

Chhattisgarh State Electricity Regulatory Commission (Security Deposit) Regulations, 2005

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Chhattisgarh State Electricity Regulatory Commission (Security Deposit) Regulations, 2005

No. 7 /CSERC/2005. In exercise of powers conferred by section 47 (1) read with section 181 (2) (v), section 47 (4) read with section 181 (2) (w), sections 47 (2), 47(3), and 47(5) read with section 181(1) of the Electricity Act, 2003 (36 of 2003), the Chhattisgarh State Electricity Regulatory Commission hereby makes the following draft Regulation:

1. Short Title and Commencement :-

1.1 These Regulations shall be called the Chhattisgarh State Electricity Regulatory Commission (Security Deposit) Regulations, 2005. 1.2 These Regulations shall come into force from the date of their final publication in the Chhattisgarh Rajpatra. 1.3 The Regulations extend to the entire State of Chhattisgarh.

2. Definition :-

2.1 In these Regulations, unless the context otherwise requires:- (1) "Act" means the Electricity Act, 2003 (36 of 2003); (2) "Commission" means the Chhattisgarh State Electricity Regulatory Commission; (3) "Consumption charges" means the consumption of electrical energy in KWh multiplied by appropriate tariff rates and also includes Demand/Fixed charges, Fuel Cost Adjustment (FCA) and any other charges etc., wherever applicable. (4) "High tension

(HT) consumer" means a consumer who is supplied electricity at a voltage higher than 440 volts. (5) "Licensee" means a Distribution Licensee. (6) "Low tension (LT) consumer" means a consumer who is supplied electricity at a voltage up to 440 volts. (7) "Month" means the calendar month. (8) "State" means the State of Chhattisgarh; 2.2 Words and expressions used and not defined in these Regulations but defined in the Act shall have the same meaning as assigned to them in the Act.

3. Security Deposit :-

3.1 A licensee may collect security deposit from all consumers in respect of the meters, line and plant provided for the connection and supply of energy. 3.2 The security deposit shall be accepted in the form of cash or draft only. Cheques may be accepted subject to the condition that supply will commence only on realisation of the cheque.

4. Security Deposit against plant/line for giving new supply :-

The licensee may recover security deposit from consumers for line or plant where such electric line or electrical plant is to be provided for supplying electricity to the consumer.

5. Meter Security Deposit (MSD) :-

5.1 The licensee may collect Meter Security Deposit (MSD). In respect of new connections, MSD is payable after communication of sanction of power supply and before providing the service connections, towards the meter / metering equipment at the rates as per schedule of rates prescribed by the licensee from time to time with the approval of the Commission. If the applicant for a new connection fails to give such security, the licensee may, if he thinks fit, refuse to commence supply of electricity for the period during which the failure continues. 5.2 The licensee may collect MSD in respect of existing connections where MSD has not been collected, whenever the meter is replaced, at rates prescribed above. 5.3 In case where MSD has already been collected, no difference in cost of the meter shall be collected subsequently when the meter is replaced for reasons of high technology, meter being faulty, meter not being in working order etc. 5.4 MSD shall not be payable by a consumer who provides the meter at his cost but as per the specifications of the licensee.

6. Energy Security Deposit (ESD) :-

6.1 For any new service connection the licensee may take a security

deposit, which shall be calculated on the connected load/ contract demand in KW, HP or KVA as the case may be, as in the Supply agreement, for various categories of consumers in the following manner:

S. no.	Category	Assessed consumption in units per month (30 days) for calculation of security deposit
1.	Domestic	i) 140 units per KW ii) 35 units per 250 Watts or part thereof
2.	SLP	20 units per connection
3.	Non-domestic	i) 140 units per KW ii) 35 units per 250 Watts or part thereof
4.	Water works	150 units per KW or 110 units per HP
5.	Industrial	70 units per KW or 50 units per HP
6.	Agriculture	120 units per HP
7.	Thresher connections	360 units per HP
8.	Street light	180 units per KW
9.	HT consumers	420 units per KW or 380 units per KVA

6.2 The security deposit shall be determined on the basis of assessed consumption as per 6.1 and shall be an amount equivalent to the estimated consumption of specific number of days, applying the prevailing tariff and other charges, as indicated in the following table:

Sl.No.	Nature of Consumer	No. of Days
1.	Agricultural i) permanent ii) temporary	90 For the entire period of temporary connection
2.	Seasonal	25% of annual consumption
3.	Stone crusher, hot-mix plants	90
4.	Consumers unable to provide proof of legal occupation of premises	90
5.	Other consumers	45

The security amount calculated as above shall be rounded to the next 10 (ten) rupees. 6.3 If the applicant for a new connection fails to give such security, the licensee may, if thinks fit, refuse to commence the supply of electricity for the period during which the failure continues 6.4 The licensee shall not be entitled to require energy security deposits if the person requiring the supply is prepared to take the supply through a prepayment meter.

