

“बिजनेस 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/ सी. ओ./रायपुर/17/2002.”

छत्तीसगढ़ राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 3-अ]

रायपुर, मंगलवार, दिनांक 04 जनवरी 2005 – पौष 4, शक 1926

Chhattisgarh State Electricity Regulatory Commission G. E. Road, Civil Lines, Raipur - 492 001

Raipur Dated: 7th December 2004

No.2/CSERC/2004- In exercise of the powers conferred under Section 15 & 181 (2) (b) and (c) of the Electricity Act, 2003 (36 of 2003), the Chhattisgarh State Electricity Regulatory Commission hereby makes the following Regulations namely-

CHHATTISGARH STATE ELECTRICITY REGULATORY COMMISSION (LICENCE) REGULATIONS, 2004 (No. 2 of 2004)

CHAPTER-I : PRELIMINARY

1. Short Title and Commencement

- (1) These Regulations shall be called the Chhattisgarh State Electricity Regulatory Commission (Licence) Regulations, 2004. (No. 2 of 2004)
- (2) These Regulations shall come into force from the date of their publication in the Chhattisgarh Government Gazette.
- (3) They shall extend to the whole of the state of Chhattisgarh.

2. Definition

(1) In these Regulations unless the context otherwise requires;

“Financial statements” means for each financial year, financial statements for the licensed business comprising a profit and loss account, a balance sheet and a statement of sources and application of funds, together with notes thereto as detailed under the Companies Act, 1956 (1 of 1956), (hereinafter called the 'Companies Act') and such other particulars and details in the manner as the Commission may direct from time to time.

“Annual Accounts” means the accounts of the licensee prepared in accordance with the provisions of the Companies Act and / or in such other manner as may be directed by the Commission in terms of the provisions of the Central Act;

“Area of activity” means the area of activity stated in the transmission licence within which the licensee is authorized to establish, operate and maintain transmission lines; in relation to a trading licensee it means the area within which the licensee is authorized to trade.

“Auditors” means the licensee’s auditors holding office in accordance with the requirements of Sections 224 to 233 or Section 619, as appropriate, of the Companies Act, 1956.

“Authorized”, in relation to any person, business or activity, means authorized by licence granted under Section 14 of the Central Act or deemed to be granted under the first, second, third and fifth proviso to Section 14 of the same Act or exemption granted under Section 13 of the same Act and the Regulations made by the Commission;

“Central Act” means the Electricity Act, 2003 (36 of 2003)

“Deemed Licensee” means a person authorized under the first, second, third and fifth proviso to Section 14 of the Central Act.

“Distribution” means the conveyance of electricity by means of a distribution system;

“Distribution Business” means the authorized business of a distribution licensee to operate and maintain a distribution system for supplying electricity to the consumers in his area of supply;

“Distribution Code” means the Distribution (Planning and Operation) Code governing all material technical aspects relating to connections to and the operation and use of the distribution system as approved by the Commission;

“Generator Interconnection Facilities” means electrical lines, transformers, bus-bars, switch-gear, plant or apparatus utilized to enable access to a transmission system or distribution system by the generating set(s);

“Holding Company” shall have the same meaning as in Section 4 of the Companies Act;

“Interim Grid Code” means the existing practices and procedures followed by the State Transmission Utility, pending the approval of the Grid Code by the Commission.

“Intervening Transmission Facilities” means the electric lines owned or operated by a Transmission Licensee where such electric lines can be utilized for transmitting electricity for and on behalf of another licensee at his request and on payment of a tariff or charge.

“Licensed business” means the business as authorized under a licence granted under Section 14 of the Central Act.

“Major Incident” means an incident associated with the distribution/transmission of electricity, which results in a significant interruption of service, substantial damage to equipment, or loss of life or significant injury to human beings, or in the case of electricity trading, an incident, which materially affects trading activity, and shall also include any other incident which the Commission expressly declares to be a major incident;

“Operational control” means possessing the authority to make operational decisions such as commissioning and utilization of units, lines and equipment;

“Other business” means business of the licensee other than the licensed business;

“Performance Standards” means the standards as may be determined by the Commission pursuant to Section 57 of the Central Act;

“Specific Conditions” means the conditions in addition or in variation to the General Conditions which the Commission may lay down specifically for a Distribution/Transmission licensee;

“Subsidiary” shall have the same meaning as in Section 4 of the Companies Act

“Transfer” shall include the sale, exchange, gift, lease, licence, loan, securitisation, mortgage, charge, pledge or grant of any other encumbrance or otherwise permitting of any encumbrance to subsist or parting with physical possession or any other disposition or dealing;

“Transmission business” means the authorized business of a Transmission licensee to transmit electricity, whether for its own account or for that of any other person, through any system owned and/ or operated by such licensee;

“Transmission system” means the system consisting mainly of extra high voltage electric lines having design voltage of 66 kV and higher, owned or controlled by the Transmission licensee, and used for the purposes of the conveyance of electricity between the switchyards of two generating sets or from the switchyard of a generating set to a substation, or between substations, or to or from any external interconnection and includes all bays/equipment upto the interconnection with the distribution system, and any plant, apparatus and meters owned or used in connection with the transmission of electricity, but shall not include any part of a distribution system;

- (2) Words and expressions occurring in these Regulations and not defined above shall have the same meaning as in the Central Act or in the Chhattisgarh State Electricity Regulatory Commission (Conduct of Business) Regulations, 2004.

