pressure cables or overhead lines or associated with such high pressure cables or overhead lines; or used incidentally for the purposes of transmitting electricity for others;

- (l) "Electrical Inspector" means a person appointed as such by the Appropriate Government under sub-section (1) of Section 162 of the Electricity Act, 2003 and also includes the Chief Electrical Inspector;
- (m) "Extra High Tension (EHT)" means the voltage exceeding 33,000 Volts under normal conditions, subject to the percentage variation allowed;
- (n) "Franchisee" means a person authorised by a distribution licensee to distribute electricity on its behalf in a particular area within his area of supply;
- (o) "Government" means the Government of Uttarakhand;
- (p) "Help Desk" means suitable IT enabled infrastructure/setup at the sub-divisional level / divisional level / circle level / zonal level / corporate level for submission of complaint or claim of compensation electronically (e-mail, mobile App, website of the Licensee) or telephonically (voice call-Landline/Mobile) or in writing or through any other mode as mentioned in these Regulations to remain operative during scheduled office hours on all working days;
- (q) "High Tension (HT)" means the voltage above 650 Volts and upto 33,000 Volts under normal conditions, subject to the percentage variation allowed;
- (r) "Licensee" means any person licensed under Part IV of the Act;
- (s) "Local Complaint Centre" means the local 33/11 kV substations or any other local complaint centres maintained by the distribution licensee for reporting/registration of complaint by the consumers.

(t) "Low Tension (LT)" means the voltage of 230 volts between phase and neutral or 400 volts between any two phases under normal conditions subject to the percentage variation allowed;

(u) "Meter" means a device suitable for measuring, indicating and recording conveyance of electricity, maximum demand, any other parameter or any other information related with electrical system, as may be specified by the Authority or notified by the Commission and shall include, wherever applicable, other equipment such as Current Transformer (CT), Voltage Transformer (VT) or Capacitor Voltage Transformer (CVT) necessary for such purpose and shall include net meter;

Explanation: It shall also include any seal or sealing arrangement and other measures/attributes provided by the Licensee for securing reliability and for preventing theft/unauthorised use of electricity.

where "Net meter" means an appropriate meter capable of recording both import & export of electricity or a pair of meters one each for recording the net import and net export of electricity as the case may be;

(v) "Rural areas" means all areas other than Urban areas;

(w) "Service Line" means an electric supply line through which energy is, or is intended to be supplied by the Licensee from a distributing main to a single or group of Consumers from the same point of the distributing main.

(x) "SoP" means Standards of Performance.

(y) "Urban area" is area within the boundaries of any municipal corporation or municipality or municipal council or town area or notified as Urban area or any other municipal body.

(2) Unless the context otherwise requires words or expressions occurring in these Regulations and not defined herein but defined in the Act/Rules/CEA Regulations/Tariff Order shall bear the same meaning as in the



Act/Rules/CEA Regulations/Tariff Order or in absence thereof, the meaning as commonly understood in the Electricity Supply Industry.

### 3 Objective

- (1) These Regulations lay down the standards to maintain distribution system and supply parameters within the permissible limits. These standards shall serve as benchmark for Licensees/franchisee for providing an efficient, reliable, coordinated and economical system of electricity distribution. It is the right of consumer to have minimum standards of service for supply of electricity from the distribution licensee in accordance with the provisions made in these Regulations.
- (2) The objectives of these Regulations are:
  - (a) to lay down Standards of Performance;
  - (b) to measure the actual performance of licensee/franchisee as against the benchmarks Standards of Performance;
  - (c) to ensure quality and suitability of distribution network performance;
  - (d) to enable the consumers to design their systems and equipment to suit the electrical environment that they operate in;
  - (e) to improve service delivery to the consumers;
  - (f) to develop transparent grievance redressal mechanism for ensuring fair compensation to the consumers in case the Licensee fails to achieve guaranteed benchmark Standard of Performance as described in Schedule-I of these Regulations.

### 4. Guaranteed and Overall Standards of Performance

- (1) The Standards specified in the Schedule-I shall be the Guaranteed Standards of Performance, which are the minimum standards of service that a Licensee shall achieve,
- (2) The Standards specified in the Schedule-II shall be the Overall Standards of Performance which the Licensee shall achieve in discharge of his obligations as a Licensee.



- (3) The Commission may from time to time add, alter, vary, modify or amend the contents of the Schedule-I and Schedule-II by a general or special order.

#### 5. Complaint Handling Procedures

- (1) The Licensee within 03 months of notification of these Regulations, shall update the Complaint Handling Procedures and submit the same in English as well as in Hindi before the Commission for approval in-line with the conditions mentioned at para 23.4 of Uttarakhand Distribution and Retail Supply Licence (Licence No. 2 of 2003).
- (2) The distribution licensee while updating the Complaint Handling Procedure as mentioned above at Sub-Regulation (1) shall require to incorporate the features of available communication technologies to minimize the time period required for addressing the complaint of its consumers and shall also require to propose the services that can be taken for automatic payment of compensation.
- (3) Details of each complaint shall be recorded as per Format SoP-1.

#### 6. Compensation Mechanism

- (1) If Licensee fails to meet the guaranteed Standards of Performance as specified in Schedule-I, Licensee shall pay compensation to the affected person upon lodging of a claim for compensation. The compensation to be paid by the Licensee to the affected person is specified in Schedule-III of these Regulations.

Provided that the distribution licensee while updating the Complaint Handling Procedure in accordance with Sub-Regulation (1) of Regulation 5 of these Regulations shall propose the services which are eligible for automatic payment of compensation (for which affected person is not required to file a complaint for claiming its compensation) and the distribution licensee based on its records shall credit the compensation amount in the next bill of the affected consumer.

Provided that, for shifting of lines/poles/transformers, the compensation payable to the affected person shall be made through Cheque/NEFT/RTGS as per timeline stipulated in Sub-Regulation (7) of this Regulation.

Provided that, if, there is a stay order by any Court, Forum, Tribunal, or by the Commission, staying the recovery of any dues from consumer and during the operating period of any such order, compensation shall become due but shall be payable to the Consumer only after the final decision of the case is in favour of the consumer.

Provided also that, no compensation shall be payable if there is any arrear due to be recoverable from the consumer.

- (2) In all cases of compensation, the payment of compensation shall be made only by crediting the same in electricity bill and subsequent adjustment in current and immediate future bills for supply of electricity by the licensee/franchisee. The details of the total compensation due and the amount paid thereof shall be shown in every electricity bill of the consumer.

Provided that in case payment of compensation gets delayed due to decision of Forum/Court and by then the consumer has been permanently disconnected on his will with no outstanding dues then the payment of compensation shall be made through Cheque/NEFT/RTGS.

- (3) In order to create awareness about the guaranteed Standards of Performance, the licensee shall intimate the prescribed guaranteed time as per Schedule-I of these regulations to the individual complainant along with intimation of registration of complaints. The licensee/franchisee shall also intimate the compensation details as per Schedule-III of these Regulations along with each registration of complaint.
- (4) In case there is a delay in the resolution of complaint beyond the time limit prescribed in the Schedule-I, claim for compensation shall be filed by the consumer not beyond 30 days of resolution of complaint.

- (5) The claim can be filed by the consumer as per Format SoP-2. Such claim can be filed either personally/e-mail/registered post/online/mobile app/Help Desk/Centralized Customer Care Centre to the concerned officer.

Provided that the distribution licensee, within nine (09) months from the date of notification of these Regulations, shall create an online facility on which consumers may register and claim the compensation amount. The information in this regard shall be widely circulated among consumers through appropriate means including mass media/bills/SMS/e-mails/ licensee's website.

- (6) Every Claim Application shall be given a registration number which will be different from the Unique Complaint Number. Licensee shall maintain online data of the compensation claim registration number and the action taken there on by fully displaying the same on licensee website.

Provided that in case mobile number and/ or email-id of the consumer has been registered, the compensation claim registration number shall be sent through SMS and email on the registered mobile number and email id of the consumer.

- (7) Licensee shall determine the compensation payable to the affected person within 30 days from date of receipt of Claim Application in the prescribed Format SoP-2 at the Licensee's office giving details as well as reference of relevant Regulations and thereafter shall give compensations, if any within 60 days from the date of determination of such compensation by way of crediting the same in its electricity bill and subsequent adjustment in present and future electricity bills of consumer. In case of refusal of compensation, Licensee shall pass an appropriate order after hearing the affected person with respect to each claim of compensation within 45 days from the date of receipt of the Claim Application of compensation. All such orders shall be displayed on the website of the licensee and shall be communicated to the consumer as well.

- (8) Failure by the licensee to pay the compensation as per Sub-Regulation (7) above or non satisfaction of the consumer with the decision of the licensee shall constitute a Grievance, which shall be dealt and decided by the respective

Consumer Grievance Redressal Forum (CGRF), in accordance with procedure set out in the UERC (Guidelines for Appointment of Members and Procedure to be followed by the Forum for Redressal of Grievances of the Consumers) Regulations, 2019 as amended from time to time or any other Regulations specified by the Commission for this purpose. The aggrieved consumer may approach respective CGRF within 30 days from the date of order passed by the licensee as mentioned in Sub-Regulation (7) above.

- (9) In case the Grievance Redressal Forum does not decide the amount of compensation within the specified time or the aggrieved consumer is not satisfied with its decision, he will be free to approach the Ombudsman (Electricity), who shall deal and decide the case under UERC (Appointment & functioning of Ombudsman) Regulation, 2004 as amended from time to time or any other Regulations specified by the Commission for this purpose.
- (10) The payment of such compensation shall be without prejudice to any penalty which may be imposed or prosecution which may be initiated for the failure of the licensee in meeting the standards specified in these Regulations.

## 7. Responsibilities of the Licensee

- (1) Submission of SoP Reports: The Licensee shall submit the reports on performance levels and compensation as mentioned in Table below:-

| Sl. No.                                 | Report Type                                                             | Report Particulars                                                                                                                                             | Periodicity/Timeline                                   |
|-----------------------------------------|-------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| <b>(A) Guaranteed Standards Related</b> |                                                                         |                                                                                                                                                                |                                                        |
| 1.                                      | Guaranteed Standards (in accordance with Section 59 (1) (a) of the Act) | Monthly <u>Division-wise</u> Reports on Guaranteed Standards specified in Schedule-I and to be submitted in the prescribed Format SoP-3 of these Regulations.  | Monthly/within 15 days of close of the month           |
| 2.                                      | Guaranteed Standards (in accordance with Section 59 (1) (a) of the Act) | Consolidated Annual Report on Guaranteed Standards specified in Schedule-I for Discom and to be submitted in the prescribed Format SoP-4 of these Regulations. | Annually/within 30 days of close of the Financial Year |
| <b>(B) Overall Standards Related</b>    |                                                                         |                                                                                                                                                                |                                                        |



| Sl. No.                         | Report Type                                                          | Report Particulars                                                                                                                                                                                                                                        | Periodicity/Timeline                                   |
|---------------------------------|----------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| 3.                              | Overall Standards (in accordance with Section 59 (1) (a) of the Act) | <u>Circle-wise</u> Quarterly Reports on Overall Standards specified in Schedule-II and to be submitted in the prescribed Format SoP-5 of these Regulations.                                                                                               | Quarterly/within 15 days of close of the quarter       |
| 4.                              | Overall Standards (in accordance with Section 59 (1) (a) of the Act) | <u>Circle-wise</u> Consolidated Annual Report on Overall Standards specified in Schedule-II and to be submitted in the prescribed Format SoP-6 of these Regulations.                                                                                      | Annually/within 30 days of close of the Financial Year |
| <b>(C) Compensation Related</b> |                                                                      |                                                                                                                                                                                                                                                           |                                                        |
| 5.                              | Compensation paid (in accordance with Section 59 (1) (b) of the Act) | <u>Division-wise</u> quarterly reports on compensation paid as per Guaranteed Standards specified in Schedule-I and to be submitted in the prescribed Format SoP-7 of these Regulations.                                                                  | Quarterly/within 15 days of close of the quarter       |
| 6.                              | Compensation claims                                                  | <u>Division-wise</u> Half yearly report on compensation claimed as per Guaranteed Standards specified in Schedule-I and action taken by the licensee for such claims and to be submitted in the prescribed Format SoP-8 of these Regulations.             | Half yearly/within 30 days of close of the half year   |
| 7.                              | Measures for improvement                                             | Measures taken by the licensee for improving performance as per Guaranteed Standards specified in Schedule-I and Licensee's targets of improved performance for the ensuing year and to be submitted in the prescribed Format SoP-9 of these Regulations. | Annually/within 30 days of close of the Financial Year |
| 8.                              | Annual Target of Reliability Indices                                 | Annual target levels of Reliability Indices (SAIFI, SAIDI, MAIFI) to be furnished alongwith ARR in the prescribed Format SoP-10 of these Regulations.                                                                                                     | Annually alongwith ARR                                 |

- (2) The Commission may revise the formats through separate orders, as warranted necessary from time to time.

