# TAMIL NADU LEGISLATIVE ASSEMBLY

## COMMITTEE ON DELEGATED LEGISLATION

**(2023-2024)**

**(SIXTEENTH ASSEMBLY)**

**NINTH REPORT**

Report on action taken by the Government on the recommendations of the Committee contained in the Ninth Report (Fifteenth Assembly)

(Presented to the Assembly on **10th OCTOBER 2023**)

Legislative Assembly Secretariat,
Chennai - 600 009.

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TAMIL NADU LEGISLATIVE ASSEMBLY
வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

# TAMIL NADU LEGISLATIVE ASSEMBLY

## COMMITTEE ON DELEGATED LEGISLATION (2023-2024)
## (CONSTITUTED ON 21ST APRIL 2023)

***CHAIRMAN***

1. Thiru. Sivakumar P @ Thayagam Kavi

***MEMBERS***

2. Thiru. P. Arjunan
3. Thiru. J.L. Eswarappan
4. Thiru. J. J. Ebenezer @ J. John Ebenezer
5. Thiru. PST Saravanan
6. Tmt. K . Sivagama Sundari
7. Thiru. PR. Senthilnathan
8. Thiru. K. Selvaraj
9. Thiru. R.D. Shekar
10. Thiru. E. Balasubramanian
11. Thiru. T. Ramachandran
12. Thiru. K.R. Jayaram

***SECRETARIAT***

| | | |
|---|---|---|
| Dr. K. Srinivasan | - | Secretary |
| Thiru. A. Ayyanperumal | - | Joint Secretary |
| Thiru. G. Ganesh | - | Deputy Secretary |

# REPORT OF THE COMMITTEE ON DELEGATED LEGISLATION ON THE STATEMENT OF ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS OF THE COMMITTEE CONTAINED IN THE NINTH REPORT (FIFTEENTH ASSEMBLY)

## PART - I

## INTRODUCTION

I, the Chairman of the Committee on Delegated Legislation having been authorized by the Committee do hereby present this Ninth Report on its behalf.

2. This Report relates to action taken by the Government on the Recommendations / Observations of the Committee contained in its Ninth Report (Fifteenth Assembly) which was presented to the Assembly on the 24th March, 2020.

3. The Committee for the year 2021-2023 was constituted on the 24th June, 2021 and extended upto 31st March, 2023 on 6th May 2022. The Present Committee for the year 2023-2024 was constituted on the 21st April 2023.

4. The Committee (2021-2023) considered the statement of action taken by the Government on the Recommendations / Observations of the Committee at its meeting held on the 24th June, 2022 at Chennai. The Committee, after having carefully perused the Recommendations / Observations and the proceedings thereon, endorses those recommendations.

5. All the Recommendations contained in the said Report were either treated as implemented or the Statement of Action Taken furnished by the Department were read and recorded or the Committee decided to pursue the Recommendations and to settle the matter at the earliest, as the case may be.

6. Detailed statement showing the subject matter of the Notifications considered, the recommendations made, the statement of action taken on them by the Government and the decision of the Committee thereon are appended to this Report as Annexure.

7. The Committee approved this Report at its meeting held at Dindigul on the 22nd August, 2023.

## PART – II

### 1. TAMIL NADU ELECTRICITY REGULATORY COMMISSION (GRID CONNECTIVITY AND INTRA-STATE OPEN ACCESS) REGULATIONS, 2014.

**(Notification No.TNERC/GC&ISOA/11/2, dated 13.3.2014)**

Under Section 181 of the Electricity Act, 2003, (Central Act 36 of 2003) and all other powers enabling in that behalf, the Tamil Nadu Electricity Regulatory Commission have made the Tamil Nadu Electricity Regulatory Commission (Grid Connectivity and Intra-State Open Access) Regulations, 2014, the draft of the same having been previously published as required under sub-section (3) of the said Section 181.