CHAPTER-II : APPLICATION FOR LICENCE

3. Procedure for Application

- (1) Any person intending to engage, or engaged, in the business of transmission, distribution or trading in electricity in the State of Chhattisgarh, shall apply to the Commission for the grant of an appropriate licence under Section 14 of the Central Act.
- (2) The Commission may, if it considers appropriate, advertise in newspapers or otherwise notify in such other manner as it considers appropriate, inviting applications for grant of licence.
- (3) An application for the grant of a licence shall be made in Form 1A, 1B and 1C as appended to these Regulations, for distribution, transmission and trading respectively, and shall be supported by affidavit of the applicant or any person authorized by him in Form-2.
- (4) An application for licence shall be made in six copies (one original and five copies) and addressed to the Secretary of the Commission.
- (5) It shall be accompanied by fees as may be prescribed by the State Government for the purpose under Section 180 of the Central Act, or such fees as may be directed by the Commission till such time the fees are prescribed by the State Government. The fee shall be paid in the form of a demand draft drawn in favour of the Commission payable at Raipur.
- (6) An application for distribution or transmission licence shall be accompanied by the following documents:
 - (a) Copy of existing licence or exemption, if any.
 - (b) Map of the proposed area of transmission or distribution on scale of not less than 1 cm to 1 km. (1:1,00,000). If no such maps are available, maps of not less than that of the largest scale maps available, or such other scales as may be approved by the Commission.
 - (c) A list of Zilla Panchayat and Municipal Corporations/ Municipalities in the proposed area for supply of transmission/distribution and supply.
 - (d) A list of protected/reserved forest, sanctuaries in the supply area.
 - (e) A list of aerodrome or any other building or place in occupation of the Government. for defence purposes in the proposed area of transmission/distribution and supply.
 - (f) A copy of the business plan, with an approximate statement of the capital proposed to be deployed in connection with the utility, the means of financing of such capital expenditure and such other particulars as the Commission may require
 - (g) A statement describing any land and or other assets, which the applicant proposes to acquire for the purpose of the licence and the means of such acquisition.
 - (h) In case the applicant is a company, society, legal authority or a partnership concern:

- (i) a copy of the memorandum and articles of the association in the case of a company or the incorporation, registration documents or partnership deed in the case of legal entities; and
 - (ii) a copy of annual accounts or other similar documents relating to accounts for the last three years.
- (7) The application should also be accompanied by the specific terms and conditions which the applicant desires to be included in the licence and the exclusion(s) desired in the general conditions of licence prescribed by the Commission and justification thereof.
- (8) (i) Any person applying for Transmission Licence shall, immediately on making the application, forward a copy of such application to the State Transmission Utility.
- (ii) The State Transmission Utility shall acknowledge receipt of the application and send its recommendations or comments, if any, to the Commission within thirty days of the receipt of the said application.

4. Acknowledgment of application

On receipt of the application, the Receiving Officer shall note thereon the date of its receipt and shall send to the applicant an acknowledgment with the date of receipt.

5. Copies of maps and proforma for public inspection

The applicant shall maintain at his own office and at such other place as may be directed by the Commission, copies of the documents referred to in clause (6) of Regulation 3 for public inspection and furnish to persons applying for copies of such documents at a price not exceeding the normal photocopying charges;

6. Incomplete or deficient application

If upon scrutiny an application is found to be incomplete or deficient in any manner the Commission may either return the application or require the applicant to furnish within a period as may be specified, such additional information or particulars or documents as the Commission may consider necessary for the purpose of dealing with the application. In case an application is returned, a fresh application may be made following the procedure laid down in Regulation 3.

7. Notifying the due filing of the application

If the Commission finds the application to be complete in all respects as per these Regulations, the Secretary or the officer designated for the purpose shall certify that the application is ready for being considered for grant of licence and communicate the same to the applicant.

8. Publication of notice of application

- (1) The applicant shall, within seven days from the date of admission of the application, publish a notice of the application in Form-4 in two local daily newspapers having wide circulation in applicant's area/proposed area of business.
- (2) The publication shall have a short title corresponding to that given in the application and shall give the addresses of the offices at which the documents, copies of maps therein referred to, may be inspected and the copies of the documents may be purchased and shall also state that every local authority, utility or person, desirous of making any representation with regard to application may do so by a letter addressed to the Secretary within thirty days from the date of publication.

9. Service of notice of application

- (1) The Commission may direct that the notice of the application be served on the Central Government, the State Government, the local authority or any other authority or person or body as the Commission may direct, in such form with such particulars and in such manner as the Commission may consider appropriate.
- (2) The applicant shall obtain "no objection" certificate required from the Central Government in terms of clause (ii) of Sub-Section (2) of Section 15 of the Central Act before the application is placed for hearing to the Commission.

10. Consideration of objections

- (1) Any person, intending to object to the grant of the licence, shall file objections within thirty days from the date of publication of the notice by the applicant. The objection shall be filed in the form of reply and the provisions of Clause 15 or Chapter II of the CSERC (Conduct of Business) Regulations, 2004 dealing with reply, shall apply to the filing of such objections.
- (2) Any person who desires to have an amendment made in the proposed conditions of licence shall deliver a statement of amendment to the applicant and to the Secretary within the time allowed by the Commission for filing objection.

11. Hearing and local inquires

- (1) If the applicant has duly arranged for the publication of the notice of the application and the time for filing of objection is over, and after the applicant has furnished to the Commission the no objection certificate, if any, required from the Central Government, the Commission may proceed with the hearing of the application.
- (2) The Commission shall give notice of hearing to the applicant, the persons who have filed objections, the Central Government, the State Government and such other authority, person as the Commission may consider appropriate.
- (3) The Commission shall consider the recommendations, if any, of the State Transmission Utility in regard to an application for the grant of transmission licence.

- (4) If any person objects to the grant of a licence applied for, the Commission may if either the applicant or the objector so desires, cause a local inquiry to be held for which notice in writing shall be given to both the applicant and the objector.
- (5) In case of such local inquiry a memorandum of the results of the inquiry made, shall be prepared and shall be signed by the applicant, the officer or person designated for the purpose and such other person as the Commission may direct.
- (6) The hearing on the application for grant of licence shall thereafter proceed as far as possible in the manner provided in Chapter II of the CSERC (Conduct of Business) Regulations, 2004.

12. Grant of licence

- (1) After inquiry, if any, and the hearing, the Commission may grant or refuse to grant the licence and if it decides to grant the licence, it may do so on such terms and conditions and with such modifications to the general or specific conditions as the Commission may decide.
- (2) When the Commission has approved the grant of licence, the Secretary shall inform the applicant of such approval and of the form in which it is proposed to grant the licence and the conditions to be satisfied by the applicant.