- (3) Licensee shall develop report generation framework on its website, within nine (09) months from the date of notification of these Regulations, to generate reports related to complaints and claim for compensation. Such reports shall be generated dynamically based on the search parameters including but not limited to type of complaint, status of complaint, Name of Division, Unique Complaint Number, Compensation Registration Number or as directed by the Commission from time to time. The report generation framework shall be approved by the Commission.
- (4) The Licensee shall design its system in such a way so as to meet the parameters mentioned in these Regulations.

#### 8. Publicity & Awareness

- (1) The distribution licensee shall give due publicity through newspaper every year in the month of January & July via media, TV, website & by displaying in boards at its sub-division/division/circle/zonal offices to bring the awareness of approved complaint handling procedure (along with the information on procedure for filing the complaints, Grievance Redressal etc.), Guaranteed Standards of Performance as per Schedule-I, Compensation provisions as per Schedule-III & any other information pertaining to SoP and make it all available for reference of consumers at every office of licensee.
- (2) An exclusive link/section shall be created on the distribution licensee's website for ready reference of all the information pertaining to SoP including periodical reports as mentioned in Sub-Regulation (1) above.
- (3) The distribution licensee shall annually arrange to display feeder wise outage data, efforts made for minimising outages, prevention of theft or unauthorised use of electricity or tampering, distress or damage to electrical plant, electric lines or meter and results obtained during the year, on its website at exclusive link/section as mentioned in Sub-Regulation (2) above.

#### 9. Fees and Fines

No fees shall be levied/applicable to the consumer for lodging a complaint/compensation claim under these Regulations with the Licensee and

application/complaint for redressal of the claim for compensation to the CGRF or Ombudsman.

**10. Exemption**

- (1) The Standards of Performance specified in these Regulations shall remain suspended during Force-Majeure conditions such as war, mutiny, civil commotion, riot, flood, cyclone, avalanches, lightning, earthquake, pandemic, lockout, fire affecting the Licensee's installations.
- (2) If violation of Standards of Performance is caused due to notified scheduled shutdown of power, load shedding, grid failure, a fault on the Transmission Licensee's network or on account of instructions given by SLDC, over which the Distribution Licensee has no reasonable control, such non-compliance of a standard contained in these Regulations shall not be treated as a violation, and the Distribution Licensee shall not be required to pay any compensation to the affected consumer(s).
- (3) The Consumer Grievances Redressal Forum (CGRF) may by a general or special order after hearing the Licensee and the affected consumer(s) /consumer groups, release the Licensee from the liability to compensate the consumers for any default in the performance of any standard if the CGRF is satisfied that such default is for reasons other than those attributable to the Licensee and further that the Licensee has otherwise made efforts to fulfil his obligations. Such cases shall be reported by CGRF to the Commission on quarterly basis.

**11. Power to remove difficulties**

If any difficulty arises in giving effect to the provisions of these Regulations, the Commission may suo-moto or on a petition, by general or specific order, makes such provisions not inconsistent with the provisions of the Act, as may appear to be necessary for removing the difficulty.

**12. Power to amend**

The Commission may, at any time, vary, alter, modify or amend any provision of these Regulations, with reasons to be recorded in writing.

**13. Power to Relax**

The Commission, may by general or special order, for reasons to be recorded in writing, and after giving an opportunity of hearing to the parties likely to be affected, relax any of the provisions of these Regulations on its own motion or on an application made before it by an interested person.



**SCHEDULE - I (Guaranteed Standards of Performance)****1. Release of New Connections and Enhancement/Reduction of Load**

| Sl. No. | Nature of request                | Specified Timeline*                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|---------|----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1)      | Release of new LT connection     | <p>For LT connections</p> <ul style="list-style-type: none"> <li>• Within 15 days- Where no extension of distribution mains or laying of new distributing mains or commissioning of new substation is required.</li> </ul> <p>Where extension of distribution mains or laying of new distributing mains or commissioning of new substation is required:-</p> <ul style="list-style-type: none"> <li>• Within 60 days- For extension of distributing mains.</li> <li>• Within 90 days- For commissioning of new 11/0.4 kV substation.</li> <li>• Within 180 days- For commissioning of new 33/11 kV substation.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                 |
| 2)      | Release of new HT/BHT connection | <p>For HT/EHT connections</p> <p>1) Where supply of electricity to premises applied for does not require commissioning of new substation /bay.</p> <ul style="list-style-type: none"> <li>• Within 60 days- 11 kV works including line not involving independent feeder.</li> <li>• Within 90 days- 11 kV works including line involving independent feeder.</li> <li>• Within 180 days- 33 kV works including line.</li> <li>• Within 300 days- 132 kV and above works including line.</li> </ul> <p>2) Where supply of electricity to premises applied for require commissioning of new substation /bay, additional time frame for release of new HT/EHT connection shall be:-</p> <ul style="list-style-type: none"> <li>• Within 180 days- new 33/11 kV substation.</li> <li>• Within 120 days- Augmentation of existing 33/11 kV substation.</li> <li>• Within 45 days- Extension of bay at 33/11 kV substation.</li> <li>• Within 540 days- 132 kV and above substation.</li> </ul> |

|    |                               |                                                                                                                                                                                                                                                                                                                                                                          |
|----|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    |                               | <ul style="list-style-type: none"> <li>• Within 90 days- Extension of bay at 132 kV and above substation.</li> </ul>                                                                                                                                                                                                                                                     |
| 3) | Enhancement/Reduction of Load | <p>Where no alteration of Lines/Substations works are required:-</p> <ul style="list-style-type: none"> <li>• Within 15 days- for LT Connection</li> <li>• Within 30 days- for HT/EHT Connection</li> </ul> <p>Where alteration in Lines/Substations works are required the timelines shall be as specified in the S. No. 1) &amp; 2) of this table mentioned above.</p> |

\* Timeline specified in Regulation 3.3.3 (15), Regulation 3.3.3(16), Regulation 3.4.3 (10) & Regulation 3.4.3(11) of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020.

## 2. Restoration of Power Supply

| Sl. No. | Nature of cause of power supply failure                                           | Maximum Time Limit for restoration.                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------|-----------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1)      | Fuse blown out or MCB/MCCB tripped (in case fuse or MCB/MCCB belongs to Licensee) | <ul style="list-style-type: none"> <li>• Within 4 hours- for Urban areas.</li> <li>• Within 8 hours- for Rural areas.</li> <li>• Within 12 hours- for Hilly areas not connected with motorable roads*.</li> </ul>                                                                                                                                                                                                                            |
| 2)      | Service line broken Service line snapped from the pole                            | <ul style="list-style-type: none"> <li>• Within 6 hours- for Urban areas.</li> <li>• Within 12 hours- for Rural areas.</li> <li>• Within 24 hours- for Hilly areas not connected with motorable roads*.</li> </ul>                                                                                                                                                                                                                           |
| 3)      | Fault in LT distribution line/system                                              | <p>Rectification of fault and thereafter Restoration of normal power supply:</p> <ul style="list-style-type: none"> <li>• Within 12 hours- for Urban and Rural areas.</li> <li>• Within 24 hours- for Hilly areas not connected with motorable roads*.</li> </ul> <p>Temporary Supply to be restored within 4 hours from alternate source, wherever feasible.</p>                                                                            |
| 4)      | Distribution transformer failed/burnt                                             | <p>Replacement of failed transformer:</p> <ul style="list-style-type: none"> <li>• Within 24 hours- in Urban and Rural areas of Plains.</li> <li>• Within 48 hours- in Hilly areas connected with motorable roads*.</li> <li>• Within 72 hours- in Hilly areas not connected with motorable roads*.</li> </ul> <p>Temporary Restoration of supply through mobile transformer or another backup source within 8 hours, wherever feasible.</p> |

| Sl. No. | Nature of cause of power supply failure                                                  | Maximum Time Limit for restoration.                                                                                                                                                                                                                                                                                                                              |
|---------|------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5)      | HT (11 kV & 33 kV) mains failed due to fuse blown out, line snapping or any other faults | <p>Rectification of fault :</p> <ul style="list-style-type: none"> <li>• Within 12 hours- in Urban and Rural areas</li> <li>• Within 36 hours (except fuse blown out cases for which timeline shall be 24 hours)- in Hilly areas not connected with motorable roads*.</li> </ul> <p>Temporary restoration of power supply within 4 hours, wherever feasible.</p> |
| 6)      | Problem in 33/11 kV Substation                                                           | <p>Repair and restoration of supply:</p> <ul style="list-style-type: none"> <li>• Within 24 hours- in Plains.</li> <li>• Within 48 hours- in Hilly areas</li> </ul> <p>Restoration of supply from alternate source, within 6 hours, wherever feasible. Roster load shedding may be carried out to avoid overloading of alternate source.</p>                     |
| 7)      | Failure of Power Transformer                                                             | <p>Within 10 days- Rectification to be completed</p> <p>Restoration of supply from alternate source, within 6 hours, wherever feasible. Roster load shedding may be carried out to avoid overloading of alternate source.</p>                                                                                                                                    |
| 8)      | Fault in underground (UG) system                                                         | <ul style="list-style-type: none"> <li>• Within 12 hours- for LT system</li> <li>• Within 48 hours- for HT system</li> </ul>                                                                                                                                                                                                                                     |

\*Here 'motorable roads' means roads which are suitable for four-wheeler movement upto the site.