**The Committee noticed that in entry 11 of FORMAT-ST2 regarding approval for short term open access, there was a mention about 'FORMAT-ST5'. As the 'FORMAT-ST5' was not mentioned in the notification, the Committee desires to be informed of the details about it.**

In this connection, the Tamil Nadu Electricity Regulatory Commission, in its letter No. Legal/TNERC/DDD(L)/1500/2019/D.No.1096/2020, dated 2.11.2020, has replied that as follows:-

> With respect to FORMAT - ST2 –approval for short term open access, the Committee has noted that in entry 11 of the Format ST2, there is a mention of 'FORMAT-ST5' which does not appear in the Regulation. This is an error in the Regulation. The Format –ST5 is the enclosure to be attached on 'Schedule of payments' that appears below the FORMAT-ST2. An amendment will duly be issued in this regard.

**After some discussion, the Committee decides to pursue the matter and recommends to settle it at the earliest.**

### 2. AMENDMENTS TO THE REGULATIONS FOR CONSUMER GRIEVANCE REDRESSAL FORUM AND ELECTRICITY OMBUDSMAN, 2004.

**(Notification No.TNERC/CGRF&EO/6-10, dated 8.9.2014)**

In exercise of the powers conferred by Section 42(5), (6) & (7) and clause (r) of sub-section (2) of Section 181 of the Electricity Act, 2003 (Central Act 36 of 2003) Tamil Nadu Electricity Regulatory Commission has made the amendments to the Regulations for Consumer Grievance Redressal Forum and Electricity Ombudsman, 2004, the draft of the same having been previously published as required by sub-section (3) of Section 181 of the said Act.

**The Committee recommends that in sub-regulation (5) of regulation 7, an erratum substituting the words 'to the forum and to the complainant' for the words 'to the forum and the complainant' be issued.**

In this connection, the Tamil Nadu Electricity Regulatory Commission, in its letter No. Legal/TNERC/DDD(L)/1500/2019/D.No.1096/2020, dated 2.11.2020, has replied that as follows:-

The erratum as suggested by the Committee will be issued.

**After some discussion, the Committee suggested to issue an erratum at the earliest and the same may be informed.**

## 3. AMENDMENTS TO THE TAMIL NADU ELECTRICITY DISTRIBUTION CODE.

**(Notification No.TNERC/DC/8-21, dated 7.10.2014)**

The Committee observes that in sub-regulation 3 of regulation 27 contains a 'Note' prescribing requisitions for supply of Energy. The Committee is of the view that it is not appropriate to prescribe such procedures under a 'Note', since a 'Note' appended to a rule would not have the force of a rule. Hence, it may be amended so as to be part of Sub-regulation (3).

**The Committee is of the view that under the headings in FORM-2 the expression 'refer clause 27(2)' may be substituted for the words 'refer regulation 27(2)'.**

In this regard, the Tamil Nadu Electricity Regulatory Commission, in its letter No. Legal/TNERC/DDD(L)/1500/2019/D.No.1096/2020, dated 2.11.2020, has replied that as follows:-

The amendment as suggested by the Committee would be issued shortly

**After some discussion, the Committee decides to pursue the matter and recommends to settle it at the earliest.**

**The Committee recommends that under the headings in FORMS 5, 6, 7 & 8 of ANNEXURE III the expression "refer clause" may be substituted for the words "refer regulation".**

In this regard, the Tamil Nadu Electricity Regulatory Commission, in its letter No. Legal/TNERC/DDD(L)/1500/2019/D.No.1096/2020, dated 2.11.2020, has replied that as follows:-

The amendment as suggested by the Committee would be issued shortly.

**After some discussion, the Committee decides to pursue the matter and recommends to settle it at the earliest.**

**The Committee observes that in sub-regulation (12) of regulation 27, the existing regulation provides Deputy Tahsildar and above positions have power to grant "No Objection Certificate" for the purpose of supply of electricity services to the Poromboke lands and now the proposed amendment has not clearly mentioned which officer has to issue" No Objection Certificate" for the above said purpose, the Committee desires to be informed of the details about it.**

In this regard, the Tamil Nadu Electricity Regulatory Commission, in its letter No. Legal/TNERC/DDD(L)/1500/2019/D.No.1096/2020, dated 2.11.2020, has replied that as follows:-

> Amendment to regulation 27(12) – Poromboke lands are under the control of Central Government establishments like in the case of Defence land where the officer in charge has to issue No objection certificate. Therefore the expression 'Officer of the concerned Government Departments' was issued. The amendment shall duly be reviewed and an appropriate amendment issued by naming the officer from whom the No Objection certificate is to be obtained.