13. Notification of grant of Licence

- (1) The Commission may publish a notice in two daily newspapers, as it considers necessary, stating the name and address of the person to whom it proposes to issue the licence.
- (2) On receiving an intimation in writing from the applicant that he is willing to accept a licence in the form approved by the Commission and after the applicant satisfies the conditions imposed for the grant of the licence, the Commission may direct the applicant to publish the licence or such part or gist thereof, as the Commission considers appropriate.
- (3) The Commission shall immediately after issue of a licence, forward a copy of the same to the State Government, Central Electricity Authority, local authority, and to such other persons as the Commission considers necessary.

14. Date of commencement of licence

The licence shall commence from the date the Commission may direct and it shall be in force for the period of twenty five years, subject, however, to earlier revocation in accordance with law.

15. Deposit of maps

- (1) When a licence has been granted, three sets of maps showing, the particulars specified in Regulation 3 shall be signed with date to correspond with the date of the

notification of the grant of the licence by such officer as the Commission may designate in this behalf.

- (2) One set of such maps shall be retained in the office and the other two sets shall be given to the licensee after due attestation by the officer of the Commission. aforementioned
- (3) The licensee shall, whenever required by Commission, furnish the maps in an electronic form.

16. Deposit copies of the licence

- (1) Every person who is granted a licence shall within thirty days of the grant thereof:
 - (a) have adequate number of copies of the licence printed;
 - (b) have adequate number of maps prepared showing the area of supply stated in the licence; and
 - (c) arrange to exhibit a copy each of such licence and maps for public inspection at all reasonable times at his head office and at his local offices, if any, within the area of supply.
- (2) Every such licensee shall, within the aforesaid period of thirty days, supply free of charge one copy of the licence to every Municipal Corporation and Municipality within the area of supply and shall also make necessary arrangements for the sale of printed copies of the licence to all persons applying for the same during the period of the licence, at a price not exceeding normal photocopying charges.

17. Application for amendment to an existing licence

- (1) Any licensee who seeks an amendment in the terms and conditions of an existing licence shall make an application in Form 3 to the Commission in the same manner as provided in clause 3.
- (2) The application for amendment shall;
 - (a) contain the existing provisions and proposed amendments to the licence and the reasons thereof;
 - (b) be accompanied by a map to show clearly the changes desired in the transmission or distribution area, if any, and
 - (c) be accompanied by other documents mentioned in clause 3 (6) relevant to the amendment proposed.

18. Notice of application for amendment to or alteration of an existing licence

- (1) An application for making amendments to or alteration of an existing licence shall be considered in the same manner as an application for a licence.
- (2) Any deficiency or incomplete information in the application shall be conveyed to the licensee within 15 days for removing such deficiency or supply of such additional

information or document as the Commission may consider necessary for the purpose of dealing with the application.

- (3) Where no deficiency is conveyed to the licensee within 15 days as aforementioned, the licensee shall publish a notice in Form-5 within one week of expiry of the said 15 days in two local daily news papers having wide circulation in his area/proposed area of business.

19. Notice of amendment / alteration proposed by the Commission of an existing licence

- (1) If in the opinion of the Commission it is in the public interest to make any amendment to an existing licence, it shall publish a notice in two local newspapers having wide circulation in the area of the licensee.
- (2) A copy of the notice shall also be served to the licensee for obtaining his consent to the amendment proposed by the Commission.

20. Amendment/alteration of an existing licence

- (1) If on consideration of the objections filed under Clause 17 on the application of the licensee for amendment/alteration in the terms and conditions of the existing licence, the Commission is of the opinion that it is in the public interest to do so, it may make such amendment.
- (2) Where any amendment to the terms and conditions of the existing licence are proposed by the Commission, it may make such amendment / alteration as it may them fit after considering objections filed under Clause 17.
- (3) Any amendment may not be made except with the consent of the licensee unless the Commission is of the opinion that consent has been unreasonably withheld and that it is in the public interest to carry out the amendment.

21. Supply and inspection of amended licence

The provisions of Clause 16 shall apply mutatis mutandis to a licence amended by Clause 20.

CHAPTER - III : GENERAL CONDITION OF LICENCE

22. Conditions of Licence

- (1) The general conditions of licences of each category shall be as prescribed in these regulations. The application for licence shall incorporate the acceptance of the general conditions.
- (2) The Commission may decide the specific conditions subject to which a licence shall be issued to the applicant.

23. Term of licence

The licence shall come into force on the date stipulated by the Commission in the order granting the licence and subject to the terms and conditions of the grant of licence and shall remain in force for a period of 25 years from that date unless revoked earlier by the Commission in accordance to the provision of these or the Central Act.

24. Provision of information to the Commission

- (1) The licensee shall furnish to the Commission without undue delay such information, documents and details related to the licensed business or any other business of the licensee, as the Commission may require from time to time for its own purposes or for the purposes of the Government of India, State Government, the Central Commission and/or the Central Electricity Authority, the State Transmission Utility and the State Load Despatch Centre.
- (2) The licensee shall duly maintain the information as the Commission may direct under Section 128 of the Central Act.
- (3) The licensee shall notify the Commission as soon as possible the occurrence of any major incident affecting any part of its distribution / transmission system and shall:
 - (a) submit a report to the Commission regarding the incident and its causes not later than one month from the date of occurrence of the incident;
 - (b) in the event the report under sub-clause 3 (a) is likely to take more than one month from the date of such incident, the licensee shall within a fortnight from such date of the incident submit a preliminary report with such details which the licensee can reasonably furnish and state reasons as to why the licensee requires more than one month for giving full report of such incident; and
 - (c) give copies of the report to all parties concerned with the major incident and to such other persons as the Commission may direct.
- (4) The decision of the Commission as to whether an incident is a major incident shall be final. The Commission may by order, after providing an opportunity of hearing, direct the licensee to provide such amount of compensation as the Commission may direct to persons' who suffer substantial injury or to the heirs of those who lose their lives as a result of such major incident or persons who are otherwise affected where a major

incident has been caused by any act of commission, omission or negligence on the part of any of the employees or agents of the licensee.

