

**MAHARASHTRA ELECTRICITY REGULATORY COMMISSION**

**Maharashtra Electricity Regulation Commission (Specific Conditions of Distribution  
Licence applicable to Maharashtra Airport Development Company Limited for MIHAN SEZ)  
Regulations, 2013**

**NOTIFICATION**

ELECTRICITY ACT, 2003.

No. MERC/TEC/Licence Conditions/MADC/2013/1655.— 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 Licensee applicable to Maharashtra Airport Development Company Limited ('MADC') for MIHAN SEZ] Regulations, 2013.

(2) These Regulations shall extend to the area specified in the following notifications dated May 29, 2007, January 24, 2008 and July 27, 2009 issued by Government of India, Ministry of Commerce and Industry, Department of Commerce (SEZ Section) Udyog Bhawan, New Delhi.—

S.No. (1)	GOI Notification reference No. (2)	Date of Notification (3)	Area (in Hectares) (4)
1	S.O.845 (E)	May 29, 2007	1511.51
2	S.O.144 (E)	January 24, 2008	66.90
3	S.O.1842 (E)	July 27, 2009	18.75
Total			1597.16

(3) These Regulations shall come into force from the date of their publication in the *Official Gazette*.

2. *Definitions.*—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 sub-section (g) of Section 2 of the Special Economic Zones Act, 2005 as in force from time to time;

(c) "Deemed Distribution Licensee" means.— The 'Developer' viz. M/s. Maharashtra Airport Development Company Limited ('MADC') which has been authorized under clause (b) of Section 14 of the Act by virtue of the Notification No. SO 528(E), dated March 3, 2010 issued by the Government of India under Section 49 of the Special Economic Zones Act, 2005 as a licensee to operate and maintain a 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) "SEZ Act" means the Special Economic Zones Act, 2005 (Act 28 of 2005);

(f) "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.

All other 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 MADC and the General Conditions of Licence as notified by the Commission shall be deemed to be the conditions of licence of MADC 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 whole of the area as described in the SEZ notifications issued by Ministry of Commerce and Industry, Government of India under sub-section (1) of 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 table below :—

S.No. (1)	GOI Notification reference No. (2)	Date of Notification (3)	Area (in Hectares) (4)
1	S.O.845 (E)	May 29, 2007	1511.51
2	S.O.144 (E)	January 24, 2008	66.90
3	S.O.1842 (E)	July 27, 2009	18.75
Total			1597.16

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 for the Deemed Distribution Licensee 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 MADC. 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.

4.3 The Deemed Distribution Licensee is authorized to supply electricity to the public for all purposes in accordance with the provisions of the Act.

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 May 29, 2007, (*i.e.* the date of the notification S.O. 845 (E) issued by the Ministry of Commerce and Industry, Government of India under Section 4 of the SEZ Act, 2005 referred in Regulation 1.2 herein) 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, amend any provisions of these Regulations. Any alteration made to these Regulations shall come into force on the date of the notification and the alteration shall thereafter have effect only in such modified form or be of no effect, as the case may be.

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 Electricity Act, as may appear to be necessary for removing the difficulty.

ASHWANI KUMAR,

Secretary,

Mumbai,

Dated 3rd December 2013.

Maharashtra Electricity Regulatory Commission.

Schedule I



