

“विजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण-हेतु अनुमत. क्रमांक जी. 2-22-छत्तीसगढ़ गजट/38 सि. से. भिलाई, दिनांक 30-5-2001.”



पंजीयन क्रमांक: “छत्तीसगढ़/दुर्ग/ तक. 114-009/2003/20-1-03.”

छत्तीसगढ़ राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 104]

रायपुर,, गुरुवार, दिनांक 16 अप्रैल, 2007 – चैत्र 26, शक 1929

Chhattisgarh State Electricity Regulatory Commission

Civil Lines, G.E. Road, Raipur (C.G.) – 492001

Raipur, Dated 16th April, 2007

No.19/CSERC/2007. The Chhattisgarh State Electricity Regulatory Commission has framed U/s 50 and Section 181(2)(t) read with 181(2)(x) and the provisions of Section 43(1), 46, 47(1) and 47(4) read with Section 181(1), 181(2)(v) and 181(2)(w) of the Electricity Act 2003 (No. 36 of 2003) the "**Chhattisgarh State Electricity Supply Code-2005**". The Ministry of Power, Government of India have issued Electricity (Removal of Difficulties) Order, 2005 [S.O. 790 (E)] on 08.06.2005 which has a bearing on the Code and has necessitated certain amendments in the Supply Code. Apart from that on the basis of the experience of the working of the Code and the recommendation of the review committee constituted under clause 1.6 of the Supply Code, certain amendments have become necessary.

The CSERC, in exercise of the powers vested in it under Clause 1.10 of the Chhattisgarh State Electricity Supply Code, 2005 and after considering the recommendations of the Supply Code Review Committee, constituted under clause 1.6 of the same Code, and suggestions/comments of the various stake holders makes the following amendments to this Chhattisgarh State Electricity Supply Code, 2005.

1 Short title, Definition and commencement:

- (i) This Code may be called the "Chhattisgarh State Electricity Supply Code (First Amendment) 2007".
 - (ii) This shall come into force from the date of its publication in the Chhattisgarh Rajpatra.
 - (iii) All other words and expressions used in this Code, but not defined, shall have the same meaning as is in the **Chhattisgarh State Electricity Supply Code, 2005** (the Code, herein after).
2. The words "*and Guidelines for Redressal of Consumer Grievance,*" in clause 1.5 of the Code shall be deleted.
 3. The words "*along with and Guidelines for Redressal of Consumer Grievance,*" in the first sentence of clause 1.6 of the Code shall be deleted.
 4. Clause 1.7 of the Code shall be substituted by the following:
"The Commission shall appoint the Chairman from among the representatives of the licensees and an officer of the Commission as Member Secretary of the Committee. The licensee whose representative is appointed Chairman of the Committee, shall provide all the required support, administrative and otherwise, to the panel as may be required for the discharge of its functions. All members of the review panel shall be appointed for a period of two years."
 5. Clause 2.1(r) of the Code shall be substituted by the following:
"Distribution system means the system of wires and associated facilities between the delivery points on the transmission lines or generating station connection and the point of connection to the installation of the consumer. It shall also include electric line, substation and electrical plant that are primarily maintained for the purpose of distributing electricity in the area of supply of such distribution licensee notwithstanding that such line, sub-station or electrical plant are high pressure cables or overhead lines or associated with such high pressure cables or overhead lines; or used incidentally for the purposes of transmitting electricity for others."
 6. Clause 4.12 of the Code shall be substituted by the following:
"Application for new supply and subsequent additional supply of electrical energy shall be made in duplicate in the appropriate prescribed form, copies of which shall be available at a nominal cost at the local office of the licensee. The format of the application forms is provided in Annexure-1 and Annexure-2. Acknowledgement for the application shall be issued forthwith on presentation of the application. Photocopies of blank form or form downloaded from the website of the licensee may also be used by the consumer and shall be accepted by the licensee."
 7. Clause 4.17 of the Code shall be substituted by the following:

- "(i) *Electricity will be supplied to a consumer at a single point for the entire premises. For the purpose of terms and conditions of supply, premises shall be deemed to be separate*
- a) *if owned by different persons or taken on lease by different persons, the terms of lease being valid for a period of at least two years at the time of connection;*
 - b) *for domestic category, households having relevant document from local authorities, identifying the premises as separate;*
 - c) *for domestic premises part of which is used for non-domestic purposes; and*
 - d) *industrial establishments manufacturing different products, not as part of single manufacturing process, their physical location being different and distinct.*
- (ii) *Each separate premises will be given separate point of supply."*
8. New clauses 4.27A and 4.27B shall be added after clause 4.27 of the Code as follows:
- "4.27A If any developer/builder/housing society/group of consumers wants to lay HT/LT line through underground cable, he shall be allowed to do so subject to the condition that the relevant Indian Standards are followed and the laying of cable is through trench only. This is applicable to multi-consumer complexes and housing colonies."*
- "4.27B If any developer/builder/housing society/ group of consumers wishes to provide transformer of rating more than 315 KVA at 11/0.4 KV voltage with special type of equipment (with ISI mark), such consumer shall have to instal an extra unit as standby. This will be applicable to multi-consumer complexes and housing colonies."*
9. In the sub-chapter heading for clauses 4.28 to 4.39 of the Code the words *"including commercial complexes"* shall be deleted.
10. At the end of clause 4.28 of the Code the following line shall be added:
"Multi-consumer complex shall include both residential, non-residential complexes, such as commercial complexes, office complexes and educational institutions. Educational institutions shall be provided a single connection."
11. Clause 4.33 of the Code shall be substituted by the following:
"Meters shall be provided at one place normally in the pillar box as may be decided by the licensee in accordance with the procedure laid down in chapter-8 on meters."
12. Clause 4.38 of the Code shall be substituted by the following:
"For the purpose of assessment of load, the following norms shall be applied:

BUILT UP AREA	LOAD
(i) For residential complexes	
(a) Upto 400 sq ft	1.5 KW
(b) Above 400 sq ft & upto 700 sq ft	2.0 KW
(c) Above 700 sq ft & upto 1000 sq ft	3.0 KW
(d) Above 1000 sq ft & upto 1300 sq ft	4.0 KW
(e) Above 1300 sq ft & upto 1600 sq ft	5.0 KW
(f) Above 1600 sq ft & upto 2000 sq ft	7.0 KW
(g) Above 2000 sq ft & upto 2500 sq ft	10 KW
(h) For every additional 500 sq ft or part thereof over 2500 sq ft of built up area, 1 KW of load should be added to 10 KW	
(ii) For non-residential complexes	
For each 100 sq. ft. built up area	1 KW

Note: The load of the common facilities like lift, water pump, parking lights etc shall be taken as declared by the developer/builder/society/ consumer.

The aforesaid procedure for estimation of load is for the purpose of bringing about uniformity in the assessment of the load of multi-consumer complexes. However, security deposit etc shall be worked out on the basis of the load as declared by the consumer and supported by the test report at the time of providing connection to individual consumers.

For the purpose of computation of load, the built up area of individual consumers shall be taken in the case of residential multi-consumer complexes, where as in the case of educational institutions and non-residential multi-consumer complexes the entire built up area of the complex shall be taken."

13. In clause 4.41 of the Code, a sub-clause 4.41(i) shall be added after sub-clause 4.41(h) as follows:
"4.41 (i) for every additional area of 500 sq. ft. or part thereof over and above 3500 sq. ft of plot area, 1 KW of load should be added to 10 KW."
14. In clause 5.2 of the Code, the words "(refer clause 4.17)" shall be deleted and at the end of the clause the following shall be inserted: *" One of the connections of an existing consumer who has two different connections for supply in his premises, shall be discontinued on expiry of their present agreement."*
15. The sub-heading for clauses 7.3 to 7.8 of the Code shall be substituted as follows: *"Procedure for enhancement of contract demand/ connected Load".*