- (5) The Commission at its own discretion may require submission of a report to be prepared by an independent person at the expense of the licensee.
- (6) The licensee shall also undertake such studies as the Commission may direct for improvement in its licensed business or any other matter concerning the licensed business that the Commission considers necessary in the public interest, to avoid the occurrence of any such major incident.
- (7) The licensee shall duly inform the Commission about any incident restricting it from meeting its obligation under the licence granted including any act of omission or commission by others and steps taken by the licensee to mitigate the effect of such incident .
- (8) The Commission may at any time require a licensee to submit a report regarding any incident even if such an incident is not a major incident.
- (9) The licensee shall submit a Business Plan within three months of the licence coming in force, for such period as the Commission may direct and shall update such plan annually. The Business Plan shall contain year wise load growth, turnover in case of a trading licensee, year wise distribution/transmission loss reduction proposal along with specific action plan, metering plan for metering interface points, investment plan, treatment of previous losses, debt restructuring plan, cost reduction plan, projected profit and loss account, projected balance sheets, projected cash flow statements and projected important financial parameters.
- (10) The Commission may require the licensee to intimate by the end of first quarter of each financial year the progress made in implementing the Business Plan of the previous financial year.

25. Payment of licence fees

- (1) The licensee shall pay to the Commission licence fees, initial and also periodic, mentioned in the special condition in such manner as the Commission may direct in the said special condition
- (2) Where the licensee fails to pay to the Commission any of the fees due by the due dates:
 - (a) without prejudice to other obligations, the licensee shall be liable to pay interest on the outstanding amount at a simple interest rate of 1.5 percent per month, the interest being payable for the period beginning on the day after which the amount became due, and ending on the day on which the payment is made to the Commission; and
 - (b) in the event of continued default by the licensee, the Commission may revoke the licence.

- (3) The licensee shall be entitled to take into account any fee paid by it under this clause as an expense in the determination of aggregate revenues to be charged to the tariffs, but shall not take into account any interest paid pursuant to this clause.

26. Compliance with laws, rules and regulations

- (1) The licensee shall comply with the provisions of the Central Act, and these Regulations, orders and directions issued by the Commission from time to time.
- (2) The licensee shall act in accordance with the general conditions notified in these regulations except where he is exempted from any of the provisions of the general conditions at the time of the grant of licence or otherwise specifically obtains the approval of the Commission for any deviation there from.

27. Contravention of terms and conditions of licence

If there is contravention or likelihood of the contravention of the terms and conditions of licence, by the licensee the Commission may pass such orders as it thinks fit in accordance with the provisions of the Central Act.

28. Accounts

- (1) Unless otherwise permitted by the Commission, the financial year of the licensee shall be from the first of April to the following thirty first of March.
- (2) The licensee shall, in respect of the licensed business and any other business:
 - (a) keep such accounting records as would be required to be kept in respect of each such business as if it were carried on by separate companies so that the revenues, costs, assets, liabilities, reserves and provisions of, or reasonably attributable to, the licensed business are separately identifiable in the books of the licensee, from those of other business in which the licensee may be engaged;
 - (b) prepare on a consistent basis from such accounting records and provide to the Commission:
 - (i) in respect of the first six months of each financial year, a half yearly profit and loss account, cash flow statement and balance sheet together with such supporting documents and information as the Commission may prescribe from time to time;
 - (ii) the annual financial statements; and
 - (iii) in respect of the financial statements prepared, an auditor's report for each financial year, stating whether these statements give a true and fair view of the revenues, costs, assets, liabilities, reserves and provisions of, are reasonably attributable to, such businesses to which the statements relate;
 - (c) the half yearly profit and loss account shall be provided not later than three months after the end of the period to which it relates, and the accounting statements and auditor's report not later than six months after the end of the financial year to which they relate.

- (3) The licensee shall not normally change the basis of charge or apportionment or allocation of revenues or expenses in relation to the preparation of the accounting statements in respect of a financial year from those applied in respect of the previous financial year, without prior intimation to the Commission. Any such change, if proposed, shall be consistent with the provisions of the Companies Act, the accounting standards or rules and any guidelines issued by the Commission in this regard.
- (4) Where, in relation to the accounting statements the licensee has changed the basis of charge or apportionment or allocation from those adopted in the preceding financial year, the licensee may be required by the Commission, to prepare accounting statements on the same basis as in the preceding financial year, in addition to statements prepared on changed basis.
- (5) Financial statements under sub clause (2) above shall, unless or otherwise approved or directed by the Commission:
 - (a) state the accounting policies adopted; and
 - (b) be published with the annual accounts of the licensee.
- (6) The references to costs or liabilities of, or reasonably attributable to, licensed business or other business shall be construed as excluding taxation, and capital liabilities which do not relate principally to such business and interest thereon.
- (7) The licensee shall ensure that the accounting statements in respect of each financial year prepared under sub clause (2) and the auditor's report are publicized in such manner as the Commission may direct and are made available to any person requesting them at a price not exceeding the reasonable cost of making photocopies of the documents.

29. Investments

- (1) Unless otherwise directed by the Commission, every licensee shall obtain prior approval of the Commission for making investment in the licensed business if such investment is above the limits laid down by the Commission.
- (2) The licensee shall duly comply with the regulations, guidelines, directions and orders the Commission may issue from time to time in regard to the investments to be made in the licenced business.
- (3) The licensee shall submit to the Commission, investment plans as a part of the business plan giving details of investment schemes to be undertaken during the concerned period for the approval of the Commission.
- (4) The licensee shall demonstrate to the satisfaction of the Commission that:
 - (a) there is a need for such investments in transmission/distribution system and is contained in the investment plan; and
 - (b) the licensee has made techno economic analysis and environmental aspects of all viable alternatives to the proposal for investing in or acquiring new distribution/transmission system assets to meet such need.

