

**Tripura Electricity Regulatory Commission's  
(Miscellaneous Provision relating to petition fees,  
license fees and other fees) Regulations 2016**

TRIPURA



GAZETTE

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PART--I-- Orders and Notifications by the Government of Tripura,  
The High Court, Government Treasury etc.

**TRIPURA ELECTRICITY REGULATORY COMMISSION**  
(MISCELLANEOUS PROVISIONS RELATING TO PETITION FEES, LICENSE  
FEES AND OTHER FEES.)  
**REGULATION, 2016.**

Bhoturia, Banamalipur, Agartala, Tripura (W), Pin-799001  
Ph: (0381)232-6373(O)/F Website: www.terc.nic.in

NO.F./25/TERC/09/62

**NOTIFICATION**Dated, 24<sup>th</sup> May 2016.

In exercise of powers conferred by section -64 and sub-section-(1) & (2) read with Section -181 of Electricity Act, 2003 and all other powers enabling on that behalf, and in supersession of the Notification NO.F./25/TERC/09/203 Dated, 17<sup>th</sup> August 2011 published on March 13, 2012 in the Tripura Gazette, Extraordinary, Tripura Electricity regulatory Commission hereby makes the Regulations:-

1. **Short title, Commencement and Interpretation:**

- (i) These Regulations may be called the Tripura Electricity Regulatory Commission's (Miscellaneous Provision relating to petition fees, license fees and other fees.), Regulations 2016 and these may be read in conjunction with TERC, Conduct of Business Regulations (CBR) 2015.
- (ii) These shall come into force from the date of the publication in the Official Gazette otherwise specified and shall be concurrent within the jurisdiction of TERC.
- (iii) The words and expressions used in this regulation shall have following meaning unless the context otherwise requires.
  - (a.) "Act" means the Electricity Act, 2003.
  - (b.) "The applicant" means the person who has made an application for determination of Tariff or for any matter in consideration of the Commission as per the provisions of the Act.
  - (c.) "Application" means the application along with Annexure and enclosures and payable fees made to the Commission for determination of tariff and others Rules made under the Act.
  - (d.) "Commission" means, the Tripura Electricity Regulatory Commission in constituted under the Section -82 of the Tripura Electricity Regulatory Commission.
  - (e.) "Consumer Representative" means such person as may be authorized by the commission to represent the interests of consumers in accordance with sub-section (3) of Section 94 of the Act.
  - (f.) "Fund" shall mean the State Electricity Regulatory Commission fund constituted under section 103 of the Act;
  - (g.) "Petition" shall include all petitions, complaints, appeals, replies, rejoinder, supplemental pleadings and other papers and documents filed before the Commission;
  - (h.) "Schedule" refers to the schedule appended to these Regulations;

- i) "Utility/Licensee" means any person engaging in Generation, Transmission, Sale, Distribution or Supply of Electricity;
- j.) The Words and expression used but not defined in these Regulations shall have the meaning assigned them under the Act..

IV. The Tripura General Clause Act shall apply to the interpretation of this jurisdiction unless otherwise indicated in these regulations or inconsistent with the provisions of the Act, 2003.

**2. Fees on Petitions, Applications etc :**

- 2.1 Every petition, application or grievance filed before the Commission shall be accompanied by such fee as specified in the "Schedule of Fees" enclosed as Annexure-III of these Regulations. However, every application for grant of license under Section 14 of the Act shall be accompanied by such fee as prescribed by the State Government under Section 15 of the Act. Provided that no fee is payable on filing of objections or replies in response to a filed petition or application.
- 2.2 No fees under these Regulations shall be payable on the applications made by State Load Dispatch Centre, state and Union Government.
- 2.3 All fees received by the Commission under these Regulations shall be credited to the fund

**3. Fees Payable on license:**

- (i). The licensees as well as deemed licensee shall pay the annual fee for the Financial Year 2016-17 onwards as specified in the Schedule of Fees enclosed as Annexure-III and shall not be required to pay any initial license fee. However , for the year 2016-17 enhanced payment should be make on prorate basis from the date of Gazette Notification .
- (ii) In addition to the annual fee, new entrants shall be required to pay initial license fee also.
- (iii) All annual fees commencing from the Financial Year 2016-17 shall be paid by 15<sup>th</sup> April each year
- (iv) In case of late payment of annual fee, interest will be payable on the delayed amount at the rate of 1.25 % per month or part thereof.

