

Name:

Enrolment No:



UPES

End Semester Examination, May 2024

Course: Law Related to Power Sector

Semester: VI

Program: BA-BBA-BCOM LL.B.-ENERGY LAW

Time: 03 hrs.

Course Code: CLEL 3006

Max. Marks: 100

Instructions:

SECTION A

(5Qx2M=10Marks)

S. No.		Marks	CO
Q 1	Define REC & RPO Agreements	2	CO1
Q 2	Define IEX & Tariff Discovery by Bidding Process	2	CO1
Q 3	Define Cogeneration & Decentralized Distributed Generation	2	CO1
Q 4	Define NLDC, SLDC & Discoms	2	CO1
Q 5	Define Open Access & Smart Grid Concepts	2	CO1

SECTION B

(4Qx5M= 20 Marks)

Q	Statement of question		
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Q 6	Deliberate the key licensing Provisions, of Distribution/ supply licensees as per electricity act 2003/2018.	5	CO2
Q 7	Summarize the Evolution of Power Sector in India with focus on Electricity Act 1910 & Electricity Supply Act 1948.	5	CO2
Q 8	Discuss the Regulatory Provisions & Concepts of Agreements wrt Supply or Purchase of Electricity through PPA's as per Section 49 of Proposed Amendment Act 2018.	5	CO2
Q 9	Deliberate the Purpose of captive Power Plants & Cogeneration Plants under the Elect. act 2003 & 2018. OR Describe the Principles of Decentralized Distributed Generation as Per Proposed Electricity Amendment Act 2018.	5	CO2
SECTION-C (2Qx10M=20 Marks)			
Q 10	Critically analyze & deliberate the defining legal Provisions, business narratives of Tariff Discovery as per Electricity Act-2003 and subsequent amendments, towards Tariff Discovery principles, methodology, provisions, processes & market development applications along with Tariff arrival through Bidding route. Under which business scenario Commercial bidding is chosen for Tariff.	10	CO3
Q 11	Critically substantiate & synthesize the roles, responsibility & Powers of CEA in building up National Electricity Policy & Planning as per the electricity act -2003 along with the functional framework with CERC & SERC bodies in Planning & executions	10	CO3
SECTION-D (2Qx25M=50 Marks)			
	Paragraph Based Questions (2 Nos)		

<p>Q 12</p>	<p>The Proposed Electricity Amendment Act 2018 has consolidated, synergized and reinvented the executional provisions of Electricity Act 2003 provisions in its key verticals including - National Electricity Planning, PPA's, Tariff norms, Licensing norm in Dist. & supply areas, CEA Role, Power of Appellate Tribunals etc. along with renewables support provisions etc. The proposed amendment Act takes measures conducive to the development integrated energy market, thereby promoting competition, protecting the interests of consumers and uninterrupted supply of electricity from renewable & nonrenewable sources through smart grid network to all areas. It also takes care of further rationalization of electricity tariff ensuring transparent policies regarding subsidies, cross subsidies, promotion of efficient environmentally benign policies, further empowerment of CEA and Regulatory Commissions, establishment of Appellate Tribunals, etc.- thereby taking steps that impacts every segment of the power sector and shall introduce large scale sweeping changes in the current Power industry Structure. The provisions in the Act will finally change the present Single-Buyer model to a multi-Buyer model. There would be several players operating at all the different stages of the power industry: generation, transmission, and distribution. Open access to transmission and distribution systems will create a market for power. This will provide tremendous potential for investment in generation, transmission and distribution segments resulting in strengthening infrastructure, which is critical for the Indian power sector. Further modifications of Electricity Act (modifications under proposed act 2018) have provided additional teeth and functional support including Provisions writ Distribution & Supply licensee separation, Consumer Protection, tariff, and powers of Appropriate Commission ie CERC & SERC</p> <p>Based on above Para elaborate & justify the following Statements</p>	<p>25</p>	<p>CO4</p>
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	<p>Q-1) Critically Substantiate & Justify the Procedures & process of appeals by the aggrieved person/entity to The Ombudsman, Regulators & Appellate Tribunal including the extent of their authority & Powers. Can the appellant also make an appeal to the Supreme Court and at what stage. (15 Marks)</p> <p>Q-2) Justify the Separation of Distribution License & Supply License Functions as per Part VI of Amendment to Electricity Act 2003 (Proposed amendment Act 2018) along with its value proposition from Consumer & entity/licensee perspectives (10 Marks)</p>		
Q 13	<p>The revolutionary Electricity Regulatory Act 1998 gave birth to the formation of highly reformative Electricity Act 2003. to replace some age-old legislations (1910 & 1948). The new market driven act consolidated the prevailing ineffective laws and provides for measures that the industry thought would be conducive towards the development of the electricity market in its entirety and has generated new hope in the electricity sector in all its business value loops.</p> <p>The Electricity sector as we know faced numerous commercial challenges in Power generation, transmission, distribution, supply & trading, apart from consumer rights & expectations. The act has brought in some bold provisions keeping in view the interests of Electric utilities, licensees, domestic user community & industry at large. Promotion of electricity access at an affordable rate has been an important objective being covered in the Act apart from roping in generation, transmission & distribution cum supply reforms in a big way supporting efficiencies & market driven. competition along friendly & effective licensing norms</p> <p>The power utilities, often vertically integrated had monopolized in the form of State Electricity Boards (SEBs), and mostly gone bankrupt. The fiscal health of the distribution & supply segment was getting erratic. Creating financially viable and sustainable utilities through adoption of</p>	25	CO4

balanced economic principles (for rational licensing, tariff discovery & realization and other related aspects) constitutes another major objective of the Act . Protecting the interests of all kinds of consumers forms an important part of legislation. In India where illegal use of electricity is a major problem, providing adequate penal measures to resolve the problem. ensuring speedy justice through tribunals etc. Forms an integral part the Act. Power sector in India is a shared responsibility of the states and central government, the political context is an important factor compromised in law-making process & acting as constraints to reforms. Whether such compromises have affected the new law is an important point to study.

In the light of above, elaborate, justify & critically appraise the Key functional provisions & regulatory changes brought out in Electricity Act 2003 in the following key Areas:

Q-1) Justify the Investigation & Enforcements measures brought out in the Part XII of the Electricity Act 2003 along with analytical Comments on the principles of Capital Punishment & possible alternate provisions **(15 Marks)**.

Q-2) Elaborate & Justify the entire provisions in respect of offences and Penalties as brought out in the Electricity Act 2003 and subsequent modifications, with due justifications and possible alternate thoughts on Capital Punishments. **(10 Marks)**