- (5) (a) The licensee and other applicants seeking investment approval shall furnish information, particulars, documents as may be required by the Commission staff, consultants and experts appointed by the Commission for the purpose and allow them access to the records and documents in the power, possession or custody of the licensee.
- (b) The licensee shall cooperate with the Commission's staff, consultants and experts to enable them to discharge their functions and to submit a report to the Commission on the outcome of their findings.
- (6) The licensee shall intimate, by the end of the first quarter of each financial year-
- (a) the annual investment plan with details of investment schemes to be carried out during the financial year ; and
- (b) the progress made in implementing the annual investment plan of the previous financial year with comparison of actual implementation vis-à-vis the plan as approved by the Commission for the concerned period.
- (7) The licensee shall make investments in a prudent manner being guided by the duty to build, maintain and operate an efficient, co-ordinated and economical distribution/transmission system in the State.
- (8) The licensee shall not undertake schemes involving major investments, not covered under the Investment Plan approved by the Commission without the prior approval of the Commission, and for such approval the licensee shall demonstrate to the satisfaction of the Commission the factors mentioned in sub clause (4) above.
- (9) The licensee shall invite and finalize tenders for procurement of equipment, material and/or services relating to major investment, in accordance with a transparent tendering procedure.
- (10) For the purposes of this clause the term 'major investment' means any planned investment in or acquisition of facilities, the cost of which, when aggregated with all other investments or acquisitions (if any) forming part of the same overall transaction, equals or exceeds an amount contained in the specific conditions applicable to the licensee or otherwise decided by the Commission from time to time by a general or special order.
- (11) The licensee shall be entitled to make investment in the licensed business other than those covered under sub clauses (3) and (9) above but for the purposes of considering such investment while determining the tariff, the licensee shall satisfy the Commission that the investment was required for the licensed business and that such investment was made in an efficient, co-ordinated and economical manner.
- (12) The licensee shall submit to the Commission along with the expected revenue calculations filed under Section 62 of the Central Act , the highlights of the annual investment plan consisting of the schemes approved by the Commission, schemes submitted before the Commission for approval and all schemes not requiring prior approval of the Commission planned for the ensuing financial year and shall make investment in the said financial year in accordance with the said investment plan. The

Commission shall take into consideration while determining the tariffs of the licensee, as per the Tariff Regulations to be framed by the Commission under Section 61 of the Central Act, the approval granted by the Commission to the licensee for investments and the actions taken by the licensee in complying with the terms contained in this clause

Provided that if any unforeseen contingencies required reallocation of funds within the schemes listed in the annual investment plan, the licensee may do so to the extent such reallocation up to a limit of 10 % of the overall investment plan and 25 % of the approved amount in respect of each item/work of the investment plan. The licensee shall give due intimation of such reallocation to the Commission within 7 days of making the investment

30. Transfer of assets

- (1) The licensee shall not, in a single transaction or a set of related transactions, transfer or relinquish operational control over any asset whose estimated book value at the time of the proposed transfer exceeds Rupees one hundred lakhs without complying with the conditions stipulated in this clause.
- (2) The licensee shall give to the Commission prior written notice of its intention to transfer or relinquish operational control over any asset whose value exceeds the amount specified in sub clause (1) above and the licensee shall disclose all relevant facts in the communication to the Commission. The Commission may, within 30 days of the receipt of the notice, seek further information in support of the transaction and shall, generally within 30 days of such further information being submitted by the licensee, and where no such further information is sought by the Commission as above, within 60 days of the filing of the application, approve the transfer arrangement subject to such terms and conditions or modifications as is considered appropriate or reject the same, for reasons recorded in writing in the order to be issued by the Commission.
- (3) The licensee may transfer or relinquish operational control over any asset as is detailed in any notice given under sub clause (2) where:
 - (a) the Commission conveys in writing that it consents to such transfer or relinquishment of operational control subject to such conditions as the Commission may impose; or
 - (b) the Commission does not inform the licensee in writing of any objection to such transfer or relinquishment of operational control within the notice period referred to in sub clause (2) above and the transfer is effected by transparent and competitive bidding procedures.
- (4) The licensee may also transfer or relinquish operational control over any asset where:
 - (a) the Commission has given general consent, whether or not subject to conditions, to the transactions of a specified description, and/or assets of a specified description;
 - (b) it is mandated under any other law; or
 - (c) the asset in question was acquired and used by the licensee exclusively or primarily in connection with any other business and does not constitute a legal or beneficial interest in land, or otherwise form part of the distribution/transmission system or is not otherwise an asset required for the licensed business.

- (5) The licensee may utilize the assets as a means of facilitating financing its investment requirement or including collateral for debt financing, securitisation of receivables subject to the conditions:
 - (a) that the licensee will inform the Commission about such arrangements at least 15 days prior to the effective date of the relevant agreements;
 - (b) the licensee acts in a prudent and reasonable manner in such utilization of assets; and
 - (c) the licensee retains the operational control over assets in the distribution/transmission system.
- (6) Notwithstanding anything contained in this clause, in case of any emergency, the licensee may transfer assets subject to the condition that the licensee shall immediately after such a transaction seek post-facto approval of the Commission giving the details of the transaction. It shall be the obligation of the licensee to establish to the satisfaction of the Commission of the presence of emergency condition necessitating the transfer of the assets without prior approval..

31. Terms of revocation

- (1) Subject to the provisions of Section 19 of the Central Act and the regulations framed thereunder, the Commission may, at any time initiate proceedings against a licensee for revocation of licence. If the Commission is satisfied that there are grounds for revocation, it may revoke the licence in the public interest.
- (2) The grounds for revocation may be as follows:
 - (a) where the licensee, in the opinion of the Commission, makes willful and prolonged default in doing anything required of him by or under the Central Act or the rules or regulations made thereunder;
 - (b) where the licensee violates any of the terms or conditions of his licence the breach of which is expressly declared by such licence to render it liable to revocation;
 - (c) where the licensee fails, within the period stipulated in this behalf in his licence, or any longer period which the Commission may have granted therefor,
 - (i) to show, to the satisfaction of the Commission, that he is in a position to fully and efficiently discharge the duties and obligations imposed on him by his licence; or
 - (ii) to make deposits or furnish the security, or pay the fees or other charges required by his licence;
 - (d) where in the opinion of the Commission the financial position of the licensee is such that he is unable to fully and efficiently discharge the duties and obligations imposed on him; and
 - (e) where the licensee has failed to comply with all the regulations, codes, and standards and also orders and directions of the Commission or otherwise has committed an act which renders the licence revocable on any other grounds stated in the Central Act or the rules or regulations framed there under.