### 3. Quality of Power Supply

#### 3.1 Voltage variations:

- (1) The Licensee shall maintain the voltages at the point of commencement of supply to a consumer within the limits stipulated hereunder, with reference to declared voltage:
  - (a) In the case of Low Voltage (LT), +6% and -6%;
  - (b) In the case of High Voltage (HT), +6% and -9%; and,
  - (c) In the case of Extra High Voltage (EHT), +10% and -12.5%.
- (2) The voltage problem shall be resolved with the time limits specified in Table given below:

| Sl. No. | Cause of problem related to voltage variation                                                 | Time limit for rendering the service                                                                                                                                                                                                                                               |
|---------|-----------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1)      | Local problem (Voltage Variation, Voltage Fluctuation, Flickering or any other local problem) | Within 4 hours                                                                                                                                                                                                                                                                     |
| 2)      | Tap changing of transformer                                                                   | Within 3 days                                                                                                                                                                                                                                                                      |
| 3)      | Repair of distribution line / transformer / capacitor                                         | <ul style="list-style-type: none"> <li>• Within 15 days- LT distribution line,</li> <li>• Within 90 days- HT distribution line,</li> <li>• Within 30 days- Distribution Transformer</li> <li>• Within 120 days- Power Transformer</li> <li>• Within 30 days- Capacitor.</li> </ul> |
| 4)      | Installation & Up-gradation of HT / LT System                                                 | <ul style="list-style-type: none"> <li>• Within 90 days- for LT system</li> <li>• Within 180 days- for HT system</li> </ul>                                                                                                                                                        |
| 5)      | Damage to consumer's apparatus due to voltage fluctuations*                                   | Immediate Isolation of Faulty Section .                                                                                                                                                                                                                                            |

\*If apparatus of more than one consumer in close neighbourhood are affected and subject to physical verification of the damaged apparatus by the Licensee within 72 hours followed by submission of documentary evidence by affected consumer with regard to expenses incurred on repair charges and its verification by the Licensee.

### 3.2 Harmonics

The Licensee shall furnish the limits of Total Harmonic Distortion (THD) for Current and Voltage at the point of commencement of supply for the consumers connected at various voltage levels within 6 months of notification of these Regulations. The Commission would accordingly notify the limits of THD levels.

### 4. Complaints about meters

| Sl. No. | Nature of complaint                            | Specified Timeline*                                                                                                                                                            |
|---------|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1)     | Complaint lodged for accuracy testing of Meter | <ul style="list-style-type: none"> <li>• Within 30 days- For testing of meter and if needed, the meter shall be replaced within 15 days thereafter.</li> </ul>                 |
| (2)     | Complaint lodged for defective/stuck meter     | <ul style="list-style-type: none"> <li>• Within 30 days- For testing of meter and if needed, the meter shall be replaced within 15 days thereafter.</li> </ul>                 |
| (3)     | Complaint lodged for burnt meter               | <ul style="list-style-type: none"> <li>• Within 06 Hours- Restoration of supply by by-passing the burnt meter.</li> <li>• Within 3 days- New meter to be installed.</li> </ul> |

\* Timeline specified in Regulation 5.1.3 (5), Regulation 5.1.3(10), Regulation 5.1.4 & Regulation 5.1.5(1) of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020

## 5. Transfer of Consumer's connection and conversion of services

The Licensee shall give effect to transfer of consumer's connection and change of category within the following time limits:

| Sl. No. | Nature of request                                                           | Specified Timeline*                                                                                                                       |
|---------|-----------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| (1)     | Change of consumer's name due to change in ownership/occupancy for property | Within two months after acceptance of application.                                                                                        |
| (2)     | Transfer of consumer's name to legal heir                                   | Within two months after acceptance of application.                                                                                        |
| (3)     | Change of category                                                          | <ul style="list-style-type: none"> <li>• Within 5 days- Inspect the premise.</li> <li>• Within 02 months- change the category.</li> </ul> |

\* Timeline specified in Regulation 4.3.1 (3), Regulation 4.3.2 (2) & Regulation 4.4 (3) of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020.

## 6. Complaints about consumer's bills

| Sl. No. | Nature of complaint                                         | Specified Timeline*                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------|-------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1)     | First Bill                                                  | Within 02 months of release of connection.                                                                                                                                                                                                                                                                                                                                                                                          |
| (2)     | Complaints on billing                                       | <p>[ Acknowledgement of complaint</p> <ul style="list-style-type: none"> <li>• Immediate- for complaints received by hand</li> <li>• Within 3 days- for complaints received by post]</li> <p>Resolution of Complaint and intimation to consumer</p> <ul style="list-style-type: none"> <li>• Within 15 days- If no additional information required.</li> <li>• Within 30 days- If additional information required.</li> </ul> </ul> |
| (3)     | Final bill for vacation of premises/change of occupancy     | <p>[Special reading request to be made by consumer at least 7 days in advance before vacation of premise or change of occupancy.]</p> <p>Delivery of final bill including arrear, if any- at least 3 days before the vacation of premises or change of occupancy after arranging special reading.</p>                                                                                                                               |
| (4)     | Billing after permanent disconnection on consumer's request | <p>[Licensee shall not raise any bill after permanent disconnection.]</p> <p>In case Licensee raises bill after permanent disconnection the same shall be liable for compensation.</p>                                                                                                                                                                                                                                              |
| (5)     | Arrears appearing in bills/wrongly raised bills             | Licensee shall not raise arrears for the amount which has already been paid by the consumer within the due date or which is not due to the Licensee.                                                                                                                                                                                                                                                                                |

\* Timeline specified in Regulation 5.2.4, Regulation 5.2.6, Regulation 6.2 (5) & Regulation 5.2.5 of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020.



## 7. Issues relating to disconnection/ reconnection of supply

| Sl. No. | Nature of Complaint                                                                             | Specified Timeline*                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------|-------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1)     | Request for reconnection                                                                        | <p>Within 5 days of payment of past dues and reconnection charges- In case consumer requests for reconnection within a period of six months after disconnection or before permanent disconnection whichever is later.</p> <p>However, in case consumer requests for reconnection after six months of disconnection or before permanent disconnection whichever is later, the connections would be reconnected only after all the formalities as required in the case of release of new connection are complied with by the consumer including payment of pending dues, service line charges, security deposit etc., as applicable, for that Category of Consumer.</p> |
| (2)     | Consumer wanting disconnection                                                                  | Within 7 days of submission of application in prescribed format for permanent disconnection.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| (3)     | Refund of security deposit after adjustment [For permanent disconnection on consumer's request] | Within 30 days of permanent disconnection.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

\* Timeline specified in Regulation 6.3, Regulation 6.2 (1) & Regulation 6.2 (4) of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020.

## 8. Other services chargeable to consumer/applicant

| Sl. No. | Nature of Complaint                    | Specified Timeline                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------|----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1)     | Shifting of lines/ poles/ transformers | <ul style="list-style-type: none"> <li>• Within 90 days - for LT system</li> <li>• Within 180 days- for HT system</li> </ul> <p><i>Note:- The specified timeline shall commence from the date of deposition of the requisite amount as estimated by distribution Licensee or NoCs (if any) obtained from the relevant authorities, whichever is later. In-case RoW issues arise during work execution, delay due to RoW shall be exempted.</i></p> |

**SCHEDULE-II (Overall Standards of Performance)**

- (1) **Normal fuse -off calls:** The Licensee shall maintain the percentage of fuse-off calls rectified within the time limits prescribed under 'Restoration of Power Supply' at Sl. No. 2. 1) of Schedule-I to total calls received not less than 99%
- (2) **Line Breakdowns:** The Licensee shall ensure restoration of power supply within the time limits prescribed under 'Restoration of Power Supply' at Sl. No. 2. 3) of Schedule-I. The Licensee shall achieve this standard of performance in at least 95% of the cases.
- (3) **Distribution Transformer Failures:** The Licensee shall maintain the percentage of distribution transformers replaced within the time limits prescribed under 'Restoration of Power Supply' at Sl. No. 2. 4) of Schedule-I to the total distribution transformers failed not less than 95%.
- (4) **Period of scheduled outages:** Interruption in power supply due to scheduled outages, other than the load-shedding, has to be notified in 48 hours in advance and shall not exceed 12 hours in a day and in each such event, the Licensee has to ensure that the supply is restored by 6:00 PM. The Licensee shall achieve the above standards of performance in at least 95% of the cases.
- (5) **Reliability Indices:** The following reliability/outage indices are prescribed by the Institute of Electrical and Electronics Engineers (IEEE) Standard 1366 of 1998 as amended from time to time. The Licensee shall compute and report the value of these indices to the Commission as per below mentioned formulas:
  - (a) **System Average Interruption Frequency Index (SAIFI):** The Licensee shall calculate the value as per the formula and methodology specified below.
  - (b) **System Average Interruption Duration Index (SAIDI):** The Licensee shall calculate the value as per the formula and methodology specified below.
  - (c) **Momentary Average Interruption Frequency Index (MAIFI):** The Licensee shall calculate the value as per the formula and methodology specified below.
- (6) **Method to compute Distribution System Reliability Indices:** The Indices shall be computed for the Discom as a whole by stacking, for each month all the 11kV/33kV feeders in the supply area, excluding those serving predominantly agricultural loads,

and then aggregating the number and duration of all interruptions in that month for each feeder. The Indices would then be computed using the following formulae:

$$a) \text{ SAIFI} = \frac{\sum_{i=1}^n (A_i \cdot N_i)}{N_t} \quad \text{Where,}$$

$A_i$  = Total number of sustained interruptions (each longer than 5 minutes) on  $i^{\text{th}}$  feeder for the month

$N_i$  = Connected load of  $i^{\text{th}}$  feeder affected due to each interruption

$N_t$  = Total connected load at 11kV in the Distribution Licensee's supply area

$n$  = number of 11kV feeders in the licensed area of supply (excluding those serving predominantly agricultural loads)

$$b) \text{ SAIDI} = \frac{\sum_{i=1}^n (B_i \cdot N_i)}{N_t} \quad \text{Where,}$$

$B_i$  = Total duration of all sustained interruptions on  $i^{\text{th}}$  feeder for the month.

$N_i$  = Connected load of  $i^{\text{th}}$  feeder affected due to each interruption

$N_t$  = Total connected load at 11kV in the Distribution Licensee's supply area

$n$  = number of 11kV feeders in the licensed area of supply (excluding those serving predominantly agricultural loads)

$$c) \text{ MAIFI} = \frac{\sum_{i=1}^n (C_i \cdot N_i)}{N_t} \quad \text{Where,}$$

$C_i$  = Total number of momentary interruptions (each less than or equal to 5 minutes) on  $i^{\text{th}}$  feeder for the month

$N_i$  = Connected load of  $i^{\text{th}}$  feeder affected due to each interruption

$N_t$  = Total connected load at 11kV in the Distribution Licensee's supply area

$n$  = number of 11kV feeders in the licensed area of supply (excluding those serving predominantly agricultural loads)

*Note: The feeders must be segregated into rural and urban and the value of the indices must be reported separately for each month.*



The Licensee shall propose the target level of these indices annually in the prescribed Format SoP-10 while submitting its ARR. The Commission would accordingly notify these indices.

- (7) **Voltage Unbalance:** The Licensee shall ensure that the voltage unbalance does not exceed 3% at the point of commencement of supply. Voltage Unbalance (VU) shall be computed in the following manner:

$$\text{Voltage Unbalance} = (V_h - V_{avg}) / V_{avg}$$

Where  $V_h$  is the highest phase voltage and  $V_{avg}$  is the average phase voltage of the three phases.