**4. Inclusion in tariff.**

The Licensee shall be entitled to take into account any fee or charge paid by it under these Regulations as an expense in the determination of tariff, provided that any penalty

paid under the provisions of the Act shall not be allowed as an expense in the determination of tariff.

**5. Utilization of Fund:**

The Commission shall be entitled to utilize the Fund created through receipt of various Fees for the discharge of its functions. Unutilized amount out of the Fund in a Financial Year, if any, may be utilized in the succeeding financial year/ years.

**6. Presentation of petitions, application, objections, replies etc.**

- (i). All petitions, applications ,objections, replies, documents etc. shall be filed in 6(six) copies before the Secretary or designated receiving Officer at the Head Office of the Commission during the working hours on all working days in accordance with the provisions of TERC (CBR) ,2015.
- (ii). The application shall made in the form appended and shall be accompanied by such fees as specified in these regulation.
- (iii). The applicant shall Post complete application on its own Website or any other authorized Website to be made known to public before making the application to the Commission
- (iv). Address to the Website where on the application posted should be intimated to the Commission .The application should be kept in the Website for one month at least.
- (v). The application shall be supported by affidavit of the person acquainted with the facts stated in the application.
- (vi). The applicant shall within the 7 days after making the application ,publish on it's own application, at least 2(two)daily News papers, one in English and another one in vernacular language circulated in the State of Tripura.
- (vii). The suggestion and objection if any, to proposal for the determination of the tariff shall be filed before the Secretary, TERC by any person within 30(thirty) days of publication of this notice.
- (viii). The application shall within 7(seven) days from the date of publication of the notice as aforesaid submit to the Commission through an affidavit , the details of the notice published and shall also file copies of the notice where a notice has been published .(As per Schedule-1 annexed).
- (ix). The applicant shall file his comments on the suggestion/objection if any received in response to the public notice within 45(forty-five) days of its publication.
- (x). A copy of the application made for determination of tariff shall be posted on the Website (address of the Website ).The copy of the application shall also be made available for inspection in the Office of the applicant with the designated Officer of the applicant 's authorized person whose particulars are to be inform while publishing in the website:-
  - Name;
  - Address;

- Telephone No
  - Any particulars of the official
- (NI) The suggestion /objection, if any of the application may be filed by any person before the Secretary, TERC with a copy to the applicant within 30 days from the publication of the notice through affidavit.

(XII) Decision on Application-

- The Commission may after considering the suggestions objections received in response to the public notice-
- (a.) Issue the tariff order accepting the application with such modification or such condition as may be specified in the order .Provided that the Commission may in its discretion ,afford an opportunity of hearing to the applicant ,consumer, stakeholder ,any person who has files any suggestion or objection or any one or more them before issuing the tariff order.
  - (b.) Reject the application for reasons to be recorded in writing if such application is not in accordance with the provision of the Electricity Act,2003 ,the rules or regulations made there under or the provision of any other law for the time being in force.  
Provided, the applicant shall be given a reasonable opportunity for being heard before rejecting the application.
  - (c.) The Commission shall, within 7 days of making the order send a copy of the order to the State Government, the CEA, the applicant and other authority.

7. Member of professional bodies to represent before the Commission-

- (1) The Commission specified the following professional bodies for the purpose of regulation 21(f) of the Tripura Electricity Regulatory Commission, CBR in addition to the registered legal practitioner/Advocates:-
  - (a.) Institute of Charter Accounts of India.
  - (b.) Institute of Cost and Works Accounts of India .
  - (c.) Institute of Company Secretaries of India.
- (2) The Vakalatnama or the authority letter shall be in the form as specified in Annexure-1, The memorandum of appearing for representing the party shall be in the form as given in Annexure-II.