- (3) Where in its opinion public interest so requires, the Commission may, on application, or with the consent of the licensee, revoke his licence in as to the whole or any part of his area of business and upon such terms and conditions as it thinks fit.
- (4) Before revoking a licence the Commission shall, if it considered necessary, refer the matter to the State Government and agree on an alternate arrangement to be made for discharging the duties of the licensee.

32. Amendment of licence conditions

- (1) These general conditions of license may be altered or amended by the Commission at any time, if it deems fit in the public interest, in exercise of powers under Section 18 of the Central Act.
- (2) The afore mentioned provisions of the Central Act shall apply to any alteration or amendment in the conditions of a licence.

CHAPTER - IV : OTHER CONDITIONS FOR TRANSMISSION LICENSEE

33. Duties and functions of the Transmission licensee

- (1) The transmission licensee shall duly discharge the duties of such a licensee as provided under Section 40 of the Central Act.
- (2) The transmission licensee shall provide non-discriminatory open access to the transmission system for use of the licensees and generating company, including captive generating plants and the desirous consumer subject to adequate spare availability of transmission capacity in the transmission lines, and of use of such transmission system for supply of electricity to consumer shall be subject to payment of surcharge to meet the current level of cross subsidy as envisaged in Section 40 read with Sub-Section (2) of Section 42 of the Central Act .
- (3) In terms of Section 17 of the Central Act, the licensee shall not without the prior approval of the Commission:
 - (a) undertake any transaction to acquire by purchase or takeover or otherwise, the utility of any other licensee; or
 - (b) acquire any beneficial interest in any generating company or generating station; or
 - (c) transmit electricity to any person in the State of Chhattisgarh, not authorized to by the Commission.
- (4) A transmission licensee shall not engage in the business of electricity trading, or directly or indirectly associate in the business of an electricity trader or a distribution licensee .
- (5) The licensee shall provide to other licensees intervening transmission facilities to the extent of surplus capacity available in his transmission system. In the event of any dispute as to the availability of surplus capacity, the same shall be determined by the Commission. The charges and terms and conditions for the intervening facilities may

be mutually agreed between the licensees and in the event of any disagreement the same shall be decided by the Commission.

- (6) In the event the licensee engages in any other business, the same shall be subject to the following conditions:
 - (a) the licensed business and the conduct thereof by the Transmission licensee is not prejudiced and/or adversely affected in any manner by reason of the other business;
 - (b) a proportion of the revenue, as may be directed by the Commission, derived from such other business shall be utilized for reducing the charges for transmission and wheeling;
 - (c) the licensee shall prepare and keep, in respect of the other business, separate accounting records as per the clause 28 (2),
 - (d) the licensed business should not subsidize in any way such other business nor create encumbrance on its transmission assets in any way, to support such other business; and
 - (e) the licensee shall not transfer any assets utilized in the transmission system for the purposes of other business without the prior approval of the Commission.
- (7) The licensee shall seek approval of the Commission before making any loans to, or issuing any guarantee for any obligation of any person, except when made or issued for the purposes of the licensed business.
- (8) The transmission licensee may engage any of its subsidiaries or holding company or a subsidiary of his holding company to provide any goods or services to the licensee in connection with the licensed business, subject to the following conditions:
 - (a) the transaction will be on an arms-length basis and at a value that is fair and reasonable in the circumstances;
 - (b) the transaction will be consistent with any regulations framed by the Commission relating to the provision of goods and services with respect to licensed business; and
 - (c) the licensee will give 15 days' notice with details of such arrangement, to the Commission prior to commencement of such arrangement.
- (9) In all other cases of engagement of such subsidiary or holding company or a subsidiary of the holding company, prior permission of the Commission will be required. Where such prior permission is required, the transmission licensee will file a suitable application with the Commission disclosing relevant facts. The Commission may, within 30 days of the filing of the application, seek further information in support of the application. The Commission shall generally within 30 days of such further information being submitted by the licensee, and where no such further investigation is required, generally within 60 days of the filing of the application, allow the arrangement subject to such terms and conditions or modifications as it considers appropriate or reject the same for reasons to be recorded in the order issued by the Commission.
- (10) The licensee shall not at any time assign his licence or transfer his utility, or any part thereof, by sale, lease, exchange or otherwise without the prior approval of the Commission. For obtaining such approval the licensee will file a suitable application

with the Commission disclosing relevant facts in that behalf and the Commission shall dispose of such application expeditiously.

- (11) Transmission licensee shall duly comply with the order and directions of the National Load Despatch Centre, Regional Load Despatch Centre and the State Load Despatch Centre and other statutory authorities, issued in the discharge of their functions under the Central Act.
- (12) In the conduct of the licensed business, the licence shall not show any undue preference to any person.

34. Transmission planning and security standards; Transmission operating standards:

- (1) The Transmission licensee shall plan and operate the transmission system, so as to ensure that system is built, operated and maintained to provide an efficient, economical and co-ordinated system of transmission, in accordance with the Grid Code and the planning, security and operating standards.
- (2)
 - (a) The Transmission licensee shall make arrangements, within such time as the Commission may direct , to meet the power supply planning and security standards and power supply operating standards.
 - (b) The security standards are such as will ensure that the licensee conducts its planning so that transmission of electricity meets levels of reliability and quality proposed by the licensee and approved by the Commission; or as may be directed by the Commission from time to time.
 - (c) The operating standards are such levels of operational security as approved by the Commission from time to time.
- (3)
 - (a) The Transmission licensee shall, within such time as the Commission may direct in the specific conditions or otherwise, submit to the Commission the existing planning and security standards and the operating standards for its transmission system and the existing planning and security standards and operating standards relating to generation capacity connected to its transmission system being followed by the Transmission licensee. Such existing standards, with such modification as the Commission may direct, shall continue to remain in effect until the new standards approved by the Commission.
 - (b) The Transmission licensee shall, within such time as the Commission may direct in the specific conditions or otherwise, prepare, in consultation with the suppliers, generating companies, Central Transmission Utility, State Transmission Utility, Regional Power Committee and such other person as the Commission may direct, and submit to the Commission for approval the Transmission licensee's proposal for transmission planning and security standards and transmission, operating standards in accordance with these general conditions
 - (c) The transmission planning and security standards and transmission operating standards, submitted by the Transmission licensee pursuant to this clause, with such modifications as the Commission may require, shall take effect from such dates as the Commission may direct.