- (8) **Billing mistakes:** The Licensee shall maintain the percentage of bills requiring modifications following complaints to the total number of bills issued, not greater than 1%.
- (9) **Faulty meters:** The Licensee shall maintain the percentage of defective meters [Appears to be Defective (ADF), Reading Defective (RDF) & Identified Defective (IDF)] to the total number of meters in service, not greater than 2% for plain areas and 3% for hilly areas.
- (10) **Not Accessible (NA)/Not Read (NR):** The Licensee shall maintain the percentage provisional billings pertaining to NA/NR cases to the total number of bills issued, not greater than 2%.
- (11) **Minimise electrical accidents:** Increase or decrease in no. of electrical accidents compared over a period of time will also be an indicator of the Licensee's performance.
- (12) **The Summary of Overall performance standards is as follows:**

| Service area                     | Overall Standard of Performance                                                |
|----------------------------------|--------------------------------------------------------------------------------|
| Normal fuse-off calls            | At least 99% calls received should be rectified within prescribed time limits. |
| Line Breakdowns                  | At least 95% of cases resolved within time limit.                              |
| Distribution Transformer failure | At least 95% of DTRs to be replaced within prescribed time limits.             |
| Period of scheduled outage       |                                                                                |

| Service area                                                           | Overall Standard of Performance                                                                                                     |
|------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| Maximum duration in a single stretch shall not exceed 12 hrs. in a day | At least 95% of cases resolved within time limit                                                                                    |
| Restoration of supply by 6:00 PM                                       |                                                                                                                                     |
| Reliability Indices                                                    | To be laid down by the Commission based on the targets proposed by the Licensees in the prescribed Format SoP-10 alongwith its ARR. |
| SAIFI<br>SAIDI<br>MAIFI                                                |                                                                                                                                     |
| Frequency variations                                                   | To maintain supply frequency within range as per IEGC.                                                                              |
| Voltage Unbalance                                                      | Maximum of 3% at point of commencement of supply.                                                                                   |
| Percentage billing mistakes                                            | Not exceeding 1%                                                                                                                    |
| Percentage faulty meters                                               | Not exceeding 2% for plain areas and 3% for hilly areas.                                                                            |
| Percentage NA/NR cases                                                 | Not exceeding 2%.                                                                                                                   |

**SCHEDULE -III (Guaranteed Standards of Performance and Compensation to affected person in Case of Default)**

| Sl. No.                                                         | Service Area                     | Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint)                                                                             |                                                                                         |
|-----------------------------------------------------------------|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
|                                                                 |                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Compensation payable to individual consumer if the event affects a single consumer                                                                                                                        | Compensation payable to individual consumer if the event affects more than one consumer |
| 1. Release of new connections and Enhancement/Reduction of Load |                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                           |                                                                                         |
| (1)                                                             | Release of new LT connection     | <p>For LT connections</p> <ul style="list-style-type: none"><li>• Within 15 days- Where no extension of distribution mains or laying of new distributing mains or commissioning of new substation is required.</li></ul> <p>Where extension of distribution mains or laying of new distributing mains or commissioning of new substation is required:-</p> <ul style="list-style-type: none"><li>• Within 60 days- For extension of distributing mains.</li><li>• Within 90 days- For commissioning of new 11/0.4 kV substation.</li><li>• Within 180 days- For commissioning of new 33/11 kV substation.</li></ul> | <p>Rs. 5 per Rs. 1,000 of the deposited amount subject to a maximum of Rs. 500 for each day of default. [The total amount of compensation shall be limited to the amount deposited by the applicant.]</p> | Not applicable.                                                                         |
| (2)                                                             | Release of new HT/EHT connection | <p>For HT/EHT connections</p> <p>1) Where supply of electricity to premises applied for does not require commissioning of new substation /bay.</p> <ul style="list-style-type: none"><li>• Within 60 days- 11 kV works including line not involving independent feeder.</li><li>• Within 90 days- 11 kV works including line involving independent feeder.</li><li>• Within 180 days- 33 kV works including line.</li><li>• Within 300 days- 132 kV and above works including line.</li></ul> <p>2) Where supply of electricity to premises applied for require commissioning of new substation</p>                 | <p>Rs. 500 for each day of default. [The total amount of compensation shall be limited to the amount deposited by the applicant.]</p>                                                                     | Not applicable.                                                                         |

| Sl. No.                               | Service Area                                                                      | Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint) |                                                                                         |
|---------------------------------------|-----------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
|                                       |                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Compensation payable to individual consumer if the event affects a single consumer                                            | Compensation payable to individual consumer if the event affects more than one consumer |
|                                       |                                                                                   | /bay, additional time frame for release of new HT/EHT connection shall be:- <ul style="list-style-type: none"> <li>• Within 180 days- new 33/11 kV substation.</li> <li>• Within 120 days- Augmentation of existing 33/11 kV substation.</li> <li>• Within 45 days- Extension of bay at 33/11 kV substation.</li> <li>• Within 540 days- 132 kV and above substation.</li> <li>• Within 90 days- Extension of bay at 132 kV and above substation.</li> </ul> |                                                                                                                               |                                                                                         |
| (3)                                   | Enhancement/Reduction of Load                                                     | Where no alteration of Lines/Substations works are required:- <ul style="list-style-type: none"> <li>• Within 15 days- for LT Connection</li> <li>• Within 30 days- for HT/EHT Connection</li> </ul> Where alteration in Lines/Substations works are required the timelines shall be as specified in the Sl. No. 1) & 2) of this table mentioned above.                                                                                                      | Rs. 50 for each day of default subject to a maximum of Rs. 50,000.                                                            | Not applicable                                                                          |
| <b>2. Restoration of Power Supply</b> |                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                               |                                                                                         |
| (1)                                   | Fuse blown out or MCB/MCCB tripped (in case fuse or MCB/MCCB belongs to Licensee) | <ul style="list-style-type: none"> <li>• Within 4 hours- for Urban areas.</li> <li>• Within 8 hours- for Rural areas.</li> <li>• Within 12 hours- for Hilly areas not connected with motorable roads.</li> </ul>                                                                                                                                                                                                                                             | Rs. 20 for each hour of default                                                                                               | Rs. 10 for each hour of default to each consumer affected.                              |
| (2)                                   | Service line broken<br>Service line snapped from the pole                         | <ul style="list-style-type: none"> <li>• Within 6 hours- for Urban areas.</li> <li>• Within 12 hours- for Rural areas.</li> <li>• Within 24 hours- for Hilly areas not connected with motorable roads.</li> </ul>                                                                                                                                                                                                                                            | Rs. 20 for each hour of default                                                                                               | Rs. 10 for each hour of default to each consumer affected.                              |
| (3)                                   | Fault in LT distribution line/system                                              | Rectification of fault and thereafter Restoration of normal power supply: <ul style="list-style-type: none"> <li>• Within 12 hours- for Urban and Rural areas.</li> <li>• Within 24 hours- for Hilly areas not connected with motorable roads.</li> </ul>                                                                                                                                                                                                    | Rs. 20 for each hour of default                                                                                               | Rs. 10 for each hour of default to each consumer affected.                              |

| Sl. No.                                                    | Service Area                                                                                  | Standard                                                                                                                                                                                                                                                                                        | Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint) |                                                                                         |
|------------------------------------------------------------|-----------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
|                                                            |                                                                                               |                                                                                                                                                                                                                                                                                                 | Compensation payable to individual consumer if the event affects a single consumer                                            | Compensation payable to individual consumer if the event affects more than one consumer |
| (4)                                                        | Distribution transformer failed/burnt                                                         | Replacement of failed transformer: <ul style="list-style-type: none"> <li>Within 24 hours- in Urban and Rural areas of Plains.</li> <li>Within 48 hours- in Hilly areas connected with motorable roads.</li> <li>Within 72 hours- in Hilly areas not connected with motorable roads.</li> </ul> | Rs. 20 for each hour of default                                                                                               | Rs. 10 for each hour of default to each consumer affected.                              |
| (5)                                                        | HT (11 kV & 33 kV) mains failed due to fuse blown out, line snapping or any other faults      | Rectification of fault: <ul style="list-style-type: none"> <li>Within 12 hours- in Urban and Rural areas</li> <li>Within 36 hours (except fuse blown out cases for which timeline shall be 24 hours)- in Hilly areas not connected with motorable roads</li> </ul>                              | Rs. 20 for each hour of default                                                                                               | Rs. 10 for each hour of default to each consumer affected.                              |
| (6)                                                        | Problem in 33/11 kV Substation                                                                | Repair and restoration of supply: <ul style="list-style-type: none"> <li>Within 24 hours- in Plains.</li> <li>Within 48 hours- in Hilly areas</li> </ul>                                                                                                                                        | Rs. 20 for each hour of default                                                                                               | Rs. 10 for each hour of default to each consumer affected.                              |
| (7)                                                        | Failure of Power Transformer                                                                  | Within 10 days- Rectification to be completed                                                                                                                                                                                                                                                   | Rs. 1,000 for each day of default                                                                                             | Rs. 300 for each day of default to each consumer affected.                              |
| (8)                                                        | Fault in underground (UG) system                                                              | <ul style="list-style-type: none"> <li>Within 12 hours- for LT system</li> <li>Within 48 hours- for HT system</li> </ul>                                                                                                                                                                        | Rs. 20 for each hour of default                                                                                               | Rs. 10 for each hour of default to each consumer affected.                              |
| <b>3. Quality of Power Supply (for voltage variations)</b> |                                                                                               |                                                                                                                                                                                                                                                                                                 |                                                                                                                               |                                                                                         |
| (1)                                                        | Local problem (Voltage Variation, Voltage Fluctuation, Flickering or any other local problem) | Within 4 hours                                                                                                                                                                                                                                                                                  | Rs. 5 for each hour of default                                                                                                | Rs. 2 for each hour of default to each consumer affected.                               |
| (2)                                                        | Tap changing of transformer                                                                   | Within 3 days                                                                                                                                                                                                                                                                                   | Rs. 100 for each day of default                                                                                               | Rs. 50 for each day of default to each consumer affected.                               |
| (3)                                                        | Repair of distribution line / transformer / capacitor                                         | <ul style="list-style-type: none"> <li>Within 15 days- LT distribution line,</li> <li>Within 90 days- HT distribution line,</li> <li>Within 30 days- Distribution Transformer</li> <li>Within 120 days- Power Transformer</li> <li>Within 30 days- Capacitor.</li> </ul>                        | Rs. 200 for each day of default                                                                                               | Rs. 100 for each day of default to each consumer affected.                              |



| Sl. No. | Service Area                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Standard                                                                                                                    | Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint)                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                         |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                             | Compensation payable to individual consumer if the event affects a single consumer                                                                                                                                                                                                                                                                                                                                                                                                                                            | Compensation payable to individual consumer if the event affects more than one consumer |
| (4)     | Installation & Up-gradation of HT / LT System                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <ul style="list-style-type: none"> <li>• Within 90 days- for LT system</li> <li>• Within 180 days- for HT system</li> </ul> | Rs. 200 for each day of default                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Rs. 100 for each day of default to each consumer affected.                              |
| (5)     | <p>Damage to consumer's apparatus due to voltage fluctuations<br/>[If apparatus of more than one consumer in close neighbourhood are affected and subject to physical verification of the damaged apparatus by the Licensee within 72 hours followed by submission of documentary evidence by affected consumer with regard to expenses incurred on repair* charges and its verification by the Licensee.]</p> <p>*In case of replacement or exchange of any damaged apparatus/equipment with new one the compensation shall be limited to the extent of repair charges mentioned in this clause subject to the production of original bill and its verification by the Licensee</p> | Immediate Isolation of Faulty Section                                                                                       | <p>Repair charges subject to maximum of Rs. 1,000 per apparatus: For Fan, B&amp;W TV, Mixy, Grinder, Toaster, other portable electric equipment.</p> <p>Repair charges subject to maximum of Rs. 3,000 per apparatus: For Colour TV upto 43 inch, Semi-Automatic Washing Machine, Fridge upto 200 Lt., Microwave, Chimney.</p> <p>Repair charges subject to maximum of Rs. 5,000 per apparatus: For Colour TV above 43 inch, Fully Automatic Washing Machine, Computer, Air Conditioner, dishwasher, Fridge above 200 Lt.</p> |                                                                                         |