8. Fees on petitions, application etc.

Any petition/application etc. filed before the Commission shall be accompanied by the fee as may be specified or as has been specified in the schedule enclosed as Annexure-III. The fees can be revised at any point of time at the sole discretion of Commission .The fee shall be payable by means of Account payee demand draft/pay order payable at Agartala in favour of Tripura Electricity Regulatory Commission .Payment in cash may also be accepted up to an amount of Rs. 1000/- (One thousand) only in each case against stamp receipt.

Provided that the RLDC's /SLDC's and the Consumer Groups/Associations /Societies registered with the Commission are exempted from payment of prescribed fees except for fees for inspection and obtaining certified copies .Provided further that no fees is payable on filling objections or replies in response to a petition or application.

**9. Procedure for registration of Consumer Groups/Association/ Societies-**

- (1) Procedure for registration of consumer groups (associations/societies) shall be in the proforma as in Annexure-IV and will be accompanied by a fee of Rs.500/- (Rupees five hundred) only per annum.
- (2) No application shall be entertained if not properly filled in or signed by authorized signatory.
- (3) No recognition shall be given to such bodies unless its area of activity covers Tripura and filed of activity is in the Power sectors.
- (4) No recognition shall be given to a group (Association/Societies) unless they have a valid registration and has worked for at least 3(three) years in required field.
- (5) No recognition shall be given unless such body has furnished its audited account for last 3(three) years.
- (6) The Commission may de-recognize any group or association or society if after the recognition given it is found that any information/data given to the Commission was not correct.
- (7) If any application for registration is rejected on the ground of lack of required information, the group /association /society may apply afresh.

**10. Repeal and Saving**

- (1). Tripura Electricity Regulatory Commission (Miscellaneous Provision relating to Petitions. Fees), Regulations 2011 is hereby repealed.
- (2). Notwithstanding such repeal , but without prejudice to the Application of Section 6 of General Clauses Act, 1897 (10 of 1897) anything done or any action taken or purported to have been done or taken under or in pursuance of the Regulation so repealed shall , in so far as it is not inconsistent of the provisions of this Regulation , be deemed to have been done or taken under or in pursuance of the corresponding provision of this Regulation

By Order of the Commission

(Er. H.K.Das)

Secretary,

Tripura Electricity Regulatory Commission

Annexure-1  
[See Regulation-3(2)]

BEFOR THE TRIPURA ELECTRICITY REGULATORY COMMISSION, AGARTALA

\* Petition No. \_\_\_\_\_

IN THE MATTER OF

\_\_\_\_\_ Petitioner

Vs

\_\_\_\_\_ \*Respondent

I .....Practicing /working as .....Having  
being authorized by....., to act as his/its  
representative /agent in the above matter and to do all or any act on behalf of the above  
named petitioner /respondent in all matters in the aforesaid case.

Place \_\_\_\_\_

Signature

Date \_\_\_\_\_

Name & Address

Certified that I have given the above authority and I have powers to give such an  
authority .Change if any, will be duly registered with the Commission and I will continue  
to be bound by the act ,action and /or other submission /undertaking etc. made/given by  
him /it before registration of such change.

Signature

\_\_\_\_\_  
Name & Address

\* If applicable.

Tripura Gazette, Extraordinary issue, November 18, 2016 A.D

Annexure-II  
[See Regulation-3(2)]

BEFORE THE TRIPURA ELECTRICITY REGULATORY COMMISSION, AGARTALA

\*Petitioner No. \_\_\_\_\_

IN THE MATTER OF

\_\_\_\_\_  
Petitioner

Vs

\_\_\_\_\_  
\* Respondent

**Memo of Appearance**

I.....Practicing/working as .....

Having being authorized by ....., to act as his/its representative /agent in the above matter and to do all or any act on behalf of the above named petitioner/respondent in all matters in the aforesaid case do hereby enter appearance on behalf of .....

Place \_\_\_\_\_

Signature

Date \_\_\_\_\_

Name & Address

\* If applicable.



