

THE ELECTRICITY (REMOVAL OF DIFFICULTY) FIFTH ORDER, 2005¹

Whereas the Electricity Act, 2003 (36 of 2003) (hereinafter referred to as the Act), came into force on the 10th June, 2003;

And whereas section 7 of the Act provides that any generating company may establish, operate and maintain a generating station without obtaining a licence under this Act if it complies with the technical standards relating to connectivity with the grid referred in clause (b) of section 73;

And whereas sub-section (1) of section 10 of the Act provides that subject to the provisions of this Act, the duties of a generating company shall be to establish, operate and maintain generating stations, tie-lines, sub-stations and dedicated transmission lines connected therewith in accordance with the provisions of this Act or the rules or regulations made thereunder;

And whereas sub-section (1) of section 9 of the Act provides that notwithstanding anything contained in this Act, a person may construct, maintain or operate a captive generating plant and dedicated transmission lines;

And whereas a dedicated transmission line in terms of sub-section (16) of section 2 of the Act is an electrical supply line for point-to-point transmission for connecting a captive generating plant or a generating station to any transmission line or sub-stations or generating stations or the load centre, as the case may be;

And whereas such a dedicated transmission line is neither a transmission line in terms of sub-section (72) of section 2 of the Act nor it is a distribution system connecting the point of a connection to the installation of consumer in terms of sub-section (19) of section 2 of the Act;

And whereas difficulties have arisen regarding the requirement of a transmission licence for establishing, operating or maintaining a dedicated transmission line;

Now, therefore, the Central Government in exercise of its powers conferred by section 183 of the Act hereby makes the order in respect of establishing, operating or maintaining a dedicated transmission line, not inconsistent with the provisions of the Act, to remove the difficulties, namely:—

1. Short title and commencement.—(1) This order may be called the Electricity (Removal of Difficulty) Fifth Order, 2005.

(2) It shall come into force on the date² of publication in the Official Gazette.

2. Establishment, operation or maintenance of dedicated transmission lines.—A generating company or a person setting up a captive generating plant shall not be required to obtain license under the Act for establishing, operating or maintaining a dedicated transmission line if such company or person complies with the following:—

- (a) Grid code and standards of grid connectivity;
- (b) Technical standards for construction of electrical lines;
- (c) System of operation of such a dedicated transmission line as per the norms of system operation the concerned State Load Despatch Centre (SLDC) or Regional Load Despatch Centre (RLDC).
- (d) Directions of concerned SLDC or RLDC regarding operation of the dedicated transmission line.

1. Vide S.O. 794(E), dated 8th June, 2005, published in the Gazette of India, Extra., Pt. II, Sec. 3(ii), dated 8th June, 2005.

2. Came into force on 8-6-2005.