| Sl. No.                                                         | Service Area                                                                 | Standard                                                                                                                                                                                                                                                                                                                                                                                                           | Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint) |                                                                                         |
|-----------------------------------------------------------------|------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
|                                                                 |                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                    | Compensation payable to individual consumer if the event affects a single consumer                                            | Compensation payable to individual consumer if the event affects more than one consumer |
| Complaints about Meters                                         |                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                               |                                                                                         |
| (1)                                                             | Complaint lodged for accuracy test of Meter                                  | <ul style="list-style-type: none"><li>Within 30 days- For testing of meter and if needed, the meter shall be replaced within 15 days thereafter.</li></ul>                                                                                                                                                                                                                                                         | Rs. 50 for each day of default                                                                                                | Not applicable                                                                          |
| (2)                                                             | Complaint lodged for defective/stuck meter                                   | <ul style="list-style-type: none"><li>Within 30 days- For testing of meter and if needed, the meter shall be replaced within 15 days thereafter.</li></ul>                                                                                                                                                                                                                                                         | Rs. 100 for each day of default                                                                                               | Not applicable                                                                          |
| (3)                                                             | Complaint lodged for burnt meter                                             | <ul style="list-style-type: none"><li>Within 06 Hours- Restoration of supply by bypassing the burnt meter.</li><li>Within 3 days- New meter to be installed.</li></ul>                                                                                                                                                                                                                                             | Rs. 100 for each day of default                                                                                               | Not applicable                                                                          |
| 5. Transfer of Consumer's Connection and Conversion of Services |                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                               |                                                                                         |
| (1)                                                             | Change of consumer's name due to change in ownership/ occupancy for property | Within two months after acceptance of application.                                                                                                                                                                                                                                                                                                                                                                 | Rs. 100 for each day of default                                                                                               | Not applicable                                                                          |
| (2)                                                             | Transfer of consumer's name to legal heir                                    | Within two months after acceptance of application.                                                                                                                                                                                                                                                                                                                                                                 | Rs. 100 for each day of default                                                                                               | Not applicable                                                                          |
| (3)                                                             | Change of category                                                           | <ul style="list-style-type: none"><li>Within 5 days- Inspect the premise.</li><li>Within 02 months- change the category.</li></ul>                                                                                                                                                                                                                                                                                 | Rs. 100 for each day of default                                                                                               | Not applicable                                                                          |
| 6. Complaint about Consumer's Bills                             |                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                               |                                                                                         |
| (1)                                                             | First Bill                                                                   | Within 02 months of release of connection.                                                                                                                                                                                                                                                                                                                                                                         | 10% of billed amount subject to a maximum of Rs. 500 per month.                                                               | Not applicable                                                                          |
| (2)                                                             | Complaints on billing                                                        | <p>[Acknowledgement of complaint</p> <ul style="list-style-type: none"><li>Immediate- for complaints received by hand</li><li>Within 3 days- for complaints received by post]</li><p>Resolution of Complaint and intimation to consumer</p><ul style="list-style-type: none"><li>Within 15 days- If no additional information required.</li><li>Within 30 days- If additional information required.</li></ul></ul> | Rs. 20 for each day of default subject to a maximum of 10% of billed amount or Rs. 500 whichever is less.                     | Not applicable                                                                          |
| (3)                                                             | Final bill for vacation of premises /change of occupancy                     | [Special reading request to be made by consumer at least 7 days in advance before vacation of premise or change of occupancy.]                                                                                                                                                                                                                                                                                     |                                                                                                                               |                                                                                         |

| Sl. No.                                                           | Service Area                                                | Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint)                                                                                                                                                                                                                                             |                                                                                         |
|-------------------------------------------------------------------|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
|                                                                   |                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Compensation payable to individual consumer if the event affects a single consumer                                                                                                                                                                                                                                                                                        | Compensation payable to individual consumer if the event affects more than one consumer |
|                                                                   |                                                             | Delivery of final bill including arrear, if any- at least 3 days before the vacation of premises or change of occupancy after arranging special reading.                                                                                                                                                                                                                                                                                                              | Rs. 20 for each day of default.                                                                                                                                                                                                                                                                                                                                           | Not applicable                                                                          |
| (4)                                                               | Billing after permanent disconnection on consumer's request | [Licensee shall not raise any bill after permanent disconnection.]<br>In case Licensee raises bill after permanent disconnection the same shall be liable for compensation.                                                                                                                                                                                                                                                                                           | Rs. 500 for each case                                                                                                                                                                                                                                                                                                                                                     | Not applicable                                                                          |
| (5)                                                               | Arrears appearing in bills/wrongly raised bills             | Licensee shall not raise arrears for the amount which has already been paid by the consumer within the due date or which is not due to the Licensee.                                                                                                                                                                                                                                                                                                                  | For First time- 10% of arrear amount subject to a maximum of Rs. 500.<br>[Computation of compensation for first time shall be based on bills downloaded from the Licensee's billing portal.]<br><br>For Second time- 15% of arrear amount subject to a maximum of Rs. 1,000.<br><br>For Third and subsequent times- 20% of arrear amount subject to maximum of Rs. 2,000. | Not applicable                                                                          |
| <b>7. Issues relating to disconnection/reconnection of supply</b> |                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                           |                                                                                         |
| (1)                                                               | Request for reconnection                                    | Within 5 days of payment of past dues and reconnection charges- [In case consumer requests for reconnection within a period of six months after disconnection or before permanent disconnection whichever is later.<br><br>However, in case consumer requests for reconnection after six months of disconnection or before permanent disconnection whichever is later, the connections would be reconnected only after all the formalities as required in the case of | Rs. 100 for each day of default                                                                                                                                                                                                                                                                                                                                           | Not applicable.                                                                         |



| Sl. No.                                                   | Service Area                                                                                    | Standard                                                                                                                                                                                                                                                                                                                                                                                                                                            | Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint)                                                                                                                                               |                                                                                         |
|-----------------------------------------------------------|-------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
|                                                           |                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Compensation payable to individual consumer if the event affects a single consumer                                                                                                                                                                                          | Compensation payable to individual consumer if the event affects more than one consumer |
|                                                           |                                                                                                 | release of new connection are complied with by the consumer including payment of pending dues, service line charges, security deposit etc., as applicable, for that Category of Consumer.]                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                             |                                                                                         |
| (2)                                                       | Consumer wanting disconnection                                                                  | Within 7 days of submission of application in prescribed format for permanent disconnection.                                                                                                                                                                                                                                                                                                                                                        | Rs. 100 for each day of default                                                                                                                                                                                                                                             | Not applicable.                                                                         |
| (3)                                                       | Refund of security deposit after adjustment [For permanent disconnection on consumer's request] | Within 30 days of permanent disconnection.                                                                                                                                                                                                                                                                                                                                                                                                          | Rs. 100 for each day of default                                                                                                                                                                                                                                             | Not applicable.                                                                         |
| <b>8. Other services chargeable to consumer/applicant</b> |                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                             |                                                                                         |
| (1)                                                       | Shifting of lines/ poles/ transformers                                                          | <ul style="list-style-type: none"> <li>• Within 90 days - for LT system</li> <li>• Within 180 days - for HT system</li> </ul> <p><i>Note:- The specified timeline shall commence from the date of deposition of the requisite amount as estimated by distribution Licensee or NoCs (if any) obtained from the relevant authorities, whichever is later. In-case RoW issues arise during work execution, delay due to RoW shall be exempted.</i></p> | <p>For LT System - - Rs. 100 for each day of default subject to maximum of 20% of the deposited amount by the consumer/ applicant.</p> <p>For HT system - Rs. 200 for each day of default subject to maximum of 20% of the deposited amount by the consumer/ applicant.</p> | Not applicable                                                                          |

**Note:** Compensation payable in case of violation of standard against services mentioned at Sl. No. 1.1, Sl. No. 1.2, Sl. No. 1.3, Sl. No. 4.1, Sl. No. 6.3, Sl. No. 7.1 & Sl. No. 7.2 shall be computed from the date of default by the licensee subject to filing of the complaint by the consumer. Provided that post approval of Complaint Handling Procedure, the Commission may review the services mentioned in aforesaid Sl. Nos. through a separate order(s).

**Format for recording Consumer/ Applicant Complaints****Complaint Registration Centre:** \_\_\_\_\_ (Centralized Customer Care Centre/ Local Complaint Centre/Help Desk)**Name of Complaint Registration Centre:** \_\_\_\_\_**Name of Circle/Division/Sub-Division:** \_\_\_\_\_**Month and Year:** \_\_\_\_\_

| Sl. No. | Time and date of receiving complaint | Mode of receiving complaint | Name, address, mobile no. of complainant | A/c no. | Connection No. | Nature of complaint | Complaint registration number | Reference guaranteed standards | Time and date of redressal of complaint | Total time taken for complaint redressal (in months/days/hrs) | Redressal of grievance within specified timeline (yes/no) | Remarks |
|---------|--------------------------------------|-----------------------------|------------------------------------------|---------|----------------|---------------------|-------------------------------|--------------------------------|-----------------------------------------|---------------------------------------------------------------|-----------------------------------------------------------|---------|
| (1)     | (2)                                  | (3)                         | (4)                                      | (5)     | (6)            | (7)                 | (8)                           | (9)                            | (10)                                    | (11)                                                          | (12)                                                      | (13)    |
| 1.      |                                      |                             |                                          |         |                |                     |                               |                                |                                         |                                                               |                                                           |         |
| 2.      |                                      |                             |                                          |         |                |                     |                               |                                |                                         |                                                               |                                                           |         |
| 3.      |                                      |                             |                                          |         |                |                     |                               |                                |                                         |                                                               |                                                           |         |
| 4.      |                                      |                             |                                          |         |                |                     |                               |                                |                                         |                                                               |                                                           |         |

Format for claim of compensation

भाग 1-क]

उत्तराखण्ड राज्य, 08 अक्टूबर, 2022 ई० (आदिश 16, 1944 राक राप्रद)

795

Compensation claim format for the Consumer

1. Name of Consumer:
2. Account No.:
3. Connection No.:
4. Mobile number:
5. Nature of grievance:
6. Time and date of registration of complaint with the licensee/franchisee:
7. The unique complaint number conveyed by the licensee/franchisee:
8. Time and date of complaint redressal:
9. Delay as per prescribed benchmark as per schedule-I:
10. Amount of compensation claimed by the Consumer:

Date: \_\_\_\_\_

Signature and name of Consumer\*

\* Applicant in case of service mentioned at SI No. 1 1) (Release of new LT connection), SI No. 1 2) (Release of new HT/EHT connection) &amp; SI No. 8 1) (Shifting of lines/poles/transformers) of Schedule-III.

