

19.	टैरिफ आदेश या विद्युत क्रय करार या विद्युत प्रापण दर की समीक्षा के लिए उपभोक्ता या उपभोक्ता के प्रतिनिधि या विद्युत क्रय करार द्वारा आवेदन।	2,00,000 रुपए (दो लाख रुपए)
20.	अधिनियम की धारा 45 और धारा 46 के अंतर्गत वितरण लाइसेंसधारी के प्रभारों की अनुसूची के अनुमोदन हेतु आवेदन।	2,00,000 रुपए (दो लाख रुपए)
21.	लाइसेंसधारी और उत्पादन कंपनियों तथा लाइसेंसधारियों के बीच विवादों के लिए धारा 86 की उप-धारा (1) के खण्ड (च) के अंतर्गत आवेदन, जिन्हें इन विनियमों में कहीं भी कवर न किया गया हो।	10,00,000 रुपए (दस लाख रुपए)
22.	अधिनियम की धारा 86 की उप-धारा (1) के खण्ड (च) के अंतर्गत पारित आदेश की समीक्षा हेतु आवेदन।	मूल आदेश के लिए भुगतान किए गए शुल्क का 10 प्रतिशत।
23.	आयोग के आदेशों/रिकार्डों के निरीक्षण के लिए आवेदन।	300 रुपए प्रतिदिन जिसकी अवधि 3 घंटे से अधिक न हो।
24.	आयोग के दस्तावेजों/ आदेश की प्रतियों की आपूर्ति करना।	10 रुपए प्रति पृष्ठ।
25.	आयोग के आदेशों की समीक्षा के लिए आवेदन जिन्हें विनियमों में कवर न किया गया हो।	20,000 रुपए (बीस हजार रुपए)
26.	विविध आवेदन अर्थात् इन विनियमों के अंतर्गत कवर न किए गए आवेदन (क) लाइसेंसधारियों द्वारा आवेदन। (ख) कंपनियों द्वारा आवेदन (ग) व्यक्तियों द्वारा आवेदन	(क) 20,000 रुपए (बीस हजार रुपए) (ख) 5,000 रुपए (पांच हजार रुपए) (ग) 1,000 रुपए (एक हजार रुपए)
27.	उपयोगिता में निवेश के अनुमोदन हेतु याचिका	2,00,000 (दो लाख रुपए)
28.	वितरण लाइसेंसधारी माने गए लाइसेंस द्वारा प्रोसेस के अनुमोदन/ विद्युत खरीद/ प्रापण के लिए याचिका/आवेदन: (क) परंपरागत ईंधन आधारित (कोयला, गैस, तेल आदि) (ख) ऊर्जा के परंपरागत और नवीकरणीय स्रोत।	(क) 2,00,000 रुपए (दो लाख रुपए) (ख) उपर्युक्त का 50%
29.	लाइसेंस कार्य नियम, 2006 के नियम 3 के उप-नियम 1 के अंतर्गत जिला मैजिस्ट्रेट या पुलिस आयुक्त या किसी प्राधिकृत अधिकारी के खिलाफ पुनरीक्षण याचिका।	1,00,000 रुपए (एक लाख रुपए)।
30.	विद्युत अधिनियम, 2003 की धारा 67 की उप-धारा (4) के अंतर्गत उत्पन्न विवाद (स्ट्रीट, रेलवे आदि की ओपनिंग)।	5,000 रुपए (पांच हजार रुपए)
31.	टैरिफ आदेश की द्रुइंग के लिए आवेदन, यदि अलग याचिका के रूप में दायर किया गया हो।	2,00,000 रुपए (दो लाख रुपए)

कीर्ति तिवारी, सचिव

[विज्ञापन-III/4/असा./218-आई (297)/14]

## JOINT ELECTRICITY REGULATORY COMMISSION

(FOR THE STATE OF GOA AND UNION TERRITORIES)

## NOTIFICATION

Grugaon, the 11th February, 2015

No. JERC- 1/2009.—In exercise of powers conferred under Section 181 of the Electricity Act, 2003 and all other powers enabling it in this behalf, and after previous publication, the Joint Electricity Regulatory Commission (for the state of Goa and Union Territories) hereby makes the following amendments in Joint Electricity Regulatory

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Commission for the state of Goa & UTs (Conduct of Business) Regulations, 2009 read along with the 1st, 2nd and 3rd amendments of the Principal Regulations.