- (4) The licensee shall not be held responsibly for any breach of its obligations, if the failure to meet the transmission planning and security standards or the transmission operating standards is due to force majeure, provided that, the licensee had made reasonable efforts, to comply with the standards.
- (5) The Transmission licensee shall, in consultation with suppliers, the generating companies, the Central Transmission Utility, the State Transmission Utility, the Regional Power Committee and such other persons, as the Commission may order, review the standards and their implementation on each occasion a review of the Grid Code is undertaken. Following any such review, the licensee shall send to the Commission:
 - (a) a report on the outcome of such review; and
 - (b) any revision he proposes to make to such documents from time to time having regard to the outcome of such review; and
 - (c) any written representations or objections (including those not accepted by the Transmission licensee) from suppliers, the generating companies, the Central Transmission Utility, the State Transmission Utility, the Regional Power Committee and such other persons as the Commission may order, arising during the consultation process.

Provided that the Commission may, upon application of the licensee, relieve him of the obligation to review the standards and their implementation, to such extent as shall be stated in directions issued to the licensee by the Commission for the purposes of this condition.

- (6) The Commission may, having regard to any written representations and objections received and following such further consultation as the Commission may consider appropriate, issue directions requiring the Transmission licensee to revise the standards in such manner as may be stated in the directions. The Transmission licensee shall duly carry out the revisions directed by the Commission
- (7) The Transmission licensee shall within 3 months of the end of each financial year, submit to the Commission a report indicating the performance of the transmission system during the previous financial year. He shall, if required by the Commission, publish the reports in a manner to be determined by the Commission. The copies of this report shall also be furnished by the him to all persons applying for the same at the normal cost of photocopying.
- (8) The Transmission licensee shall, upon request by the Commission, provide to the Commission such information as the Commission may require under or for the purpose of monitoring the duties and responsibilities of the Transmission licensee.

35. Grid code

- (1) The licensee shall ensure due compliance with the Grid Code in operation.
- (2) The Grid Code shall be formulated from time to time by the State Transmission Utility in consultation with the Transmission licensee, other licensees and generating

companies and implemented with the approval by the Commission. Until such State Grid Code is implemented the licensee shall follow the Interim Grid Code.

- (3) The Commission may, on reasonable grounds and after consultation with any affected generating companies, the licensee, the State Transmission Utility, the State Load Despatch Centre and Electricity traders, issue directions relieving the Transmission licensee of its obligation in respect of such parts of the Grid Code and to such extent as may be decided by the Commission.
- (4) The State Transmission Utility shall, in consultation with other Transmission licensees, generating companies, the Central Transmission Utility, the Regional Power Committee and such other persons as the Commission may direct, review the Grid Code and its implementation from time to time in so far as the operation of the Transmission licensee is concerned. Such review should be carried at least once in three years. Following such review, the Transmission licensee shall send to the Commission and the State Transmission Utility:
 - (a) a report on the outcome of such review; and
 - (b) any proposed revisions to the Grid Code from time to time, as the State Transmission Utility reasonably thinks fit; and
 - (c) all written representations or objections received by the State Transmission Utility during the consultation process.

36. Connection and use of system

- (1) The Transmission licensee shall make such arrangements for non discriminatory open access to the use of his transmission system by users subject, however, to the availability of adequate transmission capacity in accordance with open access regulation notified by the Commission and further subject to the user agreeing to pay all charges including the transmission charges and surcharges wherever applicable.
- (2) On application made for grant of a connection by any person intending to use the transmission system, the transmission licensee shall offer to enter into an agreement with such person for connection to the transmission system or for modification of such an existing connection and such offer shall make provision for:
 - (a) carrying out works necessary to make the required connection, including the installation of meters;
 - (b) carrying out necessary works to reinforce the licensee's transmission system;
 - (c) the connection charges to be paid as directed by the Commission; and
 - (d) the completion date and such other terms as are relevant to the circumstances.
- (3) The Transmission licensee shall offer terms for agreements in accordance with clauses 35 (1) or 35 (2) as soon as practicable to the intended users of the system. The Transmission licensee shall not be obliged to offer to enter into any agreement, if -
 - (a) adequate transmission capacity is not available in the transmission system, provided that the existence or absence of such available capacity shall be subject to determination by the State Transmission Utility and in case of any dispute pertaining

- to the same on such determination the same shall be subject to the decision of the Commission;
- (b) it is likely to result in breach of its duties under the Central Act ;
 - (c) it is likely to result in breach of any rules or Regulations relating to safety or standards applicable to the transmission business including, the prevailing rules;
 - (d) if it is in breach of the Grid Code;
 - (e) the person making the application does not undertake to comply with the Grid Code(s) from time to time in force to the extent that it is applicable to that person; or
 - (f) the person making the application fails to pay the applicable charges, surcharges, adjustment for losses of electricity in the transmission systems determined by the Commission.
- (4) If, after a period which appears to the Commission to be reasonable for the purpose, the Transmission licensee fails to enter into an agreement with any intending user of the transmission system , the Commission may at the request of such intending user settle such terms of agreement and the Transmission licensee shall forthwith enter into and implement such agreement in accordance with its terms as settled by the Commission.
- (5) The Transmission licensee shall prepare and submit to the Commission on an annual basis, a statement showing in respect of each of the five succeeding financial years forecasts of circuit capacity, power flows and loading on the transmission system under standard planning criteria, together with:
- (a) such further information as shall be reasonably necessary to enable any person seeking use of system to identify and evaluate the opportunities available when connecting to and making use of such system; and
 - (b) a statement prepared by the Transmission licensee indicating its views as to those parts of its transmission system most suited to new connections and transport of further quantities of electricity.
- (6) At the request of a person or a supplier who wishes to use the transmission system, the Transmission licensee shall prepare an update to the above statement, incorporating most recent data but specifically including any facility for which any other person or a supplier has requested use of and connection to the transmission system.
- (7) The Transmission licensee may make a charge for any statement given or sent to persons seeking use of system, of an amount reflecting his reasonable costs of providing such a statement.
- (8) The Transmission licensee is entitled to undertake all activities necessary, related or incidental to the conduct of the transmission business, which would include laying and operating appropriate communication network to implement information technology based solutions like remote metering etc. for the licensed transmission business.