Acknowledgement

(To be filled by the licensee and provide the same to the consumer/applicant)

Received Claim Application for compensation from \_\_\_\_\_ (name of consumer/applicant) on  
 \_\_\_\_\_ (received date). The registration number for the Claim Application is \_\_\_\_\_

Stamp



Signature of Distribution Licensee's Representative  
 Name and Designation

**Format for Monthly Division-wise Reports on Guaranteed Standards specified in Schedule-I**

Name of Division: \_\_\_\_\_

Report for the Month/Year \_\_\_\_\_

| SL No.                                                              | SoP Parameters                                                                                | Complaints brought forward for the previous Month | Received during the reporting Month | Total complaints (3+4) | No. of complaints Redressed in time (out of 5) | % of complaints Redressal in time (6/5*100) | No. of complaints Redressed beyond time (out of 5) | Total complaints redressed (6+8) | Complaints pending (5-9) |
|---------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|---------------------------------------------------|-------------------------------------|------------------------|------------------------------------------------|---------------------------------------------|----------------------------------------------------|----------------------------------|--------------------------|
| (1)                                                                 | (2)                                                                                           | (3)                                               | (4)                                 | (5)                    | (6)                                            | (7)                                         | (8)                                                | (9)                              | (10)                     |
| <b>Release of New Connections and Enhancement/Reduction of Load</b> |                                                                                               |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 1                                                                   | Release of new LT connection                                                                  |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 2                                                                   | Release of new HT/EHT connection                                                              |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 3                                                                   | Enhancement/Reduction of Load                                                                 |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| <b>Restoration of Power Supply</b>                                  |                                                                                               |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 4                                                                   | Fuse blown out or MCB/MCCB tripped (in case fuse or MCB/MCCB belongs to Licensee)             |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 5                                                                   | Service line broken Service line snapped from the pole                                        |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 6                                                                   | Fault in LT distribution line/system                                                          |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 7                                                                   | Distribution transformer failed/burnt                                                         |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 8                                                                   | HT (11 kV & 33 kV) mains failed due to fuse blown out, line snapping or any other faults      |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 9                                                                   | Problem in 33/11 kV Substation                                                                |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 10                                                                  | Failure of Power Transformer                                                                  |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 11                                                                  | Fault in underground (UG) system                                                              |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| <b>Quality of Power Supply (for voltage variations)</b>             |                                                                                               |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 12                                                                  | Local problem (Voltage Variation, Voltage Fluctuation, Flickering or any other local problem) |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 13                                                                  | Tap changing of transformer                                                                   |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 14                                                                  | Repair of distribution line / transformer / capacitor                                         |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 15                                                                  | Installation & Up-gradation of HT / LT System                                                 |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 16                                                                  | Damage to consumer's apparatus due to voltage fluctuations*                                   |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |

| Sl. No.                                                             | SoP Parameters                                                                                  | Complaints brought forward for the previous Month | Received during the reporting Month | Total complaints (3+2) | No. of complaints Redressed in time (out of 5) | % of complaints Redressal in time (6/5*100) | No. of complaints Redressed beyond time (out of 5) | Total complaints redressed (6+8) | Complaints pending (5-9) |
|---------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|---------------------------------------------------|-------------------------------------|------------------------|------------------------------------------------|---------------------------------------------|----------------------------------------------------|----------------------------------|--------------------------|
| (1)                                                                 | (2)                                                                                             | (3)                                               | (4)                                 | (5)                    | (6)                                            | (7)                                         | (8)                                                | (9)                              | (10)                     |
| <b>Complaints about Meters</b>                                      |                                                                                                 |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 17                                                                  | Complaint lodged for accuracy testing of Meter                                                  |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 18                                                                  | Complaint lodged for defective/stuck meter                                                      |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 19                                                                  | Complaint lodged for burnt meter                                                                |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| <b>Transfer of Consumer's Connection and Conversion of Services</b> |                                                                                                 |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 20                                                                  | Change of consumer's name due to change in ownership/occupancy for property                     |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 21                                                                  | Transfer of consumer's name to legal heir                                                       |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 22                                                                  | Change of category                                                                              |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| <b>Complaint about Consumer's Bills</b>                             |                                                                                                 |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 23                                                                  | First Bill                                                                                      |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 24                                                                  | Complaints on billing                                                                           |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 25                                                                  | Final bill for vacation of premises/change of occupancy                                         |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 26                                                                  | Billing after permanent disconnection on consumer's request                                     |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 27                                                                  | Arrears appearing in bills/wrongly raised bills                                                 |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| <b>Issues relating to disconnection/reconnection of supply</b>      |                                                                                                 |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 28                                                                  | Request for reconnection                                                                        |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 29                                                                  | Consumer wanting disconnection                                                                  |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 30                                                                  | Refund of security deposit after adjustment [For permanent disconnection on consumer's request] |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| <b>Other services chargeable to consumer/applicant</b>              |                                                                                                 |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| 31                                                                  | Shifting of lines/ poles/ transformers                                                          |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |
| <b>Total</b>                                                        |                                                                                                 |                                                   |                                     |                        |                                                |                                             |                                                    |                                  |                          |

## Format SoP-4

## Format for Consolidated Annual Report on Guaranteed Standards specified in Schedule-I for Discom

Report for the FY \_\_\_\_\_

| Sl. No.                                                             | SoP Parameters                                                                                | Complaints brought forward from the previous FY | Received during the reporting FY | Total complaints (3+4) | No. of complaints Redressed in time (out of 5) | % of complaints Redressal in time (6/5*100) | No. of complaints Redressed beyond time (out of 5) | Total complaints redressed (6+8) | Complaints pending (5-9) |
|---------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|-------------------------------------------------|----------------------------------|------------------------|------------------------------------------------|---------------------------------------------|----------------------------------------------------|----------------------------------|--------------------------|
| (1)                                                                 | (2)                                                                                           | (3)                                             | (4)                              | (5)                    | (6)                                            | (7)                                         | (8)                                                | (9)                              | (10)                     |
| <b>Release of New Connections and Enhancement/Reduction of Load</b> |                                                                                               |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 1.                                                                  | Release of new LT connection                                                                  |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 2.                                                                  | Release of new HT/EHT connection                                                              |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 3.                                                                  | Enhancement/Reduction of Load                                                                 |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| <b>Restoration of Power Supply</b>                                  |                                                                                               |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 4.                                                                  | Fuse blown out or MCB/MCCB tripped (in case fuse or MCB/MCCB belongs to Licensee)             |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 5.                                                                  | Service line broken Service line snapped from the pole                                        |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 6.                                                                  | Fault in LT distribution line/system                                                          |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 7.                                                                  | Distribution transformer failed/burnt                                                         |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 8.                                                                  | HT (11 kV & 33 kV) mains failed due to fuse blown out, line snapping or any other faults      |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 9.                                                                  | Problem in 33/11 kV Substation                                                                |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 10.                                                                 | Failure of Power Transformer                                                                  |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 11.                                                                 | Fault in underground (UG) system                                                              |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| <b>Quality of Power Supply (for voltage variations)</b>             |                                                                                               |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 12.                                                                 | Local problem (Voltage Variation, Voltage Fluctuation, Flickering or any other local problem) |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 13.                                                                 | Tap changing of transformer                                                                   |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 14.                                                                 | Repair of distribution line / transformer / capacitor                                         |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 15.                                                                 | Installation & Up-gradation of HT / LT System                                                 |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 16.                                                                 | Damage to consumer's apparatus due to voltage fluctuations*                                   |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |



| Sl. No.                                                             | SoP Parameters                                                                                  | Complaints brought forward from the previous FY | Received during the reporting FY | Total complaints (3+4) | No. of complaints Redressed In time (out of 5) | % of complaints Redressal in time (6/5*100) | No. of complaints Redressed beyond time (out of 5) | Total complaints redressed (6+8) | Complaints pending (5-9) |
|---------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|-------------------------------------------------|----------------------------------|------------------------|------------------------------------------------|---------------------------------------------|----------------------------------------------------|----------------------------------|--------------------------|
| (1)                                                                 | (2)                                                                                             | (3)                                             | (4)                              | (5)                    | (6)                                            | (7)                                         | (8)                                                | (9)                              | (10)                     |
| <b>Complaints about Meters</b>                                      |                                                                                                 |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 17.                                                                 | Complaint lodged for accuracy testing of Meter                                                  |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 18.                                                                 | Complaint lodged for defective/stuck meter                                                      |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 19.                                                                 | Complaint lodged for burnt meter                                                                |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| <b>Transfer of Consumer's Connection and Conversion of Services</b> |                                                                                                 |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 20.                                                                 | Change of consumer's name due to change in ownership/occupancy for property                     |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 21.                                                                 | Transfer of consumer's name to legal heir                                                       |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 22.                                                                 | Change of category                                                                              |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| <b>Complaint about Consumer's Bills</b>                             |                                                                                                 |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 23.                                                                 | First Bill                                                                                      |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 24.                                                                 | Complaints on billing                                                                           |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 25.                                                                 | Final bill for vacation of premises/change of occupancy                                         |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 26.                                                                 | Billing after permanent disconnection on consumer's request                                     |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 27.                                                                 | Arrears appearing in bills/wrongly raised bills                                                 |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| <b>Issues relating to disconnection/reconnection of supply</b>      |                                                                                                 |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 28.                                                                 | Request for reconnection                                                                        |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 29.                                                                 | Consumer wanting disconnection                                                                  |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 30.                                                                 | Refund of security deposit after adjustment [For permanent disconnection on consumer's request] |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| <b>Other services chargeable to consumer/applicant</b>              |                                                                                                 |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| 31.                                                                 | Shifting of lines/ poles/ transformers                                                          |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |
| <b>Total</b>                                                        |                                                                                                 |                                                 |                                  |                        |                                                |                                             |                                                    |                                  |                          |

## Format for Circle-wise Quarterly Reports on Overall Standards specified in Schedule-II

Name of the Circle \_\_\_\_\_

Report for \_\_\_\_\_ (I/II/III/IV) Quarter of FY \_\_\_\_\_

| Sl. No. | Service area                                                                                                                                              | Specified Overall Standard of Performance                                     | Complaints pending at the start of the quarter | Complaints filed by the consumers in the reporting quarter | Total complaints (4+5) | Complaints Redressed within the time limits prescribed in Schedule-I | Complaints pending in the end of the reporting quarter (6-7) | Overall SoP achieved in the reporting quarter | Minimum overall SoP target as per Schedule-II | Whether Overall SoP achieved (Yes/No) |
|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|------------------------------------------------|------------------------------------------------------------|------------------------|----------------------------------------------------------------------|--------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------|---------------------------------------|
| (1)     | (2)                                                                                                                                                       | (3)                                                                           | (4)                                            | (5)                                                        | (6)                    | (7)                                                                  | (8)                                                          | (9)                                           | (10)                                          | (11)                                  |
| 1.      | Normal fuse-off calls                                                                                                                                     | At least 99% calls received should be rectified within prescribed time limits |                                                |                                                            |                        |                                                                      |                                                              |                                               |                                               |                                       |
| 2.      | Line Breakdowns                                                                                                                                           | At least 95% of cases resolved within time limit.                             |                                                |                                                            |                        |                                                                      |                                                              |                                               |                                               |                                       |
| 3.      | Distribution Transformer failure                                                                                                                          | At least 95% of DTRs to be replaced within prescribed time limits.            |                                                |                                                            |                        |                                                                      |                                                              |                                               |                                               |                                       |
| 4.      | Period of scheduled outage<br>i. Maximum duration in a single stretch shall not exceed 12 hours in a day<br>ii. Restoration of supply shall be by 6:00 PM | At least 95% of cases resolved within time limit                              |                                                |                                                            |                        |                                                                      |                                                              |                                               |                                               |                                       |
| 5.      | SAIFI                                                                                                                                                     | As fixed by the Commission from time to time                                  |                                                |                                                            |                        |                                                                      |                                                              |                                               |                                               |                                       |



| Sl. No. | Service area                | Specified Overall Standard of Performance                             | Complaints pending at the start of the quarter | Complaints filed by the consumers in the reporting quarter | Total complaints (4+5) | Complaints Redressed within the time limits prescribed in Schedule-I | Complaints pending in the end of the reporting quarter (6-7) | Overall SoP achieved in the reporting quarter | Minimum overall SoP target as per Schedule-II | Whether Overall SoP achieved (Yes/No) |
|---------|-----------------------------|-----------------------------------------------------------------------|------------------------------------------------|------------------------------------------------------------|------------------------|----------------------------------------------------------------------|--------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------|---------------------------------------|
| (1)     | (2)                         | (3)                                                                   | (4)                                            | (5)                                                        | (6)                    | (7)                                                                  | (8)                                                          | (9)                                           | (10)                                          | (11)                                  |
| 6.      | SAIDI                       | As fixed by the Commission from time to time                          |                                                |                                                            |                        |                                                                      |                                                              |                                               |                                               |                                       |
| 7.      | MAIFI                       | As fixed by the Commission from time to time                          |                                                |                                                            |                        |                                                                      |                                                              |                                               |                                               |                                       |
| 8.      | Frequency variations        | To maintain supply frequency within range as per IECC.                |                                                |                                                            |                        |                                                                      |                                                              |                                               |                                               |                                       |
| 9.      | Voltage Unbalance           | Maximum of 3% at point of commencement of supply.                     |                                                |                                                            |                        |                                                                      |                                                              |                                               |                                               |                                       |
| 10.     | Percentage billing mistakes | Not exceeding 1%                                                      |                                                |                                                            |                        |                                                                      |                                                              |                                               |                                               |                                       |
| 11.     | Percentage faulty meters    | Not exceeding 2%- for Plain areas & Not exceeding 3%- for Hilly areas |                                                |                                                            |                        |                                                                      |                                                              |                                               |                                               |                                       |
| 12.     | Percentage NA/NR cases      | Not exceeding 2%                                                      |                                                |                                                            |                        |                                                                      |                                                              |                                               |                                               |                                       |