**SCHEDULE OF FEES****1. Fees to be paid with Petition for a License:**

SL. NO	Nature of Petition	Fees
1.1	Fee payable with Petition for a transmission distribution /trading license under Section 15(1) of the Act.	Rs. 5,00,000.00 (Rupees Five lakh) . Or Fees as may be prescribed by the State Government under the provisions of Electricity Act, 2003.
1.2	Initial License fee for under section 14 of the Act. a. For a transmission /distribution license b. Trading License	Rs. 3,00,000.00 (Rupees Three lakh) Rs. 5,00,000.00(Rupees Five lakh)
1.3	Petition for grant of exemption from licensee and Annual Fee for the licensee/deemed licensee who has taken exemption from license under Section 13 of the Act.	Application Fee –Rs.5,000.00 (Rupees Five Thousand) Renewal Fee Rs. 1000.00 /-Per year for subsequent year.

**2. Annual License fee to be paid by the Licensees including a deemed Licensee:**

Sl No.	Type of License	Amount (per year)
2.1	Transmission License	0.05 paisa per kwh on energy handled (Gross) during immediate previous Financial year subject to Min <sup>m</sup> 10(ten)lakhs and Max <sup>m</sup> 15 lakhs (Rupees Fifteen lakhs and fifty thousand).
2.2	Distribution License	0.125 paisa per kwh on energy handled (Gross) during immediate previous Financial year subject to Min <sup>m</sup> 20 laks(twenty lakh) and Max <sup>m</sup> 35 Lakhs (Rupees Thirty Five lakhs and Twenty five thousand )
2.3	Trading License	0.071 paisa per kwh traded during immediate previous year subject to minimum Rs.5( Rupees five lakh)
2.4	In case of Bundle Licensee like TSECL who is responsible for transmission and distribution.	0.18 paisa per kwh on energy handled (Gross) during immediate previous year. Subject to Min <sup>m</sup> Rs.30 (Thirty) lakhs and Max <sup>m</sup> 45(Fourty five) lakhs.

Note: The annual fees are payable within 15 days of the commencement that is by 15th of April of each financial year. Any delay shall attract a penalty as per clause 3(IV) of this Regulation.

**3. Petition for amendment of license u/s 18 of the Act.**

Sl. No	Type of License	Amount (per year)
3.1	Petition by licensee.	Rs. 1,00,000.00 (Rupees One lakh)
3.2	Petition by any person other than a licensee	Rs.50,000.00 (Rupees fifty thousand)

**4. Petition for revocation of license under Sub-section (2) of Section 19 of the Act.**

Sl. No	Nature of Petition	Fee
4.1	By Licensee	Rs.3,00,000/- (Rupees Three lacs)
4.2	By Others	Rs.100,000/-(Rupees One lak)

**5. Determination of tariff under the provisions of Clause (a) of sub-section 1 of Section 62 of the Act.**

Sl. No	Nature of Petition	Fee
5.1	Petition for determination of tariff for supply of electricity, wholesale, bulk or retail, by a distribution Licensee including a deemed Licensee as also for determination of tariff/charges of wheeling in respect of such distribution Licensee including a deemed Licensee.	0.125 paisa per kwh proposed to be dealt in gross during the control period for which the application is being filed subject to a minimum of Rs. 20,00,000/- (Rupees twenty lakh).
5.2	Petition for determination of tariff for supply of electricity to any distribution Licensee including a deemed Licensee by a generating company of following categories. (i) Conventional fuel (coal, gas, oil etc.) based plant except captive generating plant.  (ii) Conventional fuel (coal, gas, oil etc.) based captive generating plant.  (iii) For determination of tariff for a class of project (Non-conventional and renewable energy based plants including Wind, Solar, Small Hydro Plant and Cogeneration Plant etc.) (iv) Hydro generating station including pumped storage plant, mini or small hydro generating station and captive hydro generating plant. (v) Captive hydro generating station other than mini or small hydro generating station.  (vi) In case bundle licensee like TSECL who is responsible for transmission and distribution.	 Rs. 8,000 per MW of installed capacity or part thereof subject to a Min <sup>m</sup> of Rs. 10,00,000/- (Rupees ten lakh)  Rs. 5,000 per MW of installed capacity or part thereof subject to a minimum of Rs. 1,00,000/-(Rupees one lakh).  Rs. 8,000 per MW of installed capacity or part thereof subject to a minimum of Rs. 2,00,000/- (Rupees two lakh)  Rs. 8,000 per MW of installed capacity or part thereof subject to a minimum of Rs. 5,00,000/- (Rupees Five lakh)  Rs. 8000 per MW of installed capacity or part thereof subject to a minimum of Rs. 3,00,000/- (Rupees Three lakh)  0.18 paisa per kwh on energy proposed to be handled for the concerned year for which petition to be filed subject to Min <sup>m</sup> Rs. 30(Thirty lakh) .

