

Member (Accts)

T. N. E. B.

5 OCT 2006

No.....

3221
OCT 2006



Abstract

MD
C. Gopal
Bsr/Tanjali
6.10.06

Electricity Act, 2003- Implementation of section 43 of the Electricity Act, 2003 (Central Act 36 of 2003) - Notification under sub-section (1) of section 108 of the said Act - Approved and publication - orders - issued.

EE/RE
Energy (C3) Department

G.O.(Ms) No. 71

Dated: 25.7.2006

Read:

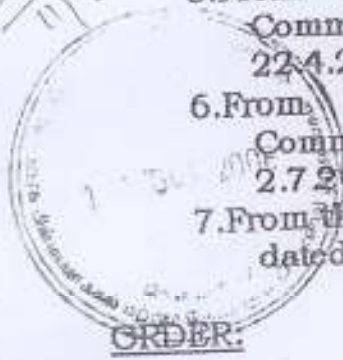
1. From the Secretary, Tamil Nadu Electricity Regulatory Commission, letter No. TNERC/AD (II)/ Codes/ D.913/ 2003 dated. 16.2.2003.
2. Govt. D.O. Letter. No. 9416/C3/03-1 DT. 1.1.2004.
3. From the Chairman, Tamil Nadu Electricity Board, D.O. Letter. No. CE /Comm/EE/AEE.1/F.TNERC/D.29/2004 dated. 19.1.04.
4. Government D.O. Letter. No. 9416/C3/03-4 dated, 7.4.2004.
5. From the Secretary, Tamil Nadu Electricity Regulatory Commission Letter No. TNERC/FAD(T)/Codes/D.345/2004 dated 22.4.2004.
6. From the Secretary, Tamil Nadu Electricity Regulatory Commission, letter No. TNERC/ FAD(T) /Codes/D5 / 2004 dated 2.7.2004.
7. From the Advocate General of Tamil Nadu, opinion No.91/2005, dated.31.10.2005.

SLE/READ

CE/Comm

13/10

1274
12/10/06



ORDER:

As per section 43 of the Electricity Act 2003,(Central Act 36 of 2003), power supply should be effected within one month from the date of receipt of application. But giving power supply to agricultural pumpset largely and mostly depends upon the decision to be taken by the State Government and moreover it is not practicable for distribution licensees to comply with the mandatory provisions in section 43 in so far as the Agriculturists are concerned. Further, if any public interest is involved in the drawal of ground water for irrigation and it is the bounden duty of the State Government to regulate such drawal of ground water considering various factors such as environment, ecology. So, the Government consulted the Tamil Nadu Electricity Regulatory Commission /Tamil Nadu Electricity Board to issue a notification under sub-section (1) of 108 the Act to overcome the difficulties in complying with the provisions of section 43 of the Act in giving power supply to agricultural pumpsets and also to enable the Tamil Nadu Electricity Regulatory Commission to incorporate necessary provisions in the codes / regulations to be framed by them. The Government hereby direct that Notification under sub-section (1) of Section 108 of the Electricity Act, 2003 (Central Act 36 of 2003) appended to this order in regard to extension of power supply to agricultural services will be

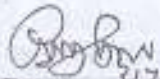
2. The Works Manager, Government Central Press, Chennai, is requested to publish the above notification in the Tamil Nadu Government Gazette, and he is requested to furnish 300 copies of the Gazette in which the above notification will be published to the Government in this department.

(BY ORDER OF THE GOVERNOR)

R.Satapathy,
Special Commissioner and
Secretary to Government

To
The Works Manager, Government Press, Chennai-9 (for publication in the Tamil Nadu Govt. Gazette)
The Secretary, Tamil Nadu Electricity Regulatory Commission, Chennai-18
The Chairman, Tamil Nadu Electricity Board, Chennai-2
✓ The Chief Electrical Inspector to Government, Chennai-32
The Secretary to Government of India, Ministry of Power, New Delhi.
Copy to:
The Special P.A. to Minister for (Electricity & Rural Industries), Chennai-9.
The Secretary to Hon'ble Chief Minister, Chennai-9
Law Department, Chennai -9
S.F/Scs.

//Forwarded/By Order//


31/7/06
Section Officer

29/7/06



TAMIL NADU GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

No. 32]

CHENNAI, WEDNESDAY, AUGUST 16, 2006
Aadi 31, Viya, Thiruvalluvar Aandu-2037

Part II—Section 2

Notifications or Orders of Interest to a section of the public
issued by Secretariat Departments.