**After some discussion, the Committee decides to pursue the matter and recommends to settle it at the earliest.**

Dindigul,
22nd August, 2023,
Aavani 5,
Thiruvalluvar Aandu, 2054

**SIVAKUMAR P @ THAYAGAM KAVI**
**CHAIRMAN**

# PROCEEDINGS

**COMMITTEE ON DELEGATED LEGISLATION**

**PROCEEDINGS OF THE MEETING**

**Tuesday, the 28th June, 2022**

The Committee on Delegated Legislation met at 11-00 a.m. on Tuesday, the 28th June, 2022 in the 10th floor Meeting Hall, Omandurar Government Estate, Ex Legislators' Hostel, Chennai-2.

The following Members were present:

**CHAIRMAN**

Thiru. R. Rajendran

**MEMBERS**

Thiru. M. Senthilkumar
Thiru. I. Paranthamen
Thiru. M. Panneerselvam
Thiru. R. Mani
Thiru. M.K. Mohan
Thiru. O. Jothi

**SECRETARIAT**

| | | |
|---|---|---|
| Dr. K. Srinivasan | - | Secretary |
| Thiru. A. Ayyanperumal | - | Joint Secretary |
| Thiru. G. Ganesh | - | Deputy Secretary |

During the meeting, Thiru M. Jeevanandam, Deputy Secretary to Government, Law Department was also present.

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The Committee then took up for consideration the Statement of Action Taken by the Government on the recommendations / observations of the Committee on Delegated Legislation contained in **NINTH REPORT (FIFTEENTH ASSEMBLY).**

**Serial No. 1- Item No. 1**

Sub: Amendments to the Tamil Nadu Electricity Distribution Standards of Performance Regulations, 2004

(Notification No.TNERC/ SPR/9/1-10 dt:14.8.2013)

**The Committee read and recorded the statement of action taken.**

**Serial No. 2- Item No. 2**

Sub: Amendments to the Tamil Nadu Electricity Regulatory Commission (Terms and Conditions for determination of Tariff) Regulations, 2005

(Notification No.TNERC/TR/5/2-11, dated 13.3.2014)

**The Committee read and recorded the statement of action taken.**

**Serial No. 3-Item No. 3**

Sub: Tamil Nadu Electricity Regulatory Commission (Grid Connectivity and Intra-State Open Access) Regulations, 2014

(Notification No.TNERC/GC&ISOA/11/2, dated 13.3.2014)

**The Committee decides to pursue the matter and recommends to settle it at the earliest.**

**Serial No. 4-Item No. 4**

Sub: Amendments to the Tamil Nadu Electricity Supply Code

(Notification No. TNERC/SC/7-35, dated 3.6.2014)

**The Committee read and recorded the statement of action taken.**

**Serial No. 5-Item No. 5**

Sub: Amendments to the Regulations for Consumer Grievance Redressal Forum and Electricity Ombudsman, 2004.

(Notification No.TNERC/CGRF&EO/6-10, dated 8.9.2014)

**The Committee suggested to issue an erratum at the earliest and the same may be informed.**

(Notification No. TNERC/CGRF&EO/6-11,dated 29.11.2016)

**The Committee read and recorded the statement of action taken.**

**Serial No. 6-Item No. 6**

Sub: Amendments to the Tamil Nadu Electricity Distribution Code

(Notification No.TNERC/DC/8-20, dt.11.9.2014)
(Notification No.TNERC/DC/8-22, dt.23.1.2015)

**The Committee treated the recommendation as implemented.**

(Notification No. TNERC/DC/8-21, dated 7.10.2014)

**The Committee decides to pursue the matter and recommends to settle it at the earliest.**

**Serial No. 7-Item No. 7**

Sub: Amendment to the Tamil Nadu Electricity Regulatory Commission (Renewable Energy Purchase Obligation) Regulations, 2010.

(Notification No. TNERC/RPO/19-4, dt. 7.3.2016)

**The Committee read and recorded the statement of action taken.**

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**THE COMMITTEE ON DELEGATED LEGISLATION**

**PROCEEDINGS OF THE MEETING**

**Tuesday, the 22nd August, 2023**

The Committee on Delegated Legislation met at 10.00 a.m. on Tuesday, the 22nd August, 2023 in the Conference Hall at Government Guest House, Dindigul.