**1. Short title and commencement:**

- I. These regulations may be called The Joint Electricity Regulatory Commission for Goa & Union Territories (Conduct of Business) (Fourth Amendment) Regulations, 2015.
- II. These regulations shall come into force from the date of their publication in Official Gazette.
- III. These Regulations shall be applicable in the State of Goa and the Union Territories of Andaman & Nicobar Islands, Chandigarh, Dadra and Nagar Haveli, Daman and Diu, Lakshadweep and Puducherry.

**2. Amendment in Regulation 6 of the Principal Regulations, 2009**

The word 'prescribe' in the second sentence of Regulation 6 (i) (a), is substituted by the word 'specify'.

**3. Amendment in Regulation 7 of the Principal Regulations, 2009**

- I. Heading of Regulation 7 is replaced as "Delegation of Powers and Functions"

II. Regulations 7 (i) and (ii) are substituted by the following:-

The Commission may, by general or special order in writing, delegate to Member, Secretary, Officers of the Commission or any other person subject to such conditions, if any, as may be specified in the order, such of its powers under the Act as it deems necessary except, however, the powers to adjudicate disputes under Section 86 and the powers to make regulations under Section 181 of the Electricity Act, 2003.

**4. Amendment in Regulation 9 of the Principal Regulations, 2009 (Read along with 3<sup>rd</sup> Amendment Regulations)**

Regulation 9 (ii) and provisos there under are substituted as under:-

**Regulation 9 (ii) (a):**The quorum for Conduct of Meetings of the Commission for transaction of business and to carry out its functions shall be two. However, if there is only one Member available including the Chairperson of the Commission, the quorum of the proceedings of the Commission shall be one.

**Regulation 9 (ii) (b):**Where the Chairperson or the Member is unable to attend the duly convened meeting of the Commission, of which he/she has been given prior notice for sufficient reason or in a situation where the position of the Chairperson or the Member is vacant, the Member or the Chairperson as the case may be, shall preside at the meeting and the same shall validly constitute the quorum. No act or proceedings of the Commission and decision taken including review of any previous decisions or orders thus passed shall be questioned or be invalidated on this ground."

**5. Amendment in Regulation 12 of the Principal Regulations, 2009**

Following is added at the end of Regulation 12 (iii) of Principal Regulations, 2009:-

The fee may also be payable by electronic transfer of money through National Electronic Fund Transfer (NEFT) or Real Time Gross Settlement (RTGS) etc. However, the electronic transfer charges of the bank (including service tax) shall be borne by the petitioner or the person so making the payment to the Commission.

**6. Amendment in Regulation 15 of the Principal Regulations, 2009**

Following is added after the word 'Chairperson' in the first line of Regulation 15 (vii) of Principal Regulations, 2009:-

"or the Member in absence of the Chairperson"

**7. Amendment in Regulation 16 of the Principal Regulations, 2009 (Read along with 2nd Amendment Regulations)**

- I. The word "against receipt" is added after the word "messenger" in Regulation 16 (i) (b)
- II. Following is added in the beginning of Regulation 16 (i) (e):- "By fax or by E-mail or"
- III. Regulation 16 (vi) is substituted by the following:-  
Where any petition is required to be published, it shall be published in three (3) newspapers (including the one in vernacular language) in a format approved by the Commission at least twice within a minimum gap of seven (7) days or as the Commission may direct.

Provided that in cases where due to nature of geographical location of the licensee away from the mainland or due to non-availability of newspaper circulation in that location, the petitioner shall have the option to inform or communicate the petition or its highlights to the stakeholders and public at large by any other appropriate means including through public notices or public announcement system or through electronic media.

