

**GOVERNMENT OF INDIA
POWER
LOK SABHA**

UNSTARRED QUESTION NO:990
ANSWERED ON:29.11.2012
INSTRUCTIONS TO STATE ELECTRICITY REGULATORY COMMISSIONS
Adhi Sankar Shri

Will the Minister of POWER be pleased to state:

- (a) whether his Ministry has instructed the State Electricity Regulatory Commissions that all consumers consuming 1 Megawatt or more be excluded from category of consumers who avail the tariffs set by the Commission;
- (b) if so, the details thereof;
- (c) whether the decision is likely to seriously impact textile units as they will be forced to source power through open access method;
- (d) if so, whether the Ministry of Textiles has written to his Ministry for continuation of the liberal power purchase policy for the industry; and
- (e) if so, the details thereof and the action taken by his Ministry in this regard?

Answer

THE MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF POWER (SHRI JYOTIRADITYA M. SCINDIA)

(a) & (b) : The Ministry of Power in consultation with M/o Law & Justice/Ld. Attorney General of India has issued a clarification vide letter dated 30.11.2011 that `all 1 MW and above consumers are deemed to be open access consumers and that the regulator has no jurisdiction over fixing the energy charges for them`. All concerned including State Governments, have been requested to take necessary steps for implementing the provisions relating to open access in the Electricity Act, 2003 in light of the said opinion.

Further, Ministry of Power vide letter dated 23rd April, 2012 has again advised State Governments to consider giving directions to the State Electricity Regulatory Commission under section 108 of the Electricity Act, 2003 to frame appropriate Regulations in pursuance of the clarification of the provisions of the Electricity Act for smooth implementation of Open Access.

(c) : The concept of open access in the electricity sector was introduced in the Electricity Act, 2003 with a view to promoting competition and providing the consumers, including industries, a choice as an important reform measure.

(d) : No reference has been received from the Ministry of Textiles for continuation of the liberal power purchase policy for the industry.

(e) : Does not arise in view of (d) above.