**Format for Circle-wise Consolidated Annual Report on Overall Standards specified in Schedule-II**

Name of the Circle \_\_\_\_\_

Report for FY \_\_\_\_\_

| Sl. No. | Service area                                                                                                                                              | Specified Overall Standard of Performance                                     | Complaints brought forward from the previous FY | Complaints filed by the consumers in the reporting FY | Total complaints (4+5) | Complaints Redressed within the time limits prescribed in Schedule-I | Complaints pending in the end of the reporting FY (6-7) | Overall SoP achieved in the reporting FY | Minimum overall SoP target as per Schedule-II | Whether Overall SoP achieved (Yes/No) |
|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|-------------------------------------------------|-------------------------------------------------------|------------------------|----------------------------------------------------------------------|---------------------------------------------------------|------------------------------------------|-----------------------------------------------|---------------------------------------|
| (1)     | (2)                                                                                                                                                       | (3)                                                                           | (4)                                             | (5)                                                   | (6)                    | (7)                                                                  | (8)                                                     | (9)                                      | (10)                                          | (11)                                  |
| 1       | Normal fuse-off calls                                                                                                                                     | At least 99% calls received should be rectified within prescribed time limits |                                                 |                                                       |                        |                                                                      |                                                         |                                          |                                               |                                       |
| 2       | Line Breakdowns                                                                                                                                           | At least 95% of cases resolved within time limit.                             |                                                 |                                                       |                        |                                                                      |                                                         |                                          |                                               |                                       |
| 3       | Distribution Transformer failure                                                                                                                          | At least 95% of DTRs to be replaced within prescribed time limits.            |                                                 |                                                       |                        |                                                                      |                                                         |                                          |                                               |                                       |
| 4       | Period of scheduled outage<br>i. Maximum duration in a single stretch shall not exceed 12 hours in a day<br>ii. Restoration of supply shall be by 6:00 PM | At least 95% of cases resolved within time limit                              |                                                 |                                                       |                        |                                                                      |                                                         |                                          |                                               |                                       |
| 5       | SAIFI                                                                                                                                                     | As fixed by the Commission from time to time                                  |                                                 |                                                       |                        |                                                                      |                                                         |                                          |                                               |                                       |

| Sl. No. | Service area                | Specified Overall Standard of Performance                                  | Complaints brought forward from the previous FY | Complaints filed by the consumers in the reporting FY | Total complaints (4+5) | Complaints Redressed within the time limits prescribed in Schedule-I | Complaints pending in the end of the reporting FY (6+7) | Overall SoP achieved in the reporting FY | Minimum overall SoP target as per Schedule-II | Whether Overall SoP achieved (Yes/No) |
|---------|-----------------------------|----------------------------------------------------------------------------|-------------------------------------------------|-------------------------------------------------------|------------------------|----------------------------------------------------------------------|---------------------------------------------------------|------------------------------------------|-----------------------------------------------|---------------------------------------|
| (1)     | (2)                         | (3)                                                                        | (4)                                             | (5)                                                   | (6)                    | (7)                                                                  | (8)                                                     | (9)                                      | (10)                                          | (11)                                  |
| 6.      | SAIDI                       | As fixed by the Commission from time to time                               |                                                 |                                                       |                        |                                                                      |                                                         |                                          |                                               |                                       |
| 7.      | MAIFI                       | As fixed by the Commission from time to time                               |                                                 |                                                       |                        |                                                                      |                                                         |                                          |                                               |                                       |
| 8.      | Frequency variations        | To maintain supply frequency within range as per IEGC.                     |                                                 |                                                       |                        |                                                                      |                                                         |                                          |                                               |                                       |
| 9.      | Voltage Unbalance           | Maximum of 3% at point of commencement of supply.                          |                                                 |                                                       |                        |                                                                      |                                                         |                                          |                                               |                                       |
| 10.     | Percentage billing mistakes | Not exceeding 1%                                                           |                                                 |                                                       |                        |                                                                      |                                                         |                                          |                                               |                                       |
| 11.     | Percentage faulty meters    | Not exceeding 2% - for Plain areas &<br>Not exceeding 3% - for Hilly areas |                                                 |                                                       |                        |                                                                      |                                                         |                                          |                                               |                                       |
| 12.     | Percentage NA/NR cases      | Not exceeding 2%                                                           |                                                 |                                                       |                        |                                                                      |                                                         |                                          |                                               |                                       |

Format SoP-7Division-wise Details of Compensation paid as per Guaranteed Standards specified in Schedule-I

Report for \_\_\_\_\_ (I/II/III/IV) Quarter of FY \_\_\_\_\_

| Sl. No.      | No of Division | Compensation claimed by the Consumers/applicants |                 | Compensation paid to the Consumers/applicants |                 |
|--------------|----------------|--------------------------------------------------|-----------------|-----------------------------------------------|-----------------|
|              |                | Numbers                                          | Amount (in Rs.) | Numbers                                       | Amount (in Rs.) |
| 1.           |                |                                                  |                 |                                               |                 |
| 2.           |                |                                                  |                 |                                               |                 |
| 3.           |                |                                                  |                 |                                               |                 |
| 4.           |                |                                                  |                 |                                               |                 |
| 5.           |                |                                                  |                 |                                               |                 |
| 6.           |                |                                                  |                 |                                               |                 |
| <b>Total</b> |                |                                                  |                 |                                               |                 |

Format for Half yearly report on Compensation claimed by the consumer / applicant

Reporting for the \_\_\_\_\_ (First/Second) half year of FY \_\_\_\_\_

| Sl. No | Name of Division | Compensation Claimed by the Consumers/applicants |                 | Compensation paid to the Consumers/applicants |                 |                  |                 |               |                       | Compensation not paid to the Consumers/applicants |                        |                                                            |
|--------|------------------|--------------------------------------------------|-----------------|-----------------------------------------------|-----------------|------------------|-----------------|---------------|-----------------------|---------------------------------------------------|------------------------|------------------------------------------------------------|
|        |                  | Numbers                                          | Amount (in Rs.) | Timely payment                                |                 | Delay in payment |                 | Total         |                       | Numbers (3-9)                                     | Amount (in Rs.) (4-10) | Action taken including reasons for not paying compensation |
|        |                  |                                                  |                 | Numbers                                       | Amount (in Rs.) | Numbers          | Amount (in Rs.) | Numbers (5+7) | Amount (in Rs.) (6+8) |                                                   |                        |                                                            |
| (1)    | (2)              | (3)                                              | (4)             | (5)                                           | (6)             | (7)              | (8)             | (9)           | (10)                  | (11)                                              | (12)                   | (13)                                                       |
| 1.     |                  |                                                  |                 |                                               |                 |                  |                 |               |                       |                                                   |                        |                                                            |
| 2.     |                  |                                                  |                 |                                               |                 |                  |                 |               |                       |                                                   |                        |                                                            |
| 3.     |                  |                                                  |                 |                                               |                 |                  |                 |               |                       |                                                   |                        |                                                            |
| 4.     |                  |                                                  |                 |                                               |                 |                  |                 |               |                       |                                                   |                        |                                                            |
| 5.     |                  |                                                  |                 |                                               |                 |                  |                 |               |                       |                                                   |                        |                                                            |
| Total  |                  |                                                  |                 |                                               |                 |                  |                 |               |                       |                                                   |                        |                                                            |

Format for Measures taken for improvement of Guaranteed SoP (Schedule-I) and Targets for improving Performance

| Sl. No.                                                      | Description of SoP Parameter                                                             | Total no. of defaults during the FY | Measures for improving performance |                         | Targets for improving performance in the ensuing FY |
|--------------------------------------------------------------|------------------------------------------------------------------------------------------|-------------------------------------|------------------------------------|-------------------------|-----------------------------------------------------|
|                                                              |                                                                                          |                                     | Taken during the FY                | Proposed for ensuing FY |                                                     |
| Release of New Connections and Enhancement/Reduction of Load |                                                                                          |                                     |                                    |                         |                                                     |
| 1.                                                           | Release of new LT connection                                                             |                                     |                                    |                         |                                                     |
| 2                                                            | Release of new HT/EHT connection                                                         |                                     |                                    |                         |                                                     |
| 3                                                            | Enhancement/Reduction of Load                                                            |                                     |                                    |                         |                                                     |
| Restoration of Power Supply                                  |                                                                                          |                                     |                                    |                         |                                                     |
| 4.                                                           | Fuse blown out or MCB/MCCB tripped (in case fuse or MCB/MCCB belongs to Licensee)        |                                     |                                    |                         |                                                     |
| 5.                                                           | Service line broken Service line snapped from the pole                                   |                                     |                                    |                         |                                                     |
| 6.                                                           | Fault in LT distribution line/system                                                     |                                     |                                    |                         |                                                     |
| 7                                                            | Distribution transformer failed/burnt                                                    |                                     |                                    |                         |                                                     |
| 8                                                            | HT (11 kV & 33 kV) mains failed due to fuse blown out, line snapping or any other faults |                                     |                                    |                         |                                                     |
| 9                                                            | Problem in 33/11 kV Substation                                                           |                                     |                                    |                         |                                                     |
| 10                                                           | Failure of Power Transformer                                                             |                                     |                                    |                         |                                                     |
| 11                                                           | Fault in underground (UG) system                                                         |                                     |                                    |                         |                                                     |
| Quality of Power Supply (for voltage variations)             |                                                                                          |                                     |                                    |                         |                                                     |
| 12                                                           | Local problem (Voltage Variation, Voltage                                                |                                     |                                    |                         |                                                     |