8. **Amendment in Regulation 20 of the Principal Regulations, 2009**

The word "requisition" in Regulation 20 (ii) is substituted by the word "requisitioning".

9. **Amendment in Regulation 22 of the Principal Regulations, 2009**

Following is added after the word 'Orders' in the first line of Regulation 22 (II) of Principal Regulations, 2009 :—

"including comments of the dissenting member, if any"

10. **Amendment in Regulation 25 of the Principal Regulations, 2009**

Regulation 25 (x), the figure appearing as 'Rupees 3'/- is substituted by "Rupees 10"/-

11. **Amendment in Regulation 27 of the Principal Regulations, 2009**

Regulation 27 (i) (b) of the Principal Regulations, 2009 is substituted by the following:-

"b (i) The commission may, on being satisfied that a licensee has failed to comply with any of the conditions of the licence or a generating company or a licensee has failed to comply with any of the provisions of the Act or the rules or regulations made thereunder, at any time, by order in writing, direct any person (Investigating Authority) specified in the order to investigate the affairs of the generating company or licensee and to report to the Commission on any investigation made by such person / Investigating Authority.

Provided that the Investigating Authority as specified in the order of the Commission may, wherever necessary, employ any auditor or any other person for the purpose of assistance in any investigation under this regulation.

b (ii) The Commission may specify the minimum information to be maintained by the licensee or the generating company in their books, the manner in which such information shall be maintained, the checks and other verification to be adopted by the licensee or the generating company in that connection and all other matters incidental thereto as are, in its opinion, necessary to enable the Investigating Authority to discharge its function satisfactorily.

b (iii) Investigation in the affairs of the licensee or the generating company ordered by the Commission shall be made keeping in view the provisions contained under Section 128 of the Act.

b (iv) All expenses of, and incidental there to, any investigation made under this regulation shall be defrayed by the licensee or the generating company, as the case may be, and shall have the priority over the debts due from the licensee or the generating company and shall be recoverable as arrears of land revenue."

12. **Amendment in Regulation 29 of the Principal Regulations, 2009**

The word "two (2)" is substituted by the word "three (3)" in second line of Regulation 29 (i).

13. **Amendment in Regulation 30 of the Principal Regulations, 2009**

Following is added as Regulation 30 (iv) in the end of Regulation 30 (iii) of the Principal Regulations, 2009:—

**Regulation 30 (iv):**—"If any licensee or a generating company recovers a price or charge exceeding the tariff determined by the Commission, the excess amount shall be recoverable by a person who has paid such a price or charge, along with interest equivalent to the bank rate as applicable at the time of payment without prejudice to any other liability incurred by the licensee or the generating company".

14. **Amendment in Regulation 32 of the Principal Regulations, 2009**

The word 'generally' appearing in regulation 32 (i) is substituted by the word "ordinarily", and after the word 'more', the word 'frequently' is added.

15. **Amendment in Regulation 33 of the Principal Regulations, 2009**

Regulation 33 of the Principal Regulations, 2009 is substituted by the following:-

"While determining the retail tariff under the Act and the rules and regulations, the Commission shall not show undue preference to any consumer or class of consumers, but may differentiate or set differential tariff according to the consumer's load factor, power factor, voltage, total consumption of electricity during any

specified period or time at which the supply is required or geographical nature of any area, the nature and purpose for which the supply is required.”

**16. Amendment in Regulation 36 of the Principal Regulations, 2009**

Regulation 36 (i): The figure “36 (iv) (b)” is substituted by the figures and word “35(iv) (b) and 35 (iv) (j)”.

**17. Amendment in Regulation 61 of the Principal Regulations, 2009**

- I. Heading of Regulation 61 is replaced as “Standard of Performance of Licensee”
- II. Following is added at the end of Regulation 61:-  
“Licensee shall have to ensure compliance in this matter in accordance with Sections 57 to 59 of the Act.”