The following members were present:

***CHAIRMAN***

1. Thiru. Sivakumar P @ Thayagam Kavi

***MEMBERS***

2. Thiru. J.L. Eswarappan
3. Thiru. J. J. Ebenezer @ J. John Ebenezer
4. Thiru. PST. Saravanan
5. Tmt. K . Sivagama Sundari
6. Thiru. K. Selvaraj
7. Thiru. E. Balasubramanian
8. Thiru. T. Ramachandran

***SECRETARIAT***

Thiru. G. Ganesh - Deputy Secretary

Thiru. P. Anbucholan, Joint Secretary to Government, Law Department was also present.

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The Committee then took up for consideration the Draft Report (9th Report – 16th Assembly) on the statement of action taken on the recommendations / observations of the Committee on Delegated Legislation contained in the **Ninth Report (Fifteenth Assembly).**

After some discussion, the Committee approved the Draft Report without any modifications and authorized the Chairman to sign and present the Report to the Assembly on its behalf.

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# ANNEXURE

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## STATEMENT OF ACTION TAKEN ON THE RECOMMENDATIONS OF THE COMMITTEE

## ON DELEGATED LEGISLATION CONTAINED IN ITS NINTH REPORT (FIFTEENTH ASSEMBLY)

**(Vide Lr. No. Legal / TNERC / DD(L) / 1500 / 2019 / D.No.1096 / 2020, dated 2.11.2020)**

| Sl. No. | Item No. in Part-II of the Main Report | Subject | Recommendations of the Committee | Action taken *(Vide Lr. No. Legal / TNERC / DD(L) / 1500 / 2019 / D.No.1096 / 2020, dated 2.11.2020)* | Remarks |
|---|---|---|---|---|---|
| 1. | 1 | Amendments to the Tamil Nadu Electricity Distribution Standards of Performance Regulations,2004<br><br>(Notification No. TNERC/ SPR/9/1-10, dt:14.8.2013) | The Committee is of the view that the headings in column (2) and (3) of the Table under the newly added proviso of Regulation 14 as appended to the notification, "Variation maximum limit %" and "Variation minimum limit %" has to be changed as "Variation minimum limit %" and "Variation maximum limit %" respectively.<br><br>The Committee suggests that the identification of voltage fluctuation may be viable to all consumers to achieve the purpose of this Regulation. | 'Voltage maximum limit' indicates the extent to which the voltage variation can go above the declared voltage of 240 Volts and the voltage 'Variation minimum limit' is the extent to which the voltage on the lower side is permissible. For example, for 240 Volts single phase 240+14.5 =254.5 Volt which is High Voltage is permissible. The low voltage can go upto 10% i.e. 240-24=216 volts. Technically the regulation may not require amendment. In future care would be taken to frame regulations that convey the meaning with clarity. The above regulation will also be taken up for review to necessitate any change in parameters if required, shortly. | **The Committee read and recorded the statement of action taken.** |

| Sl. No. | Item No. in Part-II of the Main Report | Subject | Recommendations of the Committee | Action taken *(Vide Lr. No. Legal / TNERC / DD(L) / 1500 / 2019 / D.No.1096 / 2020, dated 2.11.2020)* | Remarks |
|---|---|---|---|---|---|
| 2. | 2 | Amendments to the Tamil Nadu Electricity Regulatory Commission (Terms and Conditions for determination of Tariff) Regulations, 2005<br><br>(Notification No. TNERC/TR/5/2-11, dated 13.3.2014) | The Committee desires to be informed of the reasons for deleting the Regulations relating to Insurance (Regulation30) and Contingency Reserve (Regulation31) | The amendments to various provisions of the TNERC (Terms and Conditions for determination of Tariff Regulations) 2005 are effected so as to remove certain inconsistencies which existed with respect to other Regulations of the Commission, change of constitution of the licensees in the State of Tamil Nadu and to be consistent with certain provisions of the Tariff Regulations of the Central Electricity Regulatory Commission whose regulations have guiding effect on the State Commission.<br><br>Insurance and Contingency Reserve are factorized in O & M cost and O & M cost is proposed to be increased to 5.72% in line with CERC Tariff Regulations 2009-14 Further, no provision has been made for Contingency reserve in the CERC Regulations of 2009-14 and there is no provision for Contingency reserve in the Chart of Accounts as per Electricity (Supply) Annual Accounts Rules 1985 notified by the Govt. of India. And also this reserve is more of | **The Committee read and recorded the statement of action taken.** |