16. In Chapter VII of the Code after clause 7.8, a new clause 7.8A shall be inserted, as follows:
"7.8A If a consumer who has reduced his connected load/contracted demand due to any reason, desires to restore the load within one year of such reduction, up to the sanctioned load prior to the reduction, he shall be liable to pay only the actual expenditure incurred in restoration of load applied for. If such restoration of load involves a load which is more than the load sanctioned earlier, supply arranging charges shall be payable on the difference between the load applied for and the load sanctioned earlier. Restoration of load after a period of one year shall attract supply arranging charges as fixed by the Commission from time to time. Such restoration shall be subject to the condition that reduction of load/demand shall not be permitted again within the next one year of supplementary agreement."
17. Clause 7.14 of the Code shall be substituted by the following:
"When reduction of contract demand is agreed to, the consumer shall execute a supplementary agreement. The licensee shall recalculate the security deposit and the excess security deposit left with the licensee, if any shall be adjusted in three succeeding bills against the bill amount. However, after adjustment in three bills, if there is any balance, the same shall be refunded to the consumer within a period of one month."
18. After the heading "Security Deposit" after clause 7.27 of the Code the following new clause 7.28 may be inserted: *"Security deposit shall be payable according to the provisions of Section 47(1) and (4) of the Act and CSERC (Security Deposit) Regulations, 2005 as amended from time to time."*
19. The present clauses 7.28 to 7.36 of the Code shall be deleted.
20. After clause 8.22 of the Code, a new clause 8.23 along with heading shall be added:
"Application of CEA Regulations
8.23 The provisions of the regulations framed by CEA under Section 55(1), 73(e) and 177(2)(c) of the Electricity Act, 2003 as amended from time to time and the orders/guidelines of the Commission in this regard shall be applicable with regard to installation and operation of meters."
21. Clause 9.2 of the Code shall be substituted by the following:
"The meter reader/inspecting officer shall have with him the photo identity card provided by the licensee and shall wear it in such a manner that it is visible during the meter reading."
22. Clause 10.8 of the Code shall be substituted by the following:
"In the event of non-realization of cheque, the licensee shall have the right to increase the security deposit from the consumer. The licensee shall also have the right to levy cheque dishonour charges besides delayed payment surcharge and also take other actions as per law. The licensee may also insist on future payment by demand draft or by cash."

23. The present CHAPTER 11 of the Code shall be substituted by the following:

11.1 *The licensee shall take all necessary measures to prevent theft or unauthorized use of electricity or tampering, distress or damage to electrical plants, electric lines, equipments or meters.*

11.2 *The consumer shall not make such use of supply given to him by the licensee which is prejudicial to the interest of the licensee.*

(A) Unauthorised use of electricity:

11.3 *Section 126 of the Act deals with assessment of unauthorized use of electricity. The Chhattisgarh State Electricity Rules, 2006 as notified by the State Government on 22.03.06 (Rules, for short) contain elaborate provisions to deal with such cases. The provisions of these Rules are to be followed by all concerned.*

11.4 *Unauthorized use of electricity shall mean the usage of electricity -*

(i) by any artificial means; or

(ii) by a means not authorised by the concerned person or authority or licensee; or

(iii) through a tampered meter; or

(iv) for a purpose other than for which the usage of electricity has been authorized; or

(v) by use of phase-splitting device to facilitate working of three-phase motors/appliances during the period of single phase supply; or

(vi) through increase in connected load by LT consumers in excess of the load as per the agreement. This, however, will not be applicable to domestic consumers; or

(vii) extension of power supply beyond the area of use as authorised in the agreement ;or

(viii) shifting of location of meter; or

(ix) unauthorized alterations in electrical installations ; or

(x) disconnection of neutral; or

(xi) through a meter or equipment associated with metering, which has been accidentally damaged.

11.5 *If on inspection of any place or premises, the licensee comes to the conclusion that any person is indulging in unauthorized use of electricity in that place or premises, the licensee may disconnect supply of electricity to such person forthwith. Intimation for such action shall be sent to the person within 24 hours of such disconnection, as per the procedure laid down in the Rules.*

- 11.6 *The assessing/authorised officer shall prepare the bill for unauthorized use of electricity, presuming that such unauthorized use continued for a period of three months immediately preceding the date of inspection in case of domestic and agricultural connections, and for a period of six months immediately preceding the date of inspection in case of all other categories of connections, unless proof is produced to the contrary by the person accused of unauthorized use.*

In cases where the period of connection is less than the period as mentioned above, the period for assessment will be from the date of connection till the date of inspection.

However, in case an electronic meter is installed in the premises, data shall be analyzed to ascertain the exact period during which unauthorised use of electricity continued and such period shall be taken for assessment purposes.

