

## MAHARASHTRA ELECTRICITY REGULATORY COMMISSION

### **Draft Maharashtra Electricity Regulatory Commission (Specific Conditions of Distribution License applicable to P-One for IT & ITeS SEZ at Rajiv Gandhi Infotech Park, MIDC, Hinjewadi Phase III, Pune) Regulations, 2023**

#### **ELECTRICITY ACT, 2003**

No. **MERC/TEC/ Licence Conditions/ P-One SEZ/2023/ \_\_\_\_\_**: 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**

- 1.1 These Regulations may be called the Maharashtra Electricity Regulatory Commission (Specific Conditions of Distribution License applicable to P-One for IT & ITeS SEZ at Rajiv Gandhi Infotech Park, MIDC, Hinjewadi Phase III, Pune) Regulations, 2023.
- 1.2 These Regulations shall extend to the area specified in the following SEZ notification issued by Government of India, Ministry of Commerce and Industry, Department of Commerce (SEZ Section) Udyog Bhawan, New Delhi.

<b>Sr. No.</b>	<b>Details of Gazette Notification</b>	<b>Date of Notification</b>	<b>Area of SEZ in Hectares</b>
1	Gazette Notification No. S.O. 934 (E)	7 June 2007	223.56

- 1.3 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) “**Co-Developer**” shall have the same meaning as defined under sub-section (f) of Section 2 of the Special Economic Zone Act, 2005;

- (c) **“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 the Co-Developer, namely, P-One which is authorized under clause (b) of Section 14 of the Act by virtue of Notification No. SO 528 (E) dated 3rd March 2010 issued by the Government of India under Section 49 of the SEZ Act, 2005 to operate and maintain a power distribution system for supplying electricity to consumers in the area of supply as specified in the SEZ Notification;
- (d) **“General Conditions”** means 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) **“P-One”** means M/s P-One Techpark Private Ltd. registered under the Companies Act, 2013 and approved as Co-developer for the IT and ITES SEZ at Rajiv Gandhi Infotech Park, MIDC, Hinjewadi Phase III, Pune vide its Letter of Approval dated 21 April 2022 issued by the Government of India, Ministry of Commerce and Industry, Department of Commerce (SEZ Section), New Delhi.
- (f) **“SEZ Act”** means the Special Economic Zones Act, 2005;
- (g) **“SEZ Rules”** means the Special Economic Zones Rules, 2006 as in force from time to time;

**2.2** Words and expressions used in these Regulations and not defined shall have the meanings 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 P-One and the General Conditions of Distribution Licence as notified by the Commission shall be deemed to be the conditions of Licence of P-One 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 of Supply within which the Deemed Distribution Licensee is authorized to supply electricity shall be the whole of the area as described in the SEZ Notification issued by the Ministry of Commerce and Industry (Department of Commerce),

Government of India under Section 4 of the SEZ Act, 2005, subject to such conditions and exclusions as specified in the said notification, which has been summarized in the following table:

Sr. No.	Details of Gazette Notification	Date of Notification	Area of SEZ in Hectares
1	Gazette Notification No. S.O. 934 (E)	7 June 2007	223.56

The said area is more particularly delineated upon the map of the area of supply and deposited by the Deemed Distribution Licensee with the Commission. The map is annexed at **Schedule I**.

- 4.2 The deemed licensee status of P-One shall be co-terminus with the approval of the developer (i.e. MIDC) of the SEZ i.e. if the SEZ area gets de-notified either partially or fully, P-One shall lose its status as a Deemed Distribution Licensee for the corresponding area from the date of such notification.
- 4.3 Similarly, in case of events such as suspension /termination of P-One as the co-developer for the SEZ or expiry of the lease period etc., P-One shall lose its status as a deemed licensee status from date of such event.
- 4.3 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, or in case of events such as suspension /termination of P-One as the co-developer for the SEZ or expiry of the lease period etc, the Deemed Distribution Licensee shall approach the Commission within 15 days of such event for seeking amendment of these Specific Conditions with respect to P-One and seeking directions from the Commission regarding an interim arrangement of supply in the interest of the consumers in the said area.

## 5. Term of Licence

Subject to the provisions of the Act, the Licence shall remain in force for a period of twenty-five years from 6 October 2022 (i.e. date of Order in Case No. 91 of 2022 issued by the Commission taking on record the deemed Distribution Licensee status of P-One for the above mentioned SEZ) till 5 October 2047 or until 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, clearances or approvals, immediately after the date of notification of these Regulations.

**7. Un-interrupted power supply**

The Deemed Distribution Licensee shall make provisions for uninterrupted power supply for twenty-four hours within the area of supply.

**8. Power to amend**

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

**9. 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: - February 2023

ABHIJIT DESHPANDE  
Secretary,  
Maharashtra Electricity Regulatory Commission

# Schedule I

