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PUBLIC NOTICE

Sub: Suggestion/opinions on the Amendment to the Regulation 80 (5) (i) of OERC Distribution (Conditions of Supply) Code, 2004.

No. OERC-Engg-92/2003(Vol.VII) /1410/ Dt. 15.10.2014 - In exercise of powers conferred on it under Section 181 of the Electricity Act, 2003, the Odisha Electricity Regulatory Commission had framed OERC Distribution (Conditions of Supply) Code, 2004 which were published in the Orissa Gazette extraordinary No.710 dtd. 28th May, 2004. The said Regulations were amended eight times which were published in Orissa Gazette No. 1261, 1266 dtd. 22.09.2004, No. 557 dtd. 24.03.2007 (No.1688 dtd. 17.09.2007 on the same matter on correction of some typographical error), 2066 dtd. 31.10.2007, 1586 dtd. 26.10.2009, 1689 dtd. 12.10.2010, 1203 dtd. 19.05.2011 and 477 dtd. 19.03.2013 respectively. In the meanwhile nature and purpose of supply of certain categories of consumers have changed. Therefore, the Commission contemplates amendment to the OERC Distribution (Conditions of Supply) Code, 2004 in the interest of the general public.

The amendments contemplated are available in the Commission's website: www.oriarc.org. The copies of the proposed amendment may also be obtained from the Commission's office on request and payment of necessary fees.

Before finalization of the said amendments, the Commission hereby invites opinion through this previous publications u/s 181(3) of the Electricity Act, 2003. Interested persons/ institutions/ associations may furnish their suggestions/opinions on the said amendments to the undersigned within 30 days of publication of this notice. On receipt of the responses from different quarters, the Commission may, in appropriate cases, bring modifications, if any, to the proposed amendments and approve the same for publication in the official gazette.

By the Order of the Commission

Sd/-

SECRETARY

**ODISHA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAVAN
UNIT-VIII, BHUBANESWAR-751012**

NOTIFICATION

No. OERC-Engg-92/2003(Vol.VII)/1409, Dated 15th October, 2014

STATEMENT OF OBJECTS AND REASONS - In exercise of powers conferred on it under Section 181 of the Electricity Act, 2003, the Odisha Electricity Regulatory Commission had framed OERC Distribution (Conditions of Supply) Code, 2004 which were published in the Orissa Gazette extraordinary No.710 dtd. 28th May, 2004. The said Regulations were amended seven times which were published in Orissa Gazette No. 1261, 1266 dtd. 22.09.2004, No. 557 dtd. 24.03.2007 (No.1688 dtd. 17.09.2007 on the same matter on correction of some typographical error), 2066 dtd. 31.10.2007, 1586 dtd. 26.10.2009, 1689 dtd. 12.10.2010, 1203 dtd. 19.05.2011 and 477 dtd. 19.03.2013 respectively. The said Supply Code has categorised consumers basing on the purpose of supply. In the meanwhile nature and purpose of supply of certain categories of consumers have changed. Therefore, the Commission contemplates amendment to the OERC Distribution (Conditions of Supply) Code, 2004 in the interest of the general public.

Regulation 80 (5) (i) OERC Distribution (Conditions of Supply) Code, 2004 defines **Irrigation Pumping and Agriculture** as follows

“This category relates to supply of power for pumping of water in lift irrigation, flow irrigation and for lifting of water from wells/borewells, dug-wells, nallahs, streams, rivulets, rivers, exclusively for agricultural purposes in areas other than areas coming under Municipality / NAC limit of the State”.

This category has been devised to supply power to irrigation pumps in rural areas. Tariff for the category mentioned above is intended to promote Agriculture by marginal farmers in rural areas when tariff subsidy is not at present available.

It has now come to the notice of the Commission that the present regulation by not making a distinction between the capacities of pump are misused by persons other than farmers through extraction of ground water using higher capacity pumps for commercial purpose and enjoying concessional tariff. This was obviously not the purpose for which the Regulation has been framed. Tariff policy notified by Govt. in Para 8.33 has also provided as follows.

XXX A higher level of subsidy could be considered to support poorer farmers of the region where adverse ground water table condition requires larger quantity of

electricity for irrigation purposes subject to suitable restrictions to ensure maintenance of ground water levels and sustainable ground water usage.

Accordingly, the Commission hereby notifies the following amendment of the OERC Distribution (Conditions of Supply) Code, 2004 for information of the general public.

PROPOSED AMENDMENT (DRAFT)

1. **Short title and commencement:**

- (i) These Regulations may be called the OERC Distribution (Conditions of Supply) Code (9th Amendment), 2014.
- (ii) It shall come into force on the date of its publication in the Official Gazette.

2. **Amendment to Regulation 80 (5) (i):**

80. (5) (i) Irrigation Pumping and Agriculture: This category relates to supply of power for pumping of water in lift irrigation, flow irrigation and for lifting of water from wells/borewells, dug-wells, nallahs, streams, rivulets, rivers, exclusively for agricultural purposes in areas other than areas coming under Municipality / NAC limit of the State. This category is applicable to Pumping capacity of less than 15 HP in aggregate for a single consumer.

By the order of the Commission,

Sd/-

SECRETARY