| Sl. No.                                                             | Description of SoP Parameter                                                | Total no. of defaults during the FY | Measures for improving performance |                         | Targets for improving performance in the ensuing FY |
|---------------------------------------------------------------------|-----------------------------------------------------------------------------|-------------------------------------|------------------------------------|-------------------------|-----------------------------------------------------|
|                                                                     |                                                                             |                                     | Taken during the FY                | Proposed for ensuing FY |                                                     |
|                                                                     | Fluctuation, Flickering or any other local problem)                         |                                     |                                    |                         |                                                     |
| 13.                                                                 | Tap changing of transformer                                                 |                                     |                                    |                         |                                                     |
| 14.                                                                 | Repair of distribution line /transformer / capacitor                        |                                     |                                    |                         |                                                     |
| 15.                                                                 | Installation & Up-gradation of HT / LT System                               |                                     |                                    |                         |                                                     |
| 16.                                                                 | Damage to consumer's apparatus due to voltage fluctuations                  |                                     |                                    |                         |                                                     |
| <b>Complaints about Meters</b>                                      |                                                                             |                                     |                                    |                         |                                                     |
| 17.                                                                 | Complaint lodged for accuracy testing of Meter                              |                                     |                                    |                         |                                                     |
| 18.                                                                 | Complaint lodged for defective/stuck meter                                  |                                     |                                    |                         |                                                     |
| 19.                                                                 | Complaint lodged for burnt meter                                            |                                     |                                    |                         |                                                     |
| <b>Transfer of Consumer's Connection and Conversion of Services</b> |                                                                             |                                     |                                    |                         |                                                     |
| 20.                                                                 | Change of consumer's name due to change in ownership/occupancy for property |                                     |                                    |                         |                                                     |
| 21.                                                                 | Transfer of consumer's name to legal heir                                   |                                     |                                    |                         |                                                     |
| 22.                                                                 | Change of category                                                          |                                     |                                    |                         |                                                     |
| <b>Complaint about Consumer's Bills</b>                             |                                                                             |                                     |                                    |                         |                                                     |
| 23.                                                                 | First Bill                                                                  |                                     |                                    |                         |                                                     |
| 24.                                                                 | Complaints on billing                                                       |                                     |                                    |                         |                                                     |
| 25.                                                                 | Final bill for vacation of premises/change of occupancy                     |                                     |                                    |                         |                                                     |
| 26.                                                                 | Billing after permanent disconnection on consumer's request                 |                                     |                                    |                         |                                                     |

| Sl. No.                                                 | Description of SoP Parameter                                                                    | Total no. of defaults during the FY | Measures for improving performance |                         | Targets for improving performance in the ensuing FY |
|---------------------------------------------------------|-------------------------------------------------------------------------------------------------|-------------------------------------|------------------------------------|-------------------------|-----------------------------------------------------|
|                                                         |                                                                                                 |                                     | Taken during the FY                | Proposed for ensuing FY |                                                     |
| 27.                                                     | Arcs appearing in bills/ wrongly raised bills                                                   |                                     |                                    |                         |                                                     |
| Issues relating to disconnection/reconnection of supply |                                                                                                 |                                     |                                    |                         |                                                     |
| 28.                                                     | Request for reconnection                                                                        |                                     |                                    |                         |                                                     |
| 29.                                                     | Consumer wanting disconnection                                                                  |                                     |                                    |                         |                                                     |
| 30.                                                     | Refund of security deposit after adjustment [For permanent disconnection on consumer's request] |                                     |                                    |                         |                                                     |
| Other services chargeable to consumer/applicant         |                                                                                                 |                                     |                                    |                         |                                                     |
| 31.                                                     | Shifting of lines/ poles/ transformers                                                          |                                     |                                    |                         |                                                     |



**Format for Annual Target levels of Reliability Indices (RI) to be furnished alongwith ARR.**

Report for FY : \_\_\_\_\_

| Particulars                   | Urban Feeder      |                    |                   | Rural Feeder      |                    |                   |
|-------------------------------|-------------------|--------------------|-------------------|-------------------|--------------------|-------------------|
|                               | SAIFI<br>(in No.) | SAIDI<br>(in Min.) | MAIFI<br>(in No.) | SAIFI<br>(in No.) | SAIDI<br>(in Min.) | MAIFI<br>(in No.) |
| Annual Targets for ensuing FY |                   |                    |                   |                   |                    |                   |

By Order of the Commission,

NEERAJ SATI,

Secretary,

Uttarakhand Electricity Regulatory Commission



# उत्तराखण्ड पावर कारपोरेशन लि०

(उत्तराखण्ड सरकार का उपक्रम)

## Uttarakhand Power Corporation Ltd.

(A. Govt. of Uttarakhand Undertaking)

CIN : U40109UR2001SGC025867

Email ID: md@upcl.org, Website: www.upcl.org

No. /MD/UPCL/ M-20

Dated 27/07/26

### OFFICE MEMORANDUM

Subject:- **Reconstitution of Corporate Store Purchase Committees (CSPC) at Corporate**

In continuation to OM No. 6220/MD/UPCL dated 18.11.2021, Corporate Store Purchase Committees (CSPC) of UPCL are hereby re-constituted as below with supersession of all previous orders:-

(A) **New / Maintenance & Repairs of all Distribution Works upto 11KV Level and Augmentation, Maintenance & Repairs (M&R) of Existing Lines and Sub-stations upto 33KV level and all Purchases related thereto:-**

| Sl. No. | Members of the Committee | Managing Director Level Committee (Level-1) | Director Level Committee (Level-2)              |
|---------|--------------------------|---------------------------------------------|-------------------------------------------------|
| 1.      | Chairman                 | Managing Director.                          | Director (Distribution & Project).              |
| 2.      | Member (Technical)       | Director (Distribution & Project).          | Chief Engineer (Concerned).                     |
| 3.      | Member (Finance)         | Director (Finance).                         | General Manager/ Dy. GM* (Finance) (Concerned). |
| 4.      | Convener                 | Chief Engineer (Concerned).                 | Superintending Engineer (Concerned).            |
| 5.      | Financial Powers         | Above Rs 50.00 Lacs.                        | Upto Rs 50.00 Lacs.                             |

(B) **All types of Capital/Deposit works related to Projects, works related to schemes funded by M/s REC / PFC/ ADB:**

| Sl. No. | Members of the Committee | Managing Director Level Committee (Level-1) | Director Level Committee (Level-2)                          |
|---------|--------------------------|---------------------------------------------|-------------------------------------------------------------|
| 1.      | Chairman                 | Managing Director.                          | Director (Distribution & Project).                          |
| 2.      | Member (Technical)       | Director (Distribution & Project).          | Chief Engineer (Concerned).                                 |
| 3.      | Member (Finance)         | Director (Finance).                         | General Manager/ Dy. GM* (Finance) Project, Pay & accounts. |
| 4.      | Convener                 | Chief Engineer (Concerned).                 | Superintending Engineer (Concerned).                        |
| 5.      | Financial Powers         | Above Rs 50.00 Lacs.                        | Upto Rs 50.00 Lacs.                                         |

(C) (i) **Corporate Maintenance Unit Level Committee for all works and Purchases of Corporate Maintenance Unit above Rs 10Lac.**

| Sl. No. | Members of the Committee | Managing Director Level Committee (Level-1) | Director Level Committee (Level-2)                                |
|---------|--------------------------|---------------------------------------------|-------------------------------------------------------------------|
| 1.      | Chairman                 | Managing Director.                          | Director (Distribution & Project).                                |
| 2.      | Member (Technical)       | Director (Distribution & Project).          | Chief Engineer (C&P).                                             |
| 3.      | Member (Finance)         | Director (Finance).                         | General Manager/ Dy. GM* (Finance) Operation, Commercial & Civil. |
| 4.      | Convener                 | Chief Engineer (C&P).                       | Superintending Engineer (HQ).                                     |
| 5.      | Financial Powers         | Above Rs 50.00 Lacs.                        | Upto Rs 50.00 Lacs.                                               |

D. **Consultancy Contracts:-**

(i) On matters relating to Personnel affairs, Industrial Relation, Legal, Taxation and Finance:

| Sl. No. | Members of the Committee | Managing Director Level Committee (Level-1)                     | Director Level Committee (Level-2)                                                 |
|---------|--------------------------|-----------------------------------------------------------------|------------------------------------------------------------------------------------|
| 1.      | Chairman                 | Managing Director                                               | Director (Distribution & Project).                                                 |
| 2.      | Member (Subject)         | Director (Distribution & Project).                              | Chief Engineer (Concerned)                                                         |
| 3.      | Member (Finance)         | Director (Finance)                                              | General Manager/ Dy. GM* (Finance) (Concerned).                                    |
| 4.      | Convener                 | Chief Engineer / GM (Legal) /GM/ Dy. GM* (Finance), (Concerned) | Superintending Engineer/ Dy.G.M*/ DY.CAO/ Dy.CPO/ Sr.AO/ Sr.PO/ Sr.LO. (Concerned) |
| 5.      | Financial Powers         | Above Rs 10.00lacs.                                             | Upto Rs 10Lac.                                                                     |

(ii) On matter relating to Technical, Commercial & I.T:

| Sl. No. | Members of the Committee | Managing Director Level Committee (Level-1) | Director Level Committee (Level-2)              |
|---------|--------------------------|---------------------------------------------|-------------------------------------------------|
| 1       | Chairman                 | Managing Director                           | Director (Distribution & Project).              |
| 2       | Member (Subject)         | Director (Distribution & Project).          | Chief Engineer ( Concerned)                     |
| 3       | Member (Finance)         | Director (Finance)                          | General Manager/ Dy. GM* (Finance) (Concerned). |
| 4       | Convener                 | Chief Engineer, (Concerned)                 | Superintending Engineer (Concerned).            |
| 5.      | Financial Powers         | Above Rs 10.00 lacs.                        | Upto Rs 10.00 lacs.                             |

\*Concerned Dy.GM (Finance) will be the member in case GM (Finance) is not posted.

**General terms and Conditions:-**

1. In all above cases (A, B, C & D), the Administrative Approval shall be accorded by Managing Director.
2. In case of vacant position (Post as member of the Corporate Store Purchase Committee, the immediate next higher authority shall be member of the committee.
3. The prevailing financial powers at each Committee level shall continue to be the same except where specifically redefined under this order.
4. Minutes of the Corporate Store Purchase Committee must be prepared and signed with dates, by all the present members of purchase committee prior to execution & release of an agreement order, documents etc.
5. The finalized Minutes of the Corporate Store Purchase Committee shall be prepared during the meeting and must be signed before the close of the meeting. It is a mandatory to circulate the signed Minutes within 2 working days of the holding of the meeting.
6. In special circumstances, within the budgetary limit, Executive Engineer, Corporate Maintenance Unit (HQ) and Superintending Engineer (HQ) may exercise the financial power in line with the powers delegated vide corporate OM No. 635/MD/UPCL/M-20/CC dated 30.1.2021. However, the administrative sanction shall invariable be obtained from the Director concerned.
7. Chief Engineer (Concerned) shall be Chief Engineer under whose Jurisdiction the tender has been processed.
8. The above terms & conditions would be reviewed time to time by MD, UPCL.

(P.C. Dhyani)  
Managing Director

No. 5773/MD/UPCL of date

Copy forwarded to the following for information & necessary action:

1. Director (Distribution & Project/Finance), UPCL, V.C.V.G.Singh Urja Bhawan, Kanwali Road, Dehradun.
2. Executive Director (Technical/HR), UPCL, V.C.V.G.Singh Urja Bhawan, Kanwali Road, Dehradun.
3. Chief Engineer (C&P) /Project /Commercial, UPCL, Victoria Cross Vijeta Gabar Singh Urja Bhawan, Dehradun.
4. Chief Engineer (D), UPCL, Dehradun/Haridwar/ Haldwani/ Rudrapur.
5. All General Manager (Finance), UPCL.
6. All Superintending Engineers / Deputy General Manager (Finance), UPCL.
7. SE(HQ), Corporate Maintenance Unit, UPCL, Victoria Cross Vijeta Gabar Singh Urja Bhawan, Dehradun.

(Gaurav Sharma)  
SE (Technical) to MD