**18. Amendment in Regulation 65 of the Principal Regulations, 2009**

Following is added after the word ‘Companies’ in the first line of Regulation 65 (i):-  
“or between any one of them as the case may be” and the word ‘being’ is replaced by the word ‘are’

**19. Amendment in Regulation 73 of the Principal Regulations, 2009**

- I. Regulation 73 (f) (iv) :The words ‘consumer rights, settlement’ are substituted by the words ‘Consumer Rights Statement’.
- II. The word ‘and’ in Regulation 73(f) (viii) is deleted.
- III. Regulation 73 (f) (x) to Regulation 73 (f) (xii) are added at the end of Regulation 73 (f) (ix) as under:-  
“73 (f) (x) Intra-State/ UT Electricity Trading,  
73 (f) (xi) Procurement of Renewable Energy and meeting Renewable Purchase Obligation (RPO) targets and;  
73 (f) (xii) Any other code as the Commission may deem necessary.”

**20. Amendment in Regulation 74 of the Principal Regulations, 2009**

- I. Following Regulation 74 (A) is added:-

**Regulation 74 (A) Time limit for disposal of petition other than Review Petitions:-**

Save as otherwise provided in the Electricity Act, 2003 with regard to Tariff petitions and applications for grant or in the procedure for holding Inquiry by Adjudicating Officer in respect of proceedings under Section 143 of the Electricity Act, 2003, the Commission shall dispose of the petitions finally within a period of six months from the date of admission.

Provided that where the petitions are not disposed of within six months, the Commission shall record the reasons for the time taken for disposal of the petitions.

- II. Regulation 74 of the Principal Regulations, 2009 is substituted and renumbered as Regulation 74 (B) as under :—

**Regulation 74 (B) Review of Decisions, Directions and Orders:-**

- i. The Commission may, on an application of any of the persons or parties concerned made within 45 days of making such Decisions, Directions or Orders, review such decisions, directions or orders and pass such appropriate orders as the Commission deems fit.
- ii. An application for such review shall be filed in the same manner as a Petition under Chapter-II of the principal Regulations.
- iii. An application for review shall be listed before the Commission within a period of 15 days from the date of filing such application.
- iv. The review petition/ applications shall be disposed of within 15 days from the date of hearing if the review is not admitted and within a period of two months from the date of admission if the application is admitted.  
Provided that where the review applications cannot be disposed of within the period as stipulated, the Commission shall record the reasons for the additional time taken for disposal of the review petitions/ applications.
- v. Clerical or arithmetical mistakes in the orders or errors arising therein from any accidental slip or omission may at any time be corrected by the Commission either of its own motion or on the application of any of the parties.

21. Amendment in 'Schedule' of Fees & Charges under Chapter VIII (Fees & Fines) of the Principal Regulations, 2009

The SCHEDULE of Fees & Charges under Regulation 68 of Chapter VIII (Fees & Fines) is substituted as under:—

**SCHEDULE**

Sl. No.	Description	Fees (in Rupees)
1	Adjudication of dispute regarding availability of transmission facility under the second proviso to sub-section (2) of Section 9 under the Act, to be paid by the person who has referred such dispute to the Commission	Rupees 10,000 (Rupees Ten thousand) for the first 1 MW of transmission capacity sought and Rupees 5000 (Rupees Five thousand) per MW thereafter, subject to a maximum of Rs 5,00,000 (Rupees Five lakh)
2	Initial Licence fee upon grant of Licence under Section 15 of the Act	Rupees 5,00,000 (Rupees Five lakh) as "on account" payment pending determination of fees by the concerned Government
3	Annual Licence Fees: (i) Transmission Licence  (ii) Distribution Licence  (iii) Trading Licence  (iv) Any Other Licence Provided that the annual Licence fee shall be payable in advance, at the commencement of the financial year, by all Licensees including Licensees referred to in the first, second, third, fourth and fifth provisos to Section 14 of the Act: Provided further that in the case of a Transmission Licence, the annual Licence fee shall be calculated based on the approved / estimated aggregate quantum of transmission capacity contracts for the ensuing financial year: Provided also that in the case of a Distribution Licence, the annual Licence fee shall be calculated based on the approved/estimated revenue from the sale of electricity for the ensuing financial year: Provided also that where the actual transmission capacity contracted or actual revenue from the sale of electricity, as the case may be, differs from the approved/estimated level used for the purpose of this Regulation, the excess or shortfall in Licence fee, calculated based on the actual transmission capacity contracted or actual revenue, as the case may be, shall be adjusted against the annual Licence fee for the following year	(i) Rupees 1,000 (Rupees One thousand) per MW of transmission capacity contracts in force during the year or part thereof, subject to a minimum of Rupees 10,00,000 (Rupees Ten Lakh) and maximum of Rupees 20,00,000 (Rupees Twenty lakh) (ii) 0.10 percent of revenues (excluding taxes and duties) from the sale of electricity (iii) As per clause 6.5 of JERC (Electricity Trading) Regulations 2010 (iv) Rupees 1,00,000 (Rupees One lakh)
4	Application seeking prior approval under Section 17 of the Act	0.01 percent of the value of the transaction for which approval is sought, subject to a minimum of Rupees 5,00,000 (Rupees Five lakh) and maximum of Rupees 20,00,000 (Rupees Twenty lakh)
5	Application for amendment of licence under Section 18 of the Act  (i) by Licensee (ii) by any person other than a Licensee	(i) Rupees 1,00,000 (Rupees One lakh) (ii) Rupees 50,000 (Rupees Fifty thousand)

