



REGULATION

MISCELLANEOUS PROVISION REGULATIONS, 2005.

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TRIPURA ELECTRICITY REGULATORY COMMISSION

NOTIFICATION

No. 1172/183/2005

Dated, Agartala the 13th May, 2005.

In exercise of the powers conferred by section-43 and section-32, section-181 of the Electricity Act, 2003 (36 of 2003) and power enabling on that behalf, Tripura Electricity Regulatory Commission herewith makes the following Regulations;

1. Short Title, Commencement and Interpretation

These Regulations may be called **Tripura Electricity Regulatory Commission's (Miscellaneous Provision) Regulation, 2005.**

It shall come into force on the date of the publication in the Official Gazette unless otherwise stated in this Regulation and shall be concurrent within the area of jurisdiction of Tripura Electricity Regulatory Commission (TERC).

2. Definition. In this Regulation unless the context otherwise require;

- a) the "Act" means the Electricity Act, 2003.
- b) the "Regulation" means the Regulation made under the Act.
- c) "Rules" means the Rules made under the Act.
- d) "Commission" means, Tripura Electricity Regulatory Commission in short called TERC.
- e) Words and expression used and not defined in the Regulation shall have the meaning as defined in the Act.

3. State Load Despatch Centre (SLDC) :

In exercise of powers conferred under-section-36 of the Indian Electricity Act, 2003 the State Commission shall facilitates and promote transmission, wheeling and inter connection arrangement within its territorial jurisdiction for the transmission and supply of electricity by economical and efficient utilization of the electricity. The establishment of SLDC shall be accordance with Section 31 of Electricity Act, by the State Government. The function of SLDC shall be as per section-32 of the Electricity Act. As per Sub-section-3 of section 32 of the Electricity Act, 2003 SLDC may levy and collect the specified fees and charges from the generating agencies and licensees engaged in intra State transmission of electricity. The State Grid Code and standard shall be specified in due course and pending the same IEGC and Grid standard by CERC and CEA respectively shall be followed.

Compliance of directions by SLDC shall be as per section 33 of the Electricity Act, 2003.

For the purpose of levying, fees and charges and for collection of the same the SLDC shall be specified by the State Commission on receipt of requirement to be submitted by SLDC to Commission.

The Commission may also levy any other charges if necessary and shall cause it to be collected by SLDC in the same manner as specified by for collection of fees.

This clause shall come into force after constitution of SLDC under section-31 of the Electricity Act in the State of Tripura.

4. **Supply of Electricity.**

Subject to provisions of section-43 of the Electricity Act, the Commission specifies that other distribution licensees shall on an application by the owner or occupier of any premises give supply electricity to such premises within 1(one) month after receipt of the application requiring such supply, where extension of distribution mains not required. The period shall be 3(three) months where extension of distribution mains is required and the period shall be 6(six) month where it is required to construct, install and commission a new Substation for the new supply. This provision will however, come into force whence section-43 of the Act is applicable in the State of Tripura.

5. **Security Deposit.**

Subject to the provisions of the Act, the distribution licensee may require any person to deposit security deposit with the licensee, an amount covering 3 months of estimated bills of consumption of electricity at the prevailing rates. The estimated consumption shall be based on 12 months consumption of the previous period as on 1st April of each year or estimated consumption based on his application in case of the new applicant.

- i) A consumer, on the licensee's demand may replenish the deposit as and when it becomes insufficient and the same shall be done within a period of one month unless otherwise stated in these Regulations.
- ii) The security deposit may be deposited either in cash or Bank Draft or through a Bank Guarantee in the approved proforma. The validity of the Bank Guarantee shall be for a period of 2 years with a further claim period of 3 months for lodging the claim. The Bank Guarantee shall be renewed from time to time well before expiry of the Bank Guarantee and at least 3 months before the last date of the validity of the Bank Guarantee excluding claim period. The Bank Guarantee shall be from a reputed nationalized or private sector bank and be issued from a branch preferably which is within the distribution area of the licensee, but in no case outside the city in which the distribution licensee operates unless the licensee agrees due to specific reasons.
- iii) The security deposit either in cash or Bank Draft or Bank Guarantee shall not be required in case the supply of electricity is made through a pre-payment meter or through confirmed, revolving, irrevocable and non-recourse Letter of Credit for a period of not less than 12 months preferably from a reputed private sector/ public sector bank situated in an area of the distribution licensee is operating. The

- amount of the Letter of Credit shall not be less than the estimated amount of bill to be calculated as stated above, but subject to equivalent of one month of estimated Bill. In case the amount of L.O.C. is insufficient, the same shall be increased within 10 days of such demand by the Licensee. The validity of L.O.C. shall be extended at least 3 months before its expiry by the consumer failing which the Licensee can refuse to supply Electricity for the period during which nature continues.
- v) All bank charges in connection with Bank Guarantee or Letter of Credit shall be borne by the concerned consumer.
- vi) The security deposit shall be appropriately returned / refunded within 15 days on the request of the person who gave such security deposit after adjusting amount of any outstanding Bill.
- vii) The distribution licensee shall pay interest on cash security deposit equivalent to 6% p.a.. Such interest shall be computed annually and added to the security deposit held against the consumer account as long as the security deposit thus held is less than or equal to the amount of required security deposit provided that excess interest amount shall be annually refunded/adjusted to the consumer in the event, the security deposit amount is already sufficient or become sufficient, in the billing month of May of each year. The non-refund or non-adjustment of the interest or security deposit to eligible consumer accordingly shall attract interest @ 10% p.a. in addition to other penalties etc. as per the provisions of the Act and Regulations.
- viii) The licensee may at any time appropriate such deposit in whole or in part in satisfaction of any sum legally due or owing by the consumer to the licensee whether the supply of electric energy to the consumer continues or has ceased without prejudice to any other remedy to which the licensee may be entitled for recovery of such sum due or owed by the consumer under any other Provisions of the Act or any other law.
- ix) In case, any electric line or electric plant or electric meter is provided by the licensee at his cost to such persons then an additional amount equivalent to 25% of such cost may also be added in the security deposit.
- x) The Commission may, at any time at its sole discretion vary, alter, modify, add or amend any provision of this Regulation.
- xi) If any difficulty arises in giving effect to any of the provisions of this Regulation, the Commission may for reasons to be recorded in writing direct the licensee or consumer by general or special order, for taking suitable action not inconsistent with the provisions of the Act, as may appear to be necessary for removing the difficulty.

By order of the Commission

P. C. Roy
(P. C. Roy)

Secretary to the Commission