	vii) In case bundle licensee like TSECL who is responsible for Generation, Transmission and distribution	.20 Paisa per kwh on energy proposed to be handled for the concerned year for which petition to be filled subject to Min <sup>m</sup> Rs. 35(Thirty-five lakh)
5.3	Petition for determination of tariff / charges for transmission of electricity by a transmission Licensee including a deemed Licensee.	Paisa 0.10 for each 100 kWh proposed to be transmitted and/or wheeled in gross during the control period for which the application is being filed subject to a minimum of Rs. 10,00,000/- (Rupees ten lakh)

**6. Fee for Annual Performance Review of Multi Year Tariff of Generating Companies, Transmission Licensees and Distribution Licensees (including deemed Licensees) under MYT framework :**

Sl. No.	Name of Petition	Fee
6.1	Petition for Annual Performance Review of tariff for supply of electricity, wholesale, bulk or retail, as also of tariff / charges for wheeling of a distribution Licensee under multi-year tariff framework.	0.10 paisa for each kwh proposed to be dealt in gross sold and/or wheeled during the year under Annual Performance Review subject to a minimum of Rs. 7,50,000/- (Rupees Seven lakh fifty thousand) and Max <sup>m</sup> 10 (ten) lakhs
6.2	Petition for Annual Performance Review of tariff under Multi Year Tariff framework for supply of electricity to any distribution Licensee by a generation company of following categories:  (i) Conventional fuel (coal, gas, oil etc.) based plant except captive generating plant.  (ii) Conventional fuel (coal, gas, oil etc.) based captive generating plant.  (iii) For determination of tariff for a class of project (Non-conventional and renewable energy based plants including Wind, Solar, Small Hydro Plant and Cogeneration Plant etc.)  (iv) Hydro generating station including pumped storage plant other than mini or small hydro generating station and captive hydro generating plant.  (v) Captive hydro generating station other than mini or small hydro generating station	  Rs. 4000 per MW of installed capacity or part thereof subject to a Min <sup>m</sup> and Max <sup>m</sup> Rs.8.5 lakhs - (Rupees Eight lakh and fifty thousand)  Rs. 1000 per MW of installed capacity or part thereof subject to a minimum of Rs. 100,000/- (Rupees one lakh)  Rs. 1000 per MW of installed capacity or part thereof subject to a minimum of Rs. 2,00,000/- (Rupees Two lakh)  Rs.1000 per MW of installed capacity or part thereof subject to a minimum of Rs. 1,00,000/- (Rupees one lakh)  Rs.1000 per MW of installed capacity or part thereof subject to a minimum of Rs. 1,00,000/- (Rupees one lakh)

6.3	Petition for Annual Performance Review of tariff / charges for transmission of electricity of a transmission Licensee including a deemed Licensee under multi-year tariff framework.	Paisa 3 for each 400 kWh transmitted and / or wheeled during the year under Annual Performance Review subject to a Min <sup>m</sup> and Max <sup>m</sup> of Rs. 6 lakh/- (Rupees Six lakh)
6.4	Petition for Annual Performance Review of tariff / charges for transmission and distribution of electricity of a transmission and distribution Licensee including a deemed Licensee under multi-year tariff framework	.15 paisa per kwh transmitted and distributed or wheeled during the year under Annual performance Review subject to Min <sup>m</sup> and Max <sup>m</sup> of Rs. 15 lakh/- (Rupees Fifteen lakh)
6.5	Petition for Annual Performance Review of tariff / charges for Generation , transmission and distribution of electricity of a Generation ,transmission and distribution (combined)Licensee including a deemed Licensee under multi-year tariff framework	.20 Paisa per kwh generated/ transmitted and distributed or wheeled during the year under Annual performance Review subject to Min <sup>m</sup> and Max <sup>m</sup> of Rs.26 (Twenty six)lakhs