- 11.7 *Assessment shall be made at a rate equal to one-and-half times (1½ times) the tariff applicable for the relevant category.*

- 11.8 *The methodology for assessment of consumption by way of unauthorised use of electricity shall be as follows:*

(a) In respect of LT consumers:

Units assessed per month = $L \times D \times H$, where

L is load found connected at the time of inspection in KW ;

D is number of days per month which shall be taken as 30, during which unauthorised use of electricity is suspected; and

H is hours per day, which shall be taken as 8 hours for all consumers except industrial consumers in respect of whom the hours of use shall be as per the hours the industry generally operates in a day which in any case shall not be less than 8 hours.

(b) In respect of HT consumers:

Assessment shall be based on the data obtained from the electronic meter through MRI and shall be the average consumption for three months prior to the date from which unauthorised use has commenced. In the absence of MRI data the normal consumption pattern of the consumer as that of similar industries may be taken for the purpose of billing.

- 11.9 *The order of provisional assessment shall be served upon the person in occupation or possession or in charge of the place or premises within a period of 3 days from the date of inspection in the manner as prescribed in the Rules by registered post or by hand and the acknowledgement shall be obtained.*

Provided that if the amount of provisional assessment is accepted and the assessed amount is deposited within seven days of service of

provisional bill, such person shall not be subjected to any further liability or any action by any authority whatsoever.

- 11.10 *The licensee shall reconnect the supply on receipt of full amount of provisional assessment. The licensee may also reconnect the supply on receipt of one-third of the provisional assessment amount pending final assessment as per clause 11.12 below.*
- 11.11 *Any person, who has been served notice under clause 11.9, may file objections, if any, within 7 days from the date of receipt of the provisional bill, to the assessing officer, as designated by the State Government in the Rules, who may, after affording a reasonable opportunity of hearing to such person, pass final order of assessment of electricity charges within one month of the date of the provisional assessment.*
- 11.12 *Any person aggrieved by the final order may prefer an appeal within 30 days of the final order to an appellate authority as designated by the State Government in the Rules, provided that one-third of the assessed amount is deposited with the licensee and documentary evidence of such deposit has been enclosed with the appeal.*
- 11.13 *The form of appeal and the manner in which the appeal may be filed shall be as per the CERC (Procedure for filing appeal before the Appellate Authority) Regulations, 2005 notified on 05.12.05 by the Commission, as amended from time to time.*
- 11.14 *The order of the appellate authority shall be final.*
- 11.15 *When a person defaults in making payment of assessed amount, he shall be liable to pay, in addition to the assessed amount, on the expiry of thirty days from the date of order of assessment, an amount of interest at the rate of sixteen percent per annum compounded every six months as provided in Section 127(6) of the Act.*

(B) Theft of Electricity

- 11.16 *Section 135 of the Act deals with theft of electricity. The State Electricity Rules contain detailed provision to deal with theft cases, which have to be strictly followed by all concerned.*
- 11.17 *Whoever, dishonestly*
- a. *taps, makes or causes to be made any connection with overhead, underground or underwater lines or cables, or service wires or service facilities of a licensee; or*
 - b. *tampers a meter, installs or uses a tampered meter, current reversing transformer, loop connection or any other device or method, which interferes with accurate or proper registration, calibration or metering of electric current or otherwise results in a manner whereby electricity is stolen or wasted; or*

c. *damages or destroys an electric meter, apparatus, equipment, or wire or causes or allows any of them to be so damaged or destroyed as to interfere with proper or accurate metering of electricity, so as to abstract or consume or use electricity,*

shall be punishable under the provisions of Section 135 of the Act and the Rules.