NOTIFICATIONS BY GOVERNMENT

CONTENTS

	Pages.		Pages.
ENERGY DEPARTMENT		LABOUR AND EMPLOYMENT DEPARTMENT	
Electricity Act, 2003—Power Supply to Agricultural Services—Implemented	282	Errata to Amendment Notification	283
HOME DEPARTMENT		PROHIBITION AND EXCISE DEPARTMENT	
Award of the Tamil Nadu Chief Minister's Police Medal for Excellence in Public Service on the occasion of the Independence Day, 2006	284	Tamil Nadu Indian Made Foreign Spirits (Manufacture) Rules—Operation of certain rule to produce Unutilised production capacity of IMFS in respect of Thiruvalluvar Mohan Breweries and Distilleries Limited, Chennai for certain condition—Exempted	283
Award of the Tamil Nadu Chief Minister's Police Medal for Excellence in Investigation on the occasion of the Independence Day, 2006	284	பொதுத் துறை (சட்டம் மற்றும் ஒழுங்கு)	
HOUSING AND URBAN DEVELOPMENT DEPARTMENT		நிருதம் அறிவிக்கை	
Tamil Nadu Town and Country Planning Act :			283
Modified Master Plan for Chidambaram Local Planning Area—Approved	282	SMALL INDUSTRIES DEPARTMENT	
Master Plan of Tiruchirappalli Local Planning Area—Varied	282-283	Oil Pressure Stoves (Quality Control) Order—Certain Official as Appropriate Authority to implement the provisions of the said Order—Appointed	284

NOTIFICATIONS BY GOVERNMENT

ENERGY DEPARTMENT

Implementation of Power Supply to Agricultural Services*[G.O.Ms.No.71, Energy (C3), 25th July 2006.]*

No.II(2)/EGY/422/2006.—Whereas the preamble to the Electricity Act, 2003 (Central Act 36 of 2003) *inter-alia* contemplates supply of electricity to all areas;

And whereas the Government of Tamil Nadu are under the statutory obligation to supply electricity to all areas including villages and hamlets as enjoined under Section 6 of the said Act;

And whereas most of the agriculturists are earning their livelihood only in rural areas consisting of villages and hamlets wherein the agricultural lands from which they carry on their livelihood situate;

And whereas under Section 5 of the said Act, it is the Central Government, which in consultation with the State Governments and the State Commissions, have to formulate a National Policy for Rural Electrification and for bulk purchase of power and management of local distribution in rural areas through panchayat Institutions, User Associations, Co-operative Societies, Non-Governmental Organisations or franchisees;

And whereas the question of supply of electricity to agriculturists by the Distribution Licensees in the State of Tamil Nadu within one month after receipt of the applications made in this behalf by the agriculturists under sub-section (1) of Section 43 of the said Act largely and mostly depends upon the decision to be taken by the Government of Tamil Nadu and that it is not practicable for the Distribution Licensees in the State of Tamil Nadu to comply with the mandatory provisions contained in sub-section (1) of Section 43 of the said Act, in so far as the agriculturists are concerned;

And whereas under Section 65 of the said Act, the Government of Tamil Nadu have to bear the subsidy towards the supply of electricity to the agriculturists in certain cases when the Government of Tamil Nadu feel that as necessary on socio economic considerations;

And whereas the Government of Tamil Nadu, in public interest, are also obliged to monitor and control the drawal of ground water within the acceptable limits in specified areas and are bound to regulate such drawal on various other considerations such as ecological and environmental factors, it has become absolutely necessary to restrict the number of agricultural services and the supply of electricity to the agriculturists in public interest.

And whereas in order to achieve the above purpose, it has become necessary to give suitable directions to the Tamil Nadu Electricity Regulatory Commission to incorporate suitable provisions in the Regulations including Electricity Supply Code to be framed by the said Commission under the said Act to provide electricity supply to agriculturists, in consultation with Government of Tamil Nadu in terms of

Section 53 of the said Act and with the prior approval of the Government of Tamil Nadu in terms of Section 68 of the said Act;

Now, therefore, in exercise of the powers conferred under sub-section (1) of Section 108 of the Electricity Act, 2003 (Central Act 36 of 2003), the Governor of Tamil Nadu hereby gives the following directions, namely:—

The Tamil Nadu State Electricity Regulatory Commission while making Regulations including Electricity Supply Code under the Electricity Act, 2003 (Central Act 36 of 2003) shall incorporate suitable specific provision in the said Regulations including the said Code that extension of services under the Agricultural category shall be governed by the directions of the Government of Tamil Nadu from time to time.

R. SATAPATHY,
Special Commissioner and
Secretary to Government.

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Approval of Modified Master Plan for Chidambaram Local Planning Area.*[G.O.Ms.No.171, Housing and Urban Development (UD4-2), 13th July 2006.]*

No.II(2)/HOU/423/2006.—In exercise of the powers conferred by sub-section (1) of Section 30 of the Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972), the Governor of Tamil Nadu hereby publishes the approval of the Government under Section 28 of the said Act to the Modified Master Plan for the Chidambaram Local Planning Area submitted by the Director of Town and Country Planning.

2. The Modified Master Plan for the Chidambaram Local Planning Area with all its enclosures shall be kept open for inspection of the public in the office of the Chidambaram Municipality, during office hours.

Variations to Master Plan of Tiruchirappalli Local Planning Area.*[G.O.Ms.No.188, Housing and Urban Development (UDIV-1), 25th July 2006.]*

No.II(2)/HOU/424/2006.—In exercise of the powers conferred by sub-section (4) of Section 32 of the Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972), the Governor of Tamil Nadu hereby makes the following Variations to the Master Plan of the Tiruchirappalli Local Planning Area, approved under the said Act and published with the Housing and Urban Development Department Notification No.II(2)/HOU/2111/96, dated the 29th August 1996 at pages 666 and 667 of Part II—Section 2 of the Tamil Nadu Government Gazette, dated the 16th October 1996.