**7. Petition for determination of rates, charges, terms and conditions under the Act:**

Sl. No.	Nature Petition	Fee
7.1	Petition for determination of rates, charges, terms and conditions under proviso to sub-section (1) of Section 36 of the Act.	Rs 1,00,000/- (Rupees one lakh)

**8. Fee to be paid for Review of Tariff Orders :**

Sl. No.	Nature Petition	Fee
8.1	Petition for review of tariff order for a control period for any category mentioned in Serial 5 of this Schedule: 8.1.1 By Licensee and Generation Company. 8.1.2 By institution/organization. 8.1.3 By individual	Rs. 5,00,000/- (Rupees five lakh) Rs 1,00,000/- (Rupees One lakh) Rs 10,000/- (Rupees ten thousand)
8.2	Petition for review of an order of Annual Performance Review of Multi Year Tariff mentioned in Sl 5 and 6 of the Schedule: 8.2.1.By Licensee and Generation Company 8.2.2 By institution/organization. 8.2.3 By individual	Rs. 5,00,000/- (Rupees five lakh) Rs 1,00,000/- (Rupees One lakh) Rs 10,000/- (Rupees ten thousand)
8.3	Petition for review of any order of the Commission other than orders mentioned in	50% of fee as required for the original Petition.

	Serials No. 5 and 6 of this Schedule	
8.4	Petition for inspection of documents permitted to be inspected	Rs. 100 for every one hour of inspection or part thereof.

**9. Petition for punishment due to non compliance of the directions of the Commission under Section 142 of the Electricity Act.**

SL. NO.	Nature of Petition	Fee
9.1	9.1. Petition made by a generation company/distribution or any other institution/organization	Rs 1000/- (Rupees one thousand)
	9.1.2 By any individual.	Rs 500/- (Rupees five hundred)
9.2	Cases of non compliance of the orders of Consumers Grievances Redressal Forum (CGRF) or Ombudsman.	
	9.2.1 For individual.	Rs 100/- (Rupees one hundred).
	9.2.2 For institution/organization	Rs 1000/- (Rupees one thousand).

**10. Fee to be paid with application / petitions for adjudication of disputes / grievances:**

SL. No.	Nature of Petition	Fee
10.1	For filing Application for adjudication of disputes regarding availability of transmission facility under the second proviso to Sub-section (2) of Section 9 of the Act, to be paid by the person who has referred such dispute to the Commission.	Up to 5MW Rs 10000/- and above 5MW Rs 25,000/- (Rupees twenty five thousand)
10.2	For filing Application for adjudication of dispute under section 33(4) and 36(1) (f) of the Act.	Rs. 25,000/- (Rupees twenty five thousand)
10.3	Application relating to open access under Section 42 (2) of the Act:	
	10.3.1 Petition under proviso to Section 35 of the Act for adjudication of dispute regarding extent of surplus capacity for intervening transmission.	Rs 50,000/- (Rupees Fifty thousand)
	10.3.2 Petition for adjudication of dispute regarding provision of nondiscriminatory open access under Section 40 of the Act and Regulations specified there under.	
	i. For a person who has constructed and maintains and operates a captive generating plant.	Rs 50,000/- (Rupees Fifty thousand)
	ii. For a person having a captive generating plant for generation of energy from	Rs. 20,000/- (Rupees Twenty thousand)

renewable sources or co-generation		
iii. For a consumer.		* Rs. 5,000/- (Rupees Five thousand)
iv. For Licensee or Generating Company		Rs. 5,00,000/- (Rupees five lakh)
v. For any person, other than a generating company or Licensee, who wheels or proposes to wheel electricity.		Rs. 30,000/- (Thirty thousand)
10.4	Adjudication of dispute under Clause (f) of sub-section 1 of Section 86 of the Act regarding disputes between licensees and generating companies and between licensees themselves, not covered by these Regulations.	Rs 5,00,000/- (Rupees five lakh)
10.5	For filing Application for adjudication of dispute under Sub-section (4) and (5) of Section 67 of the Act.	Rs.1000/- (Rupees one thousand)
10.6	Representation to the Ombudsman under section 42(6) of the Act.	Rs. 100/- (Rupees one hundred)
10.7	Appeal submitted to the appellate authority under section 127(1) of the Act.	Rs. 5000/- /-(Rupees five thousand)

**1. Petition for imposing penalty under the Act.**

SL. NO.	Nature of Petition	Fee
11.1	Petition for imposing penalty u/s 33 (5) of the Act upon any licensee, generating company or any other person.	Rs 5000/- (Rupees five thousand) only.