11.18 *Entry, search and seizure for the purpose of detection of theft as per sub-section(2) of Section 135 of the Act shall be undertaken by an officer authorised by the State Government in the Rules and such entry, search and seizure shall be carried out as per the procedure laid down therein.*

11.19 *In case theft of electricity is detected in the premises which do not have regular electricity connection, the licensee shall forthwith disconnect the supply to such premises and shall remove the cause of theft immediately by removing the line/ cable/ plant or illegal meter up to the distribution main and other apparatus which are found being used for the purposes of theft of electricity as per the provisions of the Act and the procedure laid down in the Rules. The licensee may subsequently remove or divert or convert the line, cable or electrical plant to prevent further theft of electricity provided that such action shall not result in any inconvenience or disruption of supply to other consumers.*

11.20 *In case where the person has a regular electricity connection from the licensee and where the theft of electricity is detected by bypassing the meter or metering equipment and the electrical load, fully or partially, of the connection is found connected directly with the lines, cables or electrical plant; or the meter is found tampered with a dishonest intention, the electric supply to such premises shall be disconnected forthwith by the licensee.*

11.21 *Where it is established that there is a case of theft of energy, the officer authorised in this behalf by the State Government in the Rules shall prepare the bill for theft of electricity as provided in Section 154(5) of the Act, pending adjudication by the special court, as per the Electricity (Removal of Difficulties) Order dated 08.06.05 [S.O. 790(E)]*

11.22 *The assessment shall be an amount equivalent to two-and-half times the rates as per applicable tariff for the relevant category for a period of twelve months preceding the date of detection of theft of energy or the exact period of theft if determined, whichever is less. A bill shall be served upon on the person under proper receipt.*

11.23 *The methodology for assessment of consumption due to theft of electricity shall be as follows:*

(a) In respect of LT consumers:

Units assessed per month = L x D x H, where

L is load found connected at the time of inspection in KW ;

D is number of days per month which shall be taken as 30, during which unauthorised use of electricity is suspected; and

H is hours per day, which shall be taken as 8 hours for all consumers except industrial consumers in respect of whom the hours of use shall be as per the hours the industry generally operates in a day which in any case shall not be less than 8 hours.

(b) In respect of HT consumers:

Assessment shall be based on the data obtained from the electronic meter through MRI and shall be the average consumption for three months prior to the date from which unauthorised use has commenced. In the absence of MRI data the normal consumption pattern of the consumer as that of similar industries may be taken for the purpose of billing.

- 11.24 *In making such assessment the authorized officer shall also take into account the representation of the person submitted within 48 hours of the detection of theft or any other evidence he considers relevant. The authorized officer shall record reasons for the assessment made. Charges, if any, paid by the person during the period for which the assessment is done, shall be duly credited if necessary, to avoid duplication of billing for such period.*
- 11.25 *The authorized officer shall serve an order for charges against the theft of electricity committed by the person within 3 (three) days in the manner as provided in the Rules and the person shall make payment within 30 days.*
- 11.26 *The supply shall be restored to the consumer within 48 hours after removal of the cause of theft, provided that the assessed amount is deposited in full. The licensee shall take all measures to avoid recurrence of theft in the same premises before restoration of supply*
- 11.27 *The above action shall be without prejudice to the filing criminal proceedings by the licensee in the special court constituted under chapter XV of the Act against the person involved in theft of electricity.*

Compounding of offences

- 11.28 *Compounding of offences shall be as per the provision of Section 152 of the Act. In compounding offences the authorised officer shall act in accordance with the procedure laid down in the Rules.*

- 11.29 *A person or consumer in custody, in connection with the offence of theft of electricity, shall be set at liberty on payment of sum of money in accordance with the Sub-Section (1) of Section 152 of the Act or the amount as may be specified by the State Government from time to time. No proceeding shall be instituted or continued against such consumer or person in any criminal court as per Section 152(2) of the Act.*
- 11.30 *The compounding of an offence under Section 152 of the Act shall be allowed only once for any person or consumer.*

