



छत्तीसगढ़ राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 126]

रायपुर,, बुधवार,, दिनांक 7 मई, 2008 – वैशाख 17, शक 1930

Chhattisgarh State Electricity Regulatory Commission

Civil Lines, G.E. Road, Raipur - 492 001 (C.G.)

Ph.0771-4048788, Fax: 4073553

www.cserc.gov.in, e-mail: cserc.sec.cg@nic.in

Raipur dated 07.05.2008

No. 27/CSERC/2008 - In exercise of power conferred under section 15 and 181(2) (b)(c) of the Electricity Act, 2003, (the Central Act) the Chhattisgarh State Electricity Regulatory Commission (CSERC) has made CSERC (License) Regulations, 2004 which were notified in Chhattisgarh Rajpatra on 04.01.05. In the meantime the Central Electricity Regulatory Commission (CERC) has made certain amendments in its regulations namely CERC (Procedure Terms and conditions for grant of trading license and other related matters) Regulation 2004. Some of these amendments made by the CERC are relevant and should be incorporated in above regulations of this Commission. Apart from this, incorporation of certain other amendments are also considered necessary. Therefore, this Commission in exercise of power vested in it under section 15 and 181(2) (b)(c) of the Electricity Act, 2003 makes the following regulations to amend CSERC (License) Regulations, 2004 namely:-

1. Short title and commencement:

- (i) These Regulations may be called the CSERC (License) Regulations, (First Amendment) 2008
- (ii) These Regulations shall come into force from the date of their publication in the Chhattisgarh Rajpatra.

2. Insertion of Regulation 6A

After Regulation 6 of the CSERC (License) Regulations, 2004 (hereinafter called the "Principal Regulations"), the following shall be inserted namely:

6(A) Disqualification for license

No applicant shall be qualified for grant of license under these regulations, if, the Commission is of the opinion that conditions or circumstances exist that raise a doubt about the ability of the applicant to perform duties and obligations under the Central Act.

Explanation- For the purposes of these regulations, " conditions or circumstances" shall mean and include conviction of the applicant or any of its partners, directors or promoters by a court of law of an offence involving moral turpitude; indictment / adverse order by a regulatory authority; conviction of any economic offence, fraudulent and unfair trade practices or market manipulation; or any other sufficient reasons.

Provided that no application for grant of license shall be rejected on the above grounds unless the applicant has been given an opportunity of being heard.

3. Amendment of Regulation 8(2)

In Regulation 8(2) of the Principal Regulations for the word 'Secretary' appearing at the end of the sentence 'the Commission' shall be substituted.

4. Amendment of Regulation 23

In Regulation 23 of the Principal Regulations, the words "a period of 25 years shall be substituted by a maximum period of 25 years".

5. Insertion of Regulation 31(2) (f)

After clause (e) of Regulation 31(2) of the Principal Regulations, the following shall be inserted

"Where in the opinion of the Commission, conditions or circumstances exist that raise a doubt about the ability of the licensee to perform his duties and obligations under the license."

Explanation- For the purposes of this regulation, 'conditions or circumstances' shall mean and include conviction of the licensee or any of its partners, directors or promoters by a court of law of an offence involving moral turpitude; indictment / adverse order by a regulatory authority; insolvency and bankruptcy of the licensee or any of its partners, directors or promoters; conviction of any economic offence and for fraudulent and unfair trade practices or market manipulation; or any other sufficient reasons".

6. Amendment of Regulation 33(4)

Regulation 33(4) of the Principal Regulations, shall be substituted by the following:
A transmission licensee shall not enter into any contract or otherwise engage in the business of electricity trading, or directly or indirectly associate with the business of an electricity trader.

7. Amendment of Regulation 34(1)

In Regulation 34(1) of the Principal Regulations, the following shall be added at the end, namely, "as specified by Central Electricity Authority from time to time under section 73 of the Central Act".

8. Amendment of Regulation 43(6)

Regulation 43(6) of the Principal Regulations, shall be substituted by the following:

The licensee shall increase his net worth if the volume of trade moves from a lower category to a higher category. The change of category shall be decided based on the volume of electricity traded during the financial year ending 31st March of each year.

The licensee shall keep the Commission informed of his moving from one category to the other. The categories of the trading license are specified hereunder: -

S.NO	Category of the trading license	Volume of electricity proposed to be traded (in kilo-watt hours) in a year
1	A	Upto 100 million
2	B	100 to 200 million
3	C	200 to 500 million
4	D	500 to 700 million
5	E	700 to 1000 million
6	F	Above 1000 million

9. Amendment of Regulation 45(2)

Regulation 45(2) of the Principal Regulations, shall be substituted by the following:

“The applicant shall maintain at all times capital adequacy and net worth sufficient to cover the maximum trading volume over an average settlement period of 30 days (one month) worth of credit. The net worth of the electricity trader at the time of application shall not be less than the amount specified hereunder: -

S.NO	Category of the trading license	Net worth (Rs. in crore)
1	A	1.5
2	B	3.0
3	C	7.5
4	D	10.0
5	E	15.00
6	F	20.00

10. Insertion of Regulation 49

After Regulation 48 of the License Regulations, the following shall be inserted namely:

“49 Power to Amend

The Commission may, at any time vary, alter, modify or amend any provision of these regulations. “

By order of the Commission

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