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6	Application for amendment of licence under sub-regulation (2) of Section 19 of the Act  (i) by Licensee (ii) by any person other than a Licensee	(i) Rupees 10,00,000 (Rupees Ten lakh) (ii) Rupees 1,00,000 (Rupees One lakh)
7	Application under Section 35 of the Act for seeking the use of intervening transmission facilities	Rupees 1,00,000 (Rupees One lakh)
8	Adjudication of dispute regarding extent of surplus capacity under the proviso to Section 35 of the Act	Rupees 5,00,000 (Rupees Five lakh)
9	Application for determination of rates, charges, terms and conditions under proviso to sub-section (I) of Section 36	Rupees 5,00,000 (Rupees Five lakh)
10	Adjudication of disputes regarding provision of non-discriminatory open access under sub-section (47) of Section 2 read with Section 40 of the Act and regulations specified thereunder, not covered above:  (i) Referred by a Licensee or by a Generating Company (ii) Referred by person who has constructed and maintains and operates a Captive Generating Plant (iii) Referred by Consumer / Consumer Representative	(i) Rupees 5,00,000 (Rupees Five lakh), (ii) Rupees 50,000 (Rupees Fifty thousand)  (iii) Rupees 10,000 (Rupees Ten thousand)
11	Adjudication of disputes regarding provision of non-discriminatory open access under sub-section (47) of Section 2 read with sub-sections (2), (3) and (4) of Section 42 of the Act and regulations specified thereunder:  (i) Referred by a Licensee or by a Generating Company, other than a Generating Company referred to in (ii) Below (ii) Referred by a Generating Company directly connected to the distribution system of a Distribution Licensee or by Person who has constructed, maintains and operates a Captive Generating Plant	(i) Rupees 5,00,000 (Rupees Five lakh) (ii) Rupees 50,000 (Rupees Fifty Thousand) (iii) Rupees 10,000 (Rupees Ten thousand)
12	Determination of tariff under the provisions of clause (a) of sub-section (1) of Section 62, to be paid by the applicant:  (a)(i) Conventional fuel based (coal, oil etc) Plant (ii) Conventional Hydro (More than 25 MW) (b) Non-conventional & Renewable Sources of Energy, including co-generation (i) Below 1 MW capacity (ii) 1 MW and above capacity (c) Generic Determination of tariff for a class of projects	(a)(i) Rupees 15,00,000 (Rupees Fifteen Lakh) for capacity up to 100 MW and Rupees 20,000 (Twenty thousand) for each additional MW or part thereof of capacity (a)(ii) Rupees. 7,50,000 (Rupees Seven lakh fifty thousand) upto 50MW and Rupees 10,000 for each additional MW or part thereof of capacity (b)(i) Rupees 50,000 (Rupees Fifty thousand) (b)(ii) Rupees 1,00,000 (Rupees One lakh) per MW of capacity, with a ceiling of Rupees 5,00,000 (Rupees Five lakh) (c) Lowest of fees/charges payable as at (a) and (b) above, as may be applicable
13	Annual/base year determination of tariff for transmission of electricity under the provisions of clause (b) of sub-section (1) of Section 62, to be paid by Licensee:  Provided that such fees are payable whether such determination is upon application by the Licensee or by any other person or suo moto determination by the Commission	Rupees 20,00,000 (Rupees Twenty lakh)
14	Annual / base-year determination of tariff for wheeling of electricity under the provisions of clause (c) of sub-section (1) of Section 62, to be paid by the Licensee  Provided that such fees are payable whether such	Rupees 8,00,000 (Rupees Eight lakh)