(C) Prevention measures

- 11.31 *The Electricity (Removal of Difficulties) Order 2005 [S.O.790 (E) dated 8th June'2005] notified by Ministry of Power, Govt. of India mandates adoption of measures to control theft.*
- 11.32 *In order to reduce and prevent diversion, theft or unauthorized use of electricity or tampering, distress or damage to electrical plant, electric lines or meter, necessary preventive measures shall be taken by the distribution licensee.*
- 11.33 *The licensee shall arrange to provide tamper proof meter boxes on meters of at least 20% connections every year so as to ensure that within next 5 years meters installed at all the premises have tamper proof meter boxes. The licensee shall simultaneously review the status of the service lines to ensure that it is proper and wherever required, it should be replaced to prevent theft/ bypassing of meter.*
- 11.34 *The licensee shall undertake regular inspection of premises of consumers and keep up necessary vigilance to ensure prevention of theft or unauthorized use of electricity or tampering, distress or damage to electrical plant, electric lines or meter.*
- Priority shall be given in inspection/ vigilance to theft-prone areas.*
- 11.35 *The licensee shall evolve a system and put in place such a system within 6 months, for regular monthly monitoring of consumption of high value consumers, which shall include all the HT connections and LT connections having contract demand/connected load of 25 HP and above. Wide variations in consumption shall be carefully analyzed. The licensee shall arrange prompt inspection in doubtful cases.*
- 11.36 *The licensee shall arrange to ensure that 33 KV & 11 KV feeder-wise losses are worked out for identified cities and district headquarter towns of the State in phases and thereafter for other areas. The licensee shall take suitable steps for reduction of losses in the pockets of high loss identified by working out losses in the above manner.*
- 11.37 *The licensee shall install meters on all distribution transformers and carry out energy audit so as to identify high loss pockets and take further suitable action for reduction of losses in such pockets.*

- 11.38 *The licensee shall endeavour to install remote metering devices on all HT connections on priority for the purpose of monitoring of consumption and prevention of theft of electricity. The licensee shall further endeavour to install remote metering devices on high value LT connection.*
- 11.39 *The licensee shall arrange to give due publicity through the media, TV and newspapers to bring awareness about the level of commercial losses, its implications on honest consumers and seek their co-operation in prevention and detection of theft or unauthorized use of electricity or tampering, distress or damage to electrical plant, electric lines or meter. The licensee shall also install display boards containing the information about the above at its consumer service related offices.*
- 11.40 *The licensee may, as early as possible, arrange to suitably display in its website region wise, circle wise, division wise, sub-station wise and feeder wise losses, efforts made for prevention of diversion of electricity, theft or unauthorized use of electricity or tampering, distress or damage to electrical plant, electric lines or meter and results obtained. The website may be updated every quarter.*
- 11.41 *The licensee shall arrange to provide requisite security force to the authorised officers for their safety. Such security squads shall invariably accompany the authorised officers during raids in order to ensure their safety.*
- 11.42 *The licensee may replace overhead bare conductors with cables in theft-prone areas to prevent theft by direct hooking of the licensee's lines.*
- 11.43 *The licensee shall provide HV distribution system (LT less system) in theft-prone areas using small capacity distribution transformer, wherever necessary.*
- 11.44 *The licensee is authorized to relocate the meters of existing consumers to an appropriate location so that it is clearly visible and reading can be taken from outside the premises but within the boundary wall and easily accessible for reading, inspection, testing and other related works. In case of doubtful cases where continuous vigil is not possible, the licensee may install check meters on its poles / feeder pillars. In cases of repeated theft of electricity the licensee may install billing meters for such connections on its poles/ feeder pillars.*
- 11.45 *Expenditure on account of prevention of theft shall be a pass-through in the ARR of the licensee in determination of tariff.*
- 11.46 *A list of cases where theft of electricity has been detected shall be maintained by the licensee. The licensee shall also maintain list of cases to clearly identify where second offence and subsequent offence (s) of theft have been detected and take action as per the provisions of the Act."*

24. The words appearing in the second sentence in Clause 12.6. "*and Distribution Code and Safety Code as may be notified by the Commission*" shall be deleted.
25. The words '*system strengthening charge*' in clauses 4.2, 4.30(2), 4.31, 4.37, 4.38, 4.40(2), 4.41 and 4.46 shall be substituted by the words '*supply arranging charges*'.
26. Clause 7.11 (c) shall be substituted by the following:
"The reduction of contract demand shall take effect from 30 days of the date of application or from the first day of the billing month following the billing month in which the application for reduction is received, whichever is later."
27. The following shall be added at the end of both the annexure-1 and 2 of the Code:

"ACKNOWLEDGMENT (To be given to the applicant)"

*Application form received from
on.....(date) has been entered in the Register at no..... in the
licensee's office situated at.....*

*Signature of the authorised Official of the licensee
with Name, Seal and Date"*

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 later will prevail and in case of any dispute in this regard, the decision of the Commission shall be final.

By the order of the Commission

***(N.K. Rupwani)
Secretary***