

MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
Maharashtra Electricity Regulatory Commission (Specific Conditions of Distribution Licence applicable to Jawaharlal Nehru Port Trust for SEZ at Jawaharlal Nehru Port, Taluka Uran, District Raigad) Regulations, 2018

NOTIFICATION

ELECTRICITY ACT, 2003

No. **MERC/ TEC/Licence Conditions/ JNPT/2018/** : In exercise of powers under clause (d) of sub-section (2) of Section 181 read with Section 16 and clause (b) of Section 14 of the Electricity Act, 2003, the Maharashtra Electricity Regulatory Commission hereby makes the following regulations, namely:

1. Short Title, Extent and Commencement-

- 1) These Regulations may be called the **Maharashtra Electricity Regulatory Commission (Specific Conditions of Distribution Licence applicable to Jawaharlal Nehru Port Trust for SEZ at Jawaharlal Nehru Port, Taluka Uran, District Raigad) Regulations, 2018.**
- 2) These Regulations shall extend to the area specified in the SEZ notification No. S.O. 2047 (E) dated 11 August, 2014 issued by Government of India, Ministry of Commerce and Industry, Department of Commerce (SEZ Section) Udyog Bhawan, New Delhi.
- 3) These Regulations shall come into force from the date of their publication in the Official Gazette.

2. Definitions-

2.1 In these Regulations, unless the context otherwise requires:-

- a. “**Act**” means the Electricity Act, 2003 (36 of 2003);
- b. “**Developer**” shall have the same meaning as defined under subsection (g) of Section 2 of the Special Economic Zones Act, 2005;
- c. “**Deemed Distribution Licensee**” means JNPT which has been authorized under clause (b) of Section 14 of the Act by virtue of the Notification No. S.O. 528(E) dated 3 March, 2010 issued by the Government of India under Section 49 of the Special Economic Zones Act, 2005 to operate and maintain a power distribution system for supplying electricity to the consumers in its area of supply as specified in the SEZ notification;

- d. **“General Conditions”** mean the General Conditions as specified in the Maharashtra Electricity Regulatory Commission (General Conditions of Distribution Licence) Regulations, 2006, as in force from time to time;
 - e. **“JNPT”** means Jawaharlal Nehru Port Trust which is a major port notified under Major Port Trusts Act, 1963 and approved as a Developer for SEZ at villages Sawarkahr, Karal, Sonari and Jaskhar, Taluka Uran, District Raigad vide notification No. S.O. 2047 (E) dated 11 August, 2014 issued by Government of India, Ministry of Commerce and Industry, Department of Commerce (SEZ Section) Udyog Bhawan, New Delhi.
 - f. **“SEZ Act ”** means the Special Economic Zones Act 2005;
 - g. **"Special Economic Zone"** or **“SEZ”** means each Special Economic Zone notified under the proviso to sub-section (4) of section 3 and sub-section (1) of section 4 (including Free Trade and Warehousing Zone) and includes an existing Special Economic Zone under the SEZ Act.
- 2.2 Words and expressions used in these Regulations and not defined shall have the same meaning assigned to them in the Electricity Act, 2003 and SEZ Act 2005 or Rules and Regulations made thereunder.

3. Applicability

These Specific Conditions with respect to JNPT and the General Conditions of Licence as notified by the Commission shall be deemed to be the conditions of licence of JNPT and shall govern its operations of distribution and retail supply of electricity in the area specified herein.

4. “Area of Distribution” or “Area of Supply”

- 4.1 The Area within which the Deemed Distribution Licensee is authorized to supply electricity shall be the area at villages Sawarkahr, Karal, Sonari and Jaskhar, Taluka Uran, District Raigad as stated in the SEZ notification No. S.O.2047 (E) dated 11 August 2014 issued by Ministry of Commerce and Industry, Government of India under Section 4 of the SEZ Act, 2005 subject to such conditions and exclusions as specified in the said notification and as specifically delineated in the map annexed as Schedule 1.
- 4.2 In the event of future SEZ notifications or de-notifications by the Ministry of Commerce and Industry, Government of India, resulting into change in the SEZ area, the Deemed Distribution Licensee, within 15 days of such

notifications/de-notifications, shall approach the Commission for seeking amendment of these Specific Conditions with respect to JNPT.

- 4.3 In the event of de-notification, the Deemed Distribution Licensee shall continue to supply the consumers within the SEZ area till alternative arrangement of supply is made available to consumers in the de-notified area.

5. Term of Licence

Subject to the provisions of the Act, the Licence shall remain in force for a period of Twenty Five (25) years with effect from 11 August, 2014, (i.e. the date of the notification of the SEZ) till 10 August, 2039 or until and unless such licence is revoked whichever is earlier.

6. Inspection of Specific Conditions and Licence

The Deemed Distribution Licensee shall make provision for public inspection of these Specific Conditions and its licence, clearance or approval, immediately after the date of notification of these Regulations.

7. Power to amend

The Commission may, at any time, vary, alter, modify or amend any provisions of these Regulations.

8. Power to remove difficulties

If any difficulty arises in giving effect to the provisions of these Regulations, the Commission may, by general or specific Order, make such provisions not inconsistent with the provisions of the Act, as may appear to be necessary for removing the difficulty.

Mumbai,

Dated: September, 2018

ABHIJIT DESHPANDE

Secretary,

Maharashtra Electricity Regulatory Commission

Schedule-1