| Sl. No. | Item No. in Part-II of the Main Report | Subject | Recommendations of the Committee | Action taken *(Vide Lr. No. Legal / TNERC / DD(L) / 1500 / 2019 / D.No.1096 / 2020, dated 2.11.2020)* | Remarks |
|---|---|---|---|---|---|
| | | | | an appropriation rather than an expense. Hence, the above two items were deleted from the Regulations. | |
| | | | The Committee also desires to be informed of the reasons for omitting Regulation 83 which pertains to profit sharing. | Regulation – 83. Profit sharing:<br><br>The provision relating to profit sharing is available in Regulation 3(ix) of the MYT Regulations, 2009 which provides that the financial loss, if any, due to failure to achieve the target for the controllable costs in any of the years in the control period shall be borne by the licensee and the efficiency gains, if any, with respect to such parameters shall be shared between the licensee and the consumer in the ratio of 2:1. Therefore, Regulation 83 in the Tariff Regulations is not in harmony with the MYT Regulations is therefore omitted. | **The Committee read and recorded the statement of action taken.** |

| Sl. No. | Item No. in Part-II of the Main Report | Subject | Recommendations of the Committee | Action taken *(Vide Lr. No. Legal / TNERC / DD(L) / 1500 / 2019 / D.No.1096 / 2020, dated 2.11.2020)* | Remarks |
|---|---|---|---|---|---|
| | | | The Committee reiterates its earlier recommendation that the notification should be completely free from printing errors and spelling mistakes while placing it on the Table of the House. | Further, it is assured that future notifications will be of free from printing errors and spelling mistakes while placing it to the Table of the House. The notification of the said Regulation published in the Gazette with the correct date as mentioned by the Committee i.e., "April 9, 2014". | **The Committee read and recorded the statement of action taken.** |
| 3. | 3 | Tamil Nadu Electricity Regulatory Commission (Grid Connectivity and Intra-State Open Access) Regulations, 2014<br><br>(Notification No. TNERC/GC&ISOA/11/2, dated 13.3.2014) | The Committee desires to be informed whether the State Load Despatch Centre has framed guidelines for curtailment of open access customers. | As per Regulation 42 (on Curtailment priority) of Grid connectivity and Intra State Open Access Regulations, SLDC shall frame guidelines for curtailment of open access customers. TNSLDC has framed the guidelines and incorporated in the detailed procedure for grant of open access and hosted in TNSLDC's website for obtaining comments from stakeholders on 4.9.2020. Extract of copy of Detailed procedure for application of grant of open access for Long term, Medium term and Short term open access hosted for obtaining stakeholder's comments is enclosed. | **The Committee read and recorded the statement of action taken.** |

| Sl. No. | Item No. in Part-II of the Main Report | Subject | Recommendations of the Committee | Action taken *(Vide Lr. No. Legal / TNERC / DD(L) / 1500 / 2019 / D.No.1096 / 2020, dated 2.11.2020)* | Remarks |
|---|---|---|---|---|---|
| | | | The Committee noticed that in entry 11 of FORMAT-ST2 regarding approval for short term open access, there was a mention about 'FORMAT-ST5'. As the 'FORMAT-ST5' was not mentioned in the notification, the Committee desires to be informed of the details about it. | With respect to FORMAT - ST2 –approval for short term open access, the Committee has noted that in entry 11 of the Format ST2, there is a mention of 'FORMAT-ST5' which does not appear in the Regulation. This is an error in the Regulation. The Format –ST5 is the enclosure to be attached on 'Schedule of payments' that appears below the FORMAT-ST2. **An amendment will duly be issued in this regard.** | **The Committee decides to pursue the matter and recommends to settle it at the earliest.** |
| 4. | 4 | Amendments to the Tamil Nadu Electricity Supply Code<br><br>(Notification No. TNERC/SC/7-35, dated 3.6.2014) | The Committee recommends that the Notifications should be placed on the Table of the House within 6 months, after its publication in the Tamil Nadu Government Gazette as it was placed after one year. | The committee has recommended to place before the Table of House within 6 months. In this connection, it is stated that, the delay is due to sound administrative reasons like translation of the Regulations into Tamil and getting proof from the Government Press and etc. and not intentional. However, utmost care will be taken to place the notifications in time in future. | **The Committee read and recorded the statement of action taken.** |

