

- (4) The State Commission may from time to time stipulate the fees and charges payable by the obligated entities to the State Agency for discharge of its functions under these regulations.

6. Effect of default

- (1) An obligated entity failing to fulfill its renewable purchase obligation (RPO) during any year shall be liable to deposit an amount, within 90 days of closure of the year, equivalent to the product of shortfall in RPO compliance and the maximum clearance price of the Certificates discovered in the Power Exchange during the said year, into a separate account to be created and maintained by the State Agency.

Any delay in deposit shall attract delayed payment charge at the marginal cost of funds based on lending rate (MCLR) for one year of the State Bank of India, as applicable on the 1st April of the year in which the period lies, plus five per cent and in the absence of marginal cost of funds based lending rate, any other arrangement that substitutes it.

Provided that the amounts payable by the distribution licensee, if any, shall not be allowed as a pass through in the ARR.

- (2) Non-payment of Late fee/Amount by an obligated entity as per the provisions of these Regulations shall be treated as a violation of its license/connectivity conditions.

Provided that, on receipt of information about the default by an obligated entity from the State Agency, the SLDC/STU and/or distribution licensee, as the case may be, shall proceed to initiate action for violation of its conditions of license or connectivity conditions, which includes but not limited to withdrawal of NOC/permission for open access and/or disconnection etc. after following the procedure as per law.

- (3) Without prejudice to the above, the Commission on its own motion or on the recommendation of the State Agency may also initiate action against such entity under Section 142 of the Act.

Provided that, any penalty payable under these Regulations and/or Section 142 of the Act, if not paid, may be recovered as per Section 170 of the Act.

- (4) All sums received by the State Agency shall be transferred to the State transmission utility (STU), on quarterly basis, to be utilized for development of transmission infrastructure for evacuation/integration of renewable energy as approved by the Commission, from time to time.

Provided that, the Commission may allow utilization of a part of such fund by the State Agency for development of renewable energy in the State.

- (5) In case of genuine difficulty in complying with the renewable purchase obligation because of non-availability of certificates or otherwise, the obligated entity can approach the Commission for carrying forward of compliance requirement to the next year. On being so approached, the Commission may review the fulfillment of the renewable purchase obligation by the obligated entity. And, keeping in view its performance, may allow the shortfall to be carried forward to the next year in addition to the renewable purchase obligation for that year.

Provided that where the Commission has consented to allow carry forward of compliance requirement, the provision of above clauses (1) to (3) of these Regulation shall not be invoked.

7. Repeal and savings

The Punjab State Electricity Regulatory Commission (Renewable Purchase Obligation and its compliance) Regulations, 2011 along with amendments shall stand repealed from the date of commencement of these Regulations. Notwithstanding such repeal, anything done or purported to have been done under the repealed Regulations shall deemed to have been done or purported to have been done under these Regulations.

8. Saving of inherent power of the Commission

- (1) Nothing in these Regulations shall be deemed to limit or otherwise affect the inherent powers of the Commission to make such orders as may be necessary for ends of justice or to prevent the abuse of process envisaged in these Regulations.
- (2) Nothing in these Regulations shall bar the Commission from adopting a procedure, which is at variance with any of the provisions of these Regulations, if

the Commission, in view of the special circumstances of a matter or class of matters and for reasons to be recorded in writing, deems it necessary or expedient.

9. Power to give directions

The Commission may, from time to time, issue such practice directions and orders as considered appropriate for the implementation of these Regulations.

10. Power to remove difficulties


If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may, by general or special order, do anything, not inconsistent with the provisions of the Act, which it considers necessary or expedient for the purpose of removing the difficulties.

11. Power to Amend

The Commission may, at any time, add or amend any of the provision of these Regulations.

12. Power to Relax

The Commission may by general or special order, for reasons to be recorded in writing and after giving an opportunity of hearing to the parties likely to be affected, may relax any of the provisions of these Regulations on its own motion or on an application made before it by interested person(s).


Secretary of the Commission