**2. Petition for punishment due to non compliance of the directions of the Commission under Section 142 of the Electricity Act.**

SL. NO.	Nature of Petition	Fee
12.1.1	Petition made by a generation company/distribution or any other institution/organization	Rs 1000/- (Rupees one thousand)
12.1.2	By any individual.	Rs 500/- (Rupees five hundred)
12.2	Cases of non compliance of the orders of Consumers Grievances Redressal Forum (CGRF) or Ombudsman.	
12.2.1	For individual.	Rs 100/- (Rupees one hundred).
12.2.2	For institution/organization	Rs 1000/- (Rupees one thousand).

**3. Application seeking prior approval under Section 17 of the Act.**

SL. NO.	Nature of Petition	Fee
13.1	13.1.1 To undertake any transaction to acquire by purchase or takeover or otherwise	Rs 5,00,000/- (Rupees five lakh)



	the utility of any other licensee under Section 17 (1) (a) or merge his utility with the other utility of any other licensee in the State under Section 17(1) (b).	
13.1.2	To assign his license or transfer his utility or any part thereof by sale, lease, exchange or otherwise at any time under Section 17 (3) of the Act	Rs 5,00,000/- (Rupees five lakh)

**14. Petition for amendment of license u/s 18 of the Act.**

Sl. No.	Nature of Petition	Fee
14.1	14.1.1 Petition by licensee.	NIL
	14.1.2 Petition by any person other than a licensee	Rs 10,000/- (Rupees ten thousand)

**15. Petition for invoking power of the Commission under the Act.**

Sl. No.	Nature of Petition	Fee
15.1	Petition for invoking power of the Commission u/s 23 of the Electricity Act, 2003. Direction to the licensee for regulating supply, distribution, consumption or use of electricity.	Rs 5000/- (Rupees five thousand)
15.2	Petition for invoking power of the Commission u/s 24 of Electricity Act, 2003. Order for suspension of distribution license and sale of utility.	Rs 5000/- (Rupees five thousand)
15.3	Monopoly Control. Petition for exercise of power under Section 60 of the Electricity Act, 2003 (Market domination)	Rs 5000/- (Rupees five thousand)

**16. Petition for review of General Order**

Sl. No.	Nature of Petition	Fee
16.1	Petition for review of Order passed by the Commission in connection with adjudication in disputes between licensees and generating companies and referring any disputes to arbitration under Clause (i) of Sub-section 1 of Section 86 of the Act	10 % of the fee paid for the original order.
16.2	Petition (i) to set aside ex-parte order or to drop ex-parte proceedings and or (ii) restore any case which was dismissed due to default. 16.2.1 For individual. 16.2.2 For institution/organization.	Rs 200/- (Rupees two hundred) Rs 1000/- (Rupees one thousand)
16.3	Petition/ processing fee for review of order under PPA.	Rs 5000 / (Rupees five thousand)
16.4	Petition for review of any order on grounds of clerical	Nil

	error/mistake.	
16.5	Petition for review of order of the Commission not covered in this schedule.	Rs 5000/- (Rupees five thousand)

**17. Petition under the Energy Conservation Act, 2001.**

Sl. No.	Nature of Petition	Fee
17.1	17.1.1 Petition made by a generation company. 17.1.2 By any individual. 17.1.3 Petition made by the State Government or by its officer in his official capacity.	Rs 1000/- (Rupees one thousand) Rs 100/- (Rupees one hundred) Nil

**18. Petition for condonation of delay.**

Sl. No.	Nature of Petition	Fee
18.1	18.1.1 By a licensee and Generation Company. 18.1.2 By any other person.	Rs 1000/- (Rupees one thousand) Rs 100/- (Rupees one hundred)