| Sl. No. | Item No. in Part-II of the Main Report | Subject | Recommendations of the Committee | Action taken<br>*(Vide Lr. No. Legal / TNERC / DD(L) / 1500 / 2019 / D.No.1096 / 2020, dated 2.11.2020)* | Remarks |
|---|---|---|---|---|---|
| 5. | 5 | Amendments to the Regulations for Consumer Grievance Redressal Forum and Electricity Ombudsman, 2004.<br><br>(Notification No. TNERC/CGRF&EO/6-10, dated 8.9.2014) | The Committee recommends that in sub-regulation (5) of regulation 7, an erratum substituting the words 'to the forum and to the complainant' for the words 'to the forum and the complainant' be issued. | The erratum as suggested by the Committee will be issued. | **The Committee suggested to issue an erratum at the earliest and the same may be informed.** |
| | | (Notification No. TNERC/ CGRF&EO/6-11, dated 29.11.2016) | The Committee recommends that the Commission should make a suitable provision for appointing a Member of the Legislative Assembly as one of the Members of Consumer Grievance Redressal Forum for the effective functioning of the Forum. | The Consumer Grievance Redressal Forum Regulation is based on the Model regulations framed by the Forum of Regulators (FOR) constituted under section 166 of the Electricity Act, 2003. The Model Regulations framed by FOR specify as follows regarding appointment of members:<br><br>***"Appointment and Removal of Members***<br>*2.5. Each Forum shall consist of three members: Chairperson, Technical/ Finance Member, and Independent Member. The Chairperson and Technical/ Finance Member shall be appointed by the licensee; the Independent Member shall be appointed by the Commission.* | **The Committee read and recorded the statement of action taken.** |

| Sl. No. | Item No. in Part-II of the Main Report | Subject | Recommendations of the Committee | Action taken *(Vide Lr. No. Legal / TNERC / DD(L) / 1500 / 2019 / D.No.1096 / 2020, dated 2.11.2020)* | Remarks |
|---|---|---|---|---|---|
| | | | | *2.6. The Forum shall provide details regarding appointment of the Chairperson and Technical/Finance Member to the Commission within one week of appointing them.*<br><br>*2.7. The members to be selected shall meet the following criteria:*<br><br>*a) Chairperson: The person should be a retired Judicial Officer or a retired Deputy Collector or a retired Superintending Engineer of a Distribution Licensee, with minimum 10 years of experience.*<br><br>*Provided that, a Superintending Engineer of a Distribution Licensee applying for the post of Chairperson of the Forum shall not have been in the employment in any capacity under, or agency of, the Distribution Licensee for a minimum period of three (3) years prior to being appointed as Chairperson of the Forum.* | ,,,, |

| Sl. No. | Item No. in Part-II of the Main Report | Subject | Recommendations of the Committee | Action taken *(Vide Lr. No. Legal / TNERC / DD(L) / 1500 / 2019 / D.No.1096 / 2020, dated 2.11.2020)* | Remarks |
|---|---|---|---|---|---|
| | | | | *b) Technical/ Finance Member: The person should be a serving officer of the licensee, not below the rank of an Executive Engineer or equivalent, with at least 10 years of experience in electricity supply and distribution or accounts or finance.*<br><br>*c) Independent Member: The person shall be a representative of a registered society/ NGO/ consumer organization having one of its main objectives as consumer protection with at least 5 years of standing or alternatively the representing member should have five years of experience in consumer-related matters."*<br><br>Commissions' CGRF Regulations are based on the above regulations of FOR. However, the suggestion of the Committee will be examined further and a final decision will be taken. | ,,,, |

