

MAHARASHTRA ELECTRICITY REGULATORY COMMISSION

Maharashtra Electricity Regulatory Commission (Specific Conditions of Distribution Licence applicable to Laxmipati Balaji Supply Chain Management Ltd. for FTW and IT/ITES SEZ at Village Sai, Taluka Panvel, Dist. Raigad) Regulations, 2019

ELECTRICITY ACT, 2003

No. **MERC/TEC/ Licence Conditions/ LBSCML/2019/** : 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 Laxmipati Balaji Supply Chain Management Ltd. for FTW and IT/ITES SEZ at Village Sai, Taluka Panvel, Dist. Raigad) Regulations, 2019.**
- (2) These Regulations shall extend to the area specified in the following SEZ notifications issued by Government of India, Ministry of Commerce and Industry, Department of Commerce (SEZ Section) Udyog Bhawan, New Delhi.

Sr. No.	Details of Gazette Notification	Date of Notification	Area of SEZ in Hectares
1	Gazette Notification No. G.S.R. S.O.1158(E)	4 May 2009	45.76
2	Gazette Notification No. G.S.R. S.O.757(E)	5 April, 2010	6.985
3	Gazette Notification No. G.S.R. S.O.1800(E)	22 July, 2010	0.890
4	Gazette Notification No. G.S.R. S.O.2439(E)	27 October, 2011	3.410
Total Area of SEZ			57.045

- (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 LBSCML, which is authorized under clause (b) of Section 14 of the Act by virtue of Notification No. SO 528(E) dated 3 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) **“LBSCML”** means Laxmipati Balaji Supply Chain Management Ltd., registered under the Companies Act, 1956 and approved as a Co-Developer for Free Trade and Warehousing (FTW) and IT/ITES SEZ vide Notifications dated 4 May 2009, 5 April 2010, 22 July 2010 and 27 October, 2011 issued by Government of India, Ministry of Commerce & 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 LBSCML and the General Conditions of Distribution Licence as notified by the Commission shall be deemed to be the conditions of Licence of LBSCML 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 Notifications 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 notifications, 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. G.S.R. S.O.1158(E)	4 May 2009	45.76
2	Gazette Notification No. G.S.R. S.O.757(E)	5 April, 2010	6.985
3	Gazette Notification No. G.S.R. S.O.1800(E)	22 July, 2010	0.890
4	Gazette Notification No. G.S.R. S.O.2439(E)	27 Oct., 2011	3.410
Total Area of SEZ			57.045

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 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 LBSCML.

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 those 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 years from 4 May, 2009 (i.e. the date of notification of the SEZ) till 3 May, 2034 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: - January, 2019

ABHIJIT DESHPANDE
Secretary,
Maharashtra Electricity Regulatory Commission

Schedule-1

Annexure-B

