

No. 23/26/2022-R&R
Government of India
Ministry of Power

**

Shram Shakti Bhawan, Rafi Marg,
New Delhi, 19th January, 2023

To,

1. Secretary, MNRE, New Delhi
2. Chairperson, Central Electricity Authority, Sewa Bhavan, R.K. Puram, New Delhi
3. Secretary, Central Electricity Regulatory Commission (CERC), New Delhi
4. Principal Secretaries/Secretaries (Power/Energy) of all State Governments/UTs
5. Secretaries of All State Electricity Regulatory Commissions/JERCs.
6. Chairman/CMDs of all PSUs under administrative control of Ministry of Power
7. CMD, SECI, New Delhi
8. CMDs/MDs of Discoms/Gencos of all State Governments
9. CMD, IEX LTD New Delhi & MD/CEO, PXIL, Mumbai
10. DG, Association of Power Producers, New Delhi.
11. President, FICCI, House No. 1, Tansen Marg New Delhi
12. President, CII, New Delhi
13. President, PHDCCI, New Delhi
14. ASSOCHAM, Chanakyapuri, New Delhi
15. Member, PRAYAS Energy Group, Pune
16. DG, Electric Power Transmission Association (EPTA), New Delhi
17. Chairman Indian Wind Power Association, New Delhi
18. Chairman, Indian Wind Turbine Manufacturers Association, New Delhi
19. Director General, National Solar Energy Federation of India (NSEFI), New Delhi.

Subject: Draft Electricity (Amendment) Rules, 2023- Reg.

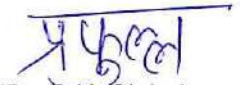
Sir/Madam,

I am directed to forward herewith the draft Electricity (Amendment) Rules, 2023, with request to provide your comments, if any, to this Ministry within 30 days from the date of this letter, i.e. by 17.02.2023. The comments may also be emailed at pk.sinha1966@gov.in.

2. This issues with the approval of Competent Authority.

Encl: as above

Yours faithfully,



(Dr. P.K. Sinha)

Deputy Secretary to the Govt. of India

Ph: 011-2373 6275

Copy for information to: PS to Hon'ble Minister for Power and NRE, APS to MoSP, Sr. PPS to Secy (P), PS to CE (R&R), Ministry of Power.

Copy to: Technical Director, NIC Cell for uploading on MOP's website under "Current Notices" with the heading of "Seeking comments on draft Electricity (Amendment) Rules, 2023."

[DRAFT]

[To be published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (i)]

GOVERNMENT OF INDIA
MINISTRY OF POWER

NOTIFICATION

New Delhi, dated the January, 2023

G.S.R. (E).- In exercise of the powers conferred by Section 176 of the Electricity Act, 2003 (36 of 2003), the Central Government hereby makes the following rules, further to amend the Electricity Rules, 2005, namely:-

1. (1) These rules may be called the Electricity (Amendment) Rules, 2023.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Electricity Rules, 2005 (hereinafter referred to as the said rules),

(i) After Rule 4, the following Rule 4 A shall be inserted namely:-

"i. Where any person or entity - including a Govt. Company was functioning as a licensee under the previous Act; and continues to function as a licensee under the provision of Section 14 of the Act; and where the duration of the license was not prescribed under the previous Act; in such cases the period of the license shall be 25 years from the date of the coming into force of this Act.

ii. Licensees are required to apply for and obtain, the renewal of their license before the date of expiry of their license.

iii. The license shall be renewed for a period of 25 years at a time."

(ii) after Rule 20, the following Rule shall be inserted, namely:-

"21. Eligibility for Chairperson and Members of State Electricity Regulatory Commission/Joint Electricity Regulatory Commission.

—The Chairperson / Members of the State Commission shall be a person who has been:

(i) Head of an organisation dealing with generation, transmission or distribution of electricity, in case of Chairperson and a Member of the Board of such organisation, in case of a Member; or

(ii) atleast Principal Secretary to the State Government or at any equivalent post in the Central Government or State Governments in case of Chairperson and at least Secretary to the State Government or at any equivalent post in the Central Government or State Government, in case of a Member:

Provided that a person who has served in the past, in a power sector utility under control of the concerned State Government , within 3 years from the date of advertisement for the post shall not be eligible:

Provided also that preference shall be given to a person having adequate knowledge of and experience of not less than two years in the power sector."

[F. No. 23/26/2022-R&R]

(....)
Joint Secretary

Note: The Principal Rules were published 2005 in the Gazette of India, Part-II, Section 3, Sub-section (i) vide number G.S.R 379 (E), dated the 8th June, 2005 and was last amended vide number G.S.R. 817 (E), dated 31st December, 2020 and vide number G.S.R. 911 (E), dated 29th December, 2022.