	determination is upon application by the Licensee or by any other person or suo moto determination by the Commission	
15	Annual/base year determination of tariff for retail sale of electricity under the provisions of clause (d) of sub-section (1) of the Section 62, to be paid by the Licensee  Provided that such fees are payable whether such determination is upon application by the Licensee or by any other person or suo moto determination by the Commission	Rupees 1 (Rupees One) per 1000 units (Minimum Rupees 10,00,000 (Rupees Ten lakh))
16	Annual review of tariffs and performance of the Licensee during the control period under a multi-year tariff framework, to be paid by the Licensee	Rupees 10,00,000 (Rupees Ten lakh)
17	Application for review of Tariff Order or power purchase agreement or power procurement rate by Licensee	10 percent of the fees paid at the time of the original application for determination of tariff
18	Application by a consumer or a Consumer Representative for review of Tariff Order or power purchase agreement or power procurement rate	Rupees 50,000 (Rupees Fifty thousand)
19	Application by a person other than the Licensee or a consumer/Consumer Representative for review of Tariff Order or power purchase agreement or power procurement rate	Rupees 2,00,000 (Rupees Two lakh)
20	Application for approval of the schedule of charges of a Distribution Licensee under Section 45 and Section 46 of the Act	Rupees 2,00,000 (Rupees Two lakh)
21	Adjudication under clause (f) of sub-section (1) of section 86 of disputes between licensees and generating companies and between licensees themselves, not covered elsewhere in these Regulations	Rupees 10,00,000 (Rupees Ten lakh)
22	Application for review of Order passed under clause (f) of sub-section (1) of Section 86 of the Act	10 percent of the fee paid for the original order
23	Application for inspection of Orders/Records of the Commission	Rupees 300 per day for a period not exceeding 3 hrs
24	Supply of copies of documents/order of the Commission	Rupees 10 per page
25	Application for review of Orders of Commission not covered in these Regulations	Rupees 20,000 (Rupees Twenty thousand)
26	Miscellaneous applications i.e. application not covered elsewhere in these Regulation  (a) Applications by Licensees (b) Applications by entities (c) Applications by Individuals	(a) Rupees 20,000 (Rupees Twenty thousand) (b) Rupees 5,000 (Rupees Five thousand) (c) Rupees 1,000 (Rupees One thousand)
27	Petition for approval of investment in utility	Rupees 2,00,000 (Rupees Two lakh)
28	Petition/Application for approval of process/price for Power Purchase/procurement by distribution licensee/deemed licensee  (a) Conventional fuel based (coal, gas, oil etc) (b) Non-conventional & Renewable sources of energy)	(a) Rupees 2,00,000 (Rupees Two lakh) (b) 50 % of the above

29	Petition for revision against the Order of the District Magistrate or Commissioner of Police or an authorized offices under sub rule 1 of Rule 3 of the Works of Licensees, Rules, 2006	Rupees 1, 00,000 (Rupees One lakh)
30	Dispute arising under Section 67 sub section (4) of the Electricity Act, 2003 (opening of Streets, Railways etc)	Rupees 5,000 (Rupees Five thousand)
31	Application of truing up of tariff order, if filed as separate Petition	Rupees 2, 00,000 (Rupees Two lakh)

KEERTI TEWARI, Secy.

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