| Sl. No. | Item No. in Part-II of the Main Report | Subject | Recommendations of the Committee | Action taken *(Vide Lr. No. Legal / TNERC / DD(L) / 1500 / 2019 / D.No.1096 / 2020, dated 2.11.2020)* | Remarks |
|---|---|---|---|---|---|
| 6. | 6. | Amendments to the Tamil Nadu Electricity Distribution Code (Notification No. TNERC/DC/8-20, dt.11.9.2014)<br><br>(Notification No. TNERC/DC/8-22, dt.23.1.2015)<br><br>(Notification No. TNERC/DC/8-21, dated 7.10.2014) | The Committee decided to reiterate its earlier recommendation that the department should include the 'existing Regulation' and the 'Regulation as Amended' side by side in the Notification as 'Annexure' and also to include a brief explanatory note in the Notification in order to have a proper understanding.<br><br>The Committee is of the view that under the headings in FORM-2 the expression 'refer clause 27(2)' may be substituted for the words 'refer regulation 27(2)'.<br><br>The Committee recommends that under the headings in FORMS 5, 6, 7 & 8 of ANNEXURE III the expression "refer clause" may be substituted for the words "refer regulation". | The Committee has observed that the explanatory statement and statement of existing and proposed regulations have not been provided. Commission has taken note of the remarks of the Committee for strict adherence while issuing any amendment to the Regulations. It is also brought to the kind notice of the Committee that the procedure specified by the Committee is being followed by the Commission.<br><br>The amendment as suggested by the Committee would be issued shortly<br><br>The amendment as suggested by the Committee would be issued shortly | **The Committee treated the recommendation as implemented.**<br><br>**The Committee decides to pursue the matter and recommends to settle it at the earliest.**<br><br>,,,, |

| Sl. No. | Item No. in Part-II of the Main Report | Subject | Recommendations of the Committee | Action taken *(Vide Lr. No. Legal / TNERC / DD(L) / 1500 / 2019 / D.No.1096 / 2020, dated 2.11.2020)* | Remarks |
|---|---|---|---|---|---|
| | | | The Committee reiterates its earlier recommendation that a 'Note' to a Regulation will not have the force of a Regulation and it should be replaced by a Regulation.<br><br>The Committee observes that in sub-regulation (12) of regulation 27, the existing regulation provides Deputy Tahsildar and above positions have power to grant "No Objection Certificate" for the purpose of supply of electricity services to the Poromboke lands and now the proposed amendment has not clearly mentioned which officer has to issue" No Objection Certificate" for the above said purpose, the Committee desires to be informed of the details about it. | In this regard it is submitted that the 'Note' under sub-regulation 3 to regulation 7 has been amended as "Explanation" while issuing the amendment to regulation 27 vide Notification No.TNERC/DC/8-25, dt.18.12.2019.<br><br>Amendment to regulation 27(12) – Poromboke lands are under the control of Central Government establishments like in the case of Defence land where the officer in charge has to issue No objection certificate. Therefore the expression 'Officer of the concerned Government Departments' was issued. The amendment shall duly be reviewed and an appropriate amendment issued by naming the officer from whom the No Objection certificate is to be obtained. | **The Committee treated the recommendation as implemented.**<br><br>**The Committee decides to pursue the matter and recommends to settle it at the earliest.** |

| Sl. No. | Item No. in Part-II of the Main Report | Subject | Recommendations of the Committee | Action taken *(Vide Lr. No. Legal / TNERC / DD(L) / 1500 / 2019 / D.No.1096 / 2020, dated 2.11.2020)* | Remarks |
|---|---|---|---|---|---|
| 7. | 7. | Amendment to the Tamil Nadu Electricity Regulatory Commission (Renewable Energy Purchase Obligation) Regulations, 2010. (Notification No. TNERC/RPO/ 19-4, dt. 7.3.2016) | The Committee recommends that the Commission should encourage the production of renewable energy sources in a larger scale. | The Commission has promoted production of Renewable Energy Sources by suing preferential tariff orders for procurement of wind, solar, biomass, bagasse, Municipal solid waste by the Distribution Licensee. The Commission has also specified the Renewable Energy Purchase Obligation for purchase of Renewable Energy by it obligated entities i.e. Distribution Licensee, Captive and Open Access consumers.<br><br>Recommendation of the Committee to encourage production of Renewable Energy is noted and shall be adhered in future too. | **The Committee read and recorded the statement of action taken.** |

TAMIL NADU LEGISLATIVE ASSEMBLY
TRUTH ALONE TRIUMPHS

**Dr. K. SRINIVASAN,**
**Secretary.**