**18. Petition for approval of Business Plan, Agreement, etc.**

Sl. No.	Nature of Petition	Fee
19.1	Petition for Approval of Business Plan including Capital Investment Plan (CIP), etc.	0.01% of the proposed investment subject to a minimum of Rs.20,000/- (Rupees twenty thousand)
19.2	Petition for approval of Power Purchase Agreement/ Power sale Agreement/Transmission Service Agreement. (i). Conventional fuel (coal, gas, liquid fuel, etc) based power plant. (ii). Non-conventional/renewable energy sources based power plants. (iii). Transmission Service Agreement	Rs. 10,000/- (Rupees ten thousand) per MW or part thereof subject to a maximum of Rs. 10,00,000/- (Rupees Ten lakh) Rs.5, 000/- (Rupees five thousand) per MW or part thereof. Rs. 2,000/- (Rupees two thousand) per MW
19.3	Petition for determination of Variable Cost Adjustment (VCA) charges	Rs.50,000/- (Rupees fifty thousand)

**20. Fee on other Petition and miscellaneous charges:**

Sl. No.	Nature of Petition	Fee
20.1	Fee on Interlocutory Application on the main petition submitted before the Commission.	Rs.5, 000/- (Rupees five thousand)
20.2	Petition for inspection of record/documents as per	Rs 500/- (Rupees five hundred)



	provision of the TERC (Conduct of Business) Regulations, 2015.	
20.3	Petition for certified copy of the Commission's order or pleadings or unprivileged/non confidential documents filed in case matters under TERC (Conduct of Business) Regulations, 2015.	
	19.3.1 Fee on Petition	Rs 10/- (Rupees ten)
	19.3.2 Fee per page.	Rs 2/- per page
20.4	Miscellaneous Petition, not covered in this schedule –	
	20.4.1 For individual / Non Profit Organization	Rs. 50/-
	20.4.2 For others	Rs. 250/-

# TRIPURA GAZETTE

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**EXTRAORDINARY ISSUE**

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*Agartala, Thursday, March 9, 2023 A. D., Phalgun 18, 1944 S. E.*

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PART--I-- Orders and Notifications by the Government of Tripura,  
The High Court, Government Treasury etc.

## **TRIPURA ELECTRICITY REGULATORY COMMISSION MISCELLANEOUS PROVISIONS RELATING TO PETITION FEES LICENSE FEES AND OTHERS FEES) 2nd AMENDMENT REGULATIONS, 2023.**

No.F.25/TERC/09/296

Dated 06th March 2023.

### **NOTIFICATION**

In exercise of the powers conferred under section 64 and Sub-section (1) and (2) read with section 181 of Electricity Act'2003 (Central Act 36 of 2003), and all other power enabling it in this behalf and after previous publication, the Tripura Electricity Regulatory Commission hereby makes the following Regulations to amend Tripura Electricity Regulatory Commission (Miscellaneous provision relating to Petition fees, license fees and others fees.) Regulations'2016 hereinafter referred to as "the Principal Regulation" which was brought into effect with its publication in the Tripura Gazette in its extraordinary issue on 18<sup>th</sup> November 2016 namely:

#### **1. Short Title and commencement:**


- (i). These Regulations shall be called the " Tripura Electricity Regulatory Commission (Miscellaneous provision relating to Petition fees, license fees and others fees) (2<sup>nd</sup> Amendment) Regulations, 2023.

- (ii). These Regulations shall come into effect from the date of their publication in Tripura Gazette.
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**2. Amendment of the Clause 5.2 (vi) of Annexure III (at page-9) of the principal regulation:**

The existing provisions under clause 5(vi) shall be substituted as follows:

<b>Nature of Petition</b>	<b>Fee</b>
Petition for determination for Tariff for supply of electricity to any distribution licensee including a deem licensee by a generating company of following categories. (vi) In case of bundle licensee like TSECL who is responsible for transmission and distribution.	0.125 paisa per kwh on energy proposed to be handled for the concerned year for which petition to be filed subject to Min <sup>m</sup> Rs.30 (Thirty) Lakhs and Max <sup>m</sup> Rs.60 (Sixty) Lakhs

  
( Ms Sujata Das Chakrabarti )  
Secretary  
TERC, Agartala