7. Additional Security Deposit for Energy :-

7.1 For LT consumers the amount of the energy security deposit (ESD) obtained from the consumer will be reviewed by the licensee, annually on the basis of consumption during the previous 12 months, in the month of April. For HT consumers the amount of ESD shall be reviewed half-yearly in the months of October and April every year, on the basis of the consumption during the previous six months. Based on this review, the licensee may raise

demand on the consumer to pay an additional security deposit, so as to maintain the amount of ESD equivalent to the period/ consumption shown in tables in clauses 6.1 and 6.2 of these regulations, if the amount of security deposit so required, based on the tariff applicable etc., exceeds the amount of the security deposit held by the licensee by Rs100/- or more. 7.2 The licensee shall issue a notice for the additional security deposit and allow a period of one month for such deposit. If the consumer fails to pay the additional security deposit as per the notice, the licensee is entitled to refuse or discontinue the supply of electricity so long as such failure continues. The consumer will be liable to pay surcharge, equivalent to the surcharge payable against delay in payment of energy/ demand charges (as stated in the tariff order) if he delays payment of security deposit, without prejudice to the licensee's right to disconnect supply of electricity, as per these Regulations. 7.3 In the event of default in the payment of monthly bills by consumers, who have deposited security equivalent to 45 days consumption or more, for more than three times in a financial year, the licensee shall be entitled to increase their security deposit by 100 per cent. 7.4 In the case of consumers who have been sanctioned additional load, the additional security deposit shall be calculated for the additional load as if it is a new service. Similarly, if the contract demand is reduced, the licensee may recalculate the security and give credit of excess security deposit, if any, by way of adjustments in three equal instalments in subsequent electricity bills of the consumer from the month subsequent to the month in which the agreement for reduced contract demand is finalized. 7.5 On consumer's request, the licensee may allow the consumer the facility to pay additional security deposit in three monthly instalments.

8. Interest on security deposits :-

8.1 The licensee shall pay interest, at the prevailing bank rate on the security deposits. It shall be the responsibility of the licensee to ascertain the prevailing bank rate from RBI and to inform the consumers through the billing mechanism. The liability of payment of interest as above shall be with effect from 1st April 2005. 8.2. The amount of interest shall be calculated twice in a year, at the end of September and March. Interest shall be adjusted in the monthly bills. 8.3 In case of delay in payment of interest on security deposit, the licensee shall be liable to pay an interest on the amount of interest at the rate of 1% per month or part thereof

by way of simple interest, for the period of delay in addition to other penalties as may be imposed by appropriate authority for such delay. 8.4 In case of a delay exceeding a period of three months in adjustment of interest on security deposit, the consumer may lodge a complaint in the concerned Forum as constituted under sub section (5) of section 42 of the Act by the licensee.

9. Refund of Security Deposit :-

The security deposit shall be refunded to the consumer, upon termination of the agreement and after adjustment of all dues, within 60 days of completion of formalities. In case of delay beyond 60 days period, interest at the rate of 1% per month or part thereof shall be payable to the consumer.

10. Power to Amend :-

The Commission may, at any time add, vary, alter, modify or amend the provisions of these Regulations.

11. Saving :-

11.1 Nothing in these Regulations shall be deemed to limit or otherwise affect the inherent power of the Commission to make such orders as may be necessary to meet the ends of justice or to prevent abuses of the process of the Commission. 11.2 Nothing in these Regulations shall bar the Commission from adopting in conformity with the provisions of the Act 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 for dealing with such a matter or class of matters. 11.3 Nothing in these Regulations shall, expressly or impliedly, bar the Commission in dealing with any matter or exercising any power under the Act for which no regulations have been framed, and the Commission may deal with such matters, powers and functions in a manner it thinks fit. Note- In case of any difference in the interpretation or understanding of the provisions of the Hindi version of these Regulations with those of the English version (the original version), the latter will prevail and in case of any dispute in this regard, the decision of the Commission shall be final and binding. By Order of the Commission Ajay Srivastava (Dy. Secretary)