37. Expected revenue calculation and tariffs

- (1) The Transmission licensee shall calculate the expected revenue from charges which it is permitted to recover, in accordance with the provisions of the Act, the regulations, the tariff terms and conditions and other guidelines, orders and directions issued by the Commission from time to time.
- (2) The licensee shall file the expected revenue calculation and the application containing tariff proposals in the manner provided in the CSERC (Conduct of Business) Regulations 2004 and consistent with the regulations under Section 61 of the Central Act
- (3) Unless otherwise provided in the specific conditions or in any order or direction made by the Commission, the Transmission licensee shall every year, not later than 30th November, submit to the Commission
 - (i) a Statement with full details of its expected aggregate revenues and cost of service for the ensuing financial year (including financing costs and its proposed return on equity) for its licensed business, in accordance with the provisions of the Central Act and the regulations, guidelines and orders issued by the Commission from time to time; and
 - (ii) the annual investment plan giving specific details of the investment which the Transmission licensee proposes to make in the ensuing financial year and which the Transmission licensee desires to be covered under the revenue requirements in the ensuing financial year with appropriate references to schemes, if any, already approved by the Commission of which such investments form a part. The Transmission licensee shall prepare and submit to the Commission the statement and the investment details referred to in the above separately for each of its licensed businesses and other businesses.
- (4) The Transmission licensee shall along with the expected revenue calculation, at such other time and periodicity as the Commission may specifically permit, file the application containing tariff proposals and the revision to the existing tariffs approved by the Commission to match his revenue requirements as per the procedure laid down by the Commission.

38. Application of the general conditions to the state transmission utility:

The provisions of these general conditions shall apply to the State Transmission Utility save as the provisions relating to revocation of the Transmission licence and the functions of State Load Dispatch Centre under Section 32 of the Central Act and activities of the State Transmission Utility under clauses (b) and (c) of Sub-Section (2) of Section 39 of the Central Act.

CHAPTER - V : OTHER CONDITIONS OF DISTRIBUTION LICENSEE

39. Duties and functions of the distribution licensee

- (1) The distribution licensee shall develop and maintain an efficient, coordinated and economical distribution system in the area of distribution and effect supply of electricity to consumers in such area of supply.
- (2) The distribution licensee may:
 - (a) purchase, import or otherwise acquire electricity from generating companies, electricity trader(s) and from other persons with whom he has agreements or arrangements of power purchase or procurement, the terms and conditions of which have been approved by the Commission ;
 - (b) purchase or acquire electricity from any person whose generating unit existing as on date of the grant of the licence, is directly connected to and interfaced with his distribution system provided that the licensee shall intimate the Commission of the existing arrangements for such purchase or acquisition of electrical energy and obtain the general or special approval of the Commission;
 - (c) purchase or otherwise acquire electricity from any person or licensee on the tariffs and terms and conditions as approved by the Commission;
 - (d) appoint franchisees to distribute and/or supply electricity for a specified area within is area of supply without a separate licence to be taken by such franchisee but the licensee shall be responsible for distribution of electricity in that area of supply also;
 - (e) undertake trading in electricity without the need for a separate trading licence;
 - (f) provide access to the distribution system to any person for wheeling of electricity in accordance with regulations made by the Commission for the purpose; and
 - (g) sell electricity or power capacity contracted, for such period and to the extent electricity or capacity is not required by him for the discharge of his obligations to supply electricity in his area of supply.
- (3) The licensee may sell, supply or otherwise dispose of electricity to any person, only in accordance with his licence, on the tariffs and terms and conditions as approved by the Commission.
- (4) The licensee may purchase the energy required by it for meeting obligations under the licence in an economical manner and under a transparent power purchase or procurement process and in accordance with the regulations, guidelines, directions issued by the Commission from time to time.
- (5) The licensee may engage in any other business consistent with the regulations issued under Section 51 of the Central Act.
- (6) The licensee shall seek the approval of the Commission before making any loans to, or issuing any guarantee for any obligation of any person, except when made or issued for the purposes of the licensed business.

- (7) The licensee may engage any of the subsidiaries or holding company or a subsidiary of such holding company to provide any goods or services to the licensee in connection with the licensed business, subject to the following conditions:
 - (a) that the transaction will be on an arms-length basis and at a value that is fair and reasonable in the circumstances;
 - (b) that the transaction will be consistent with any regulation framed by the Commission relating to the provision of goods and services with respect to licensed business; and
 - (c) that the licensee will give 15 days' notice with details of such arrangement, to the Commission prior to the commencement of such arrangement.
- (8) The licensee may establish subsidiaries or associated companies or grant a franchise or enter into management contracts including appointment of billing agent to conduct or carry out any of his functions under the licence provided that he shall be responsible for all actions of the subsidiaries or associated companies or franchisees or agents or contractors.
- (9) Except as provided in sub-clause (8) above, the licensee shall not transfer or assign its licence or any of the functions under the licence to any other person without prior approval of the Commission.
- (10) The licensee shall provide open access to the distribution system for use of licensees, and generating companies including the captive generating plant(s) and consumers, subject to there being no operational constraints in the distribution system as and when open access is permitted by the Commission under Section 42(2) of the Central Act and subject to payment by the user of all applicable tariffs and charges as determined by any general or special order of the Commission.
- (11) In terms of Section 17 of the Central Act, the licensee shall not, without prior approval of the Commission;
 - (a) undertake any transaction to acquire by purchase or take over or otherwise, the utility of any other licensee;
 - (b) acquire any beneficial interest in any generating company or generating station; or
 - (c) transmit, distribute or supply electricity to any person in the State, not under the licence.
- (12) The distribution licensee shall provide to the other licensees the intervening distribution facilities to the extent of availability of surplus capacity in his distribution system. In the event of any dispute as to the availability of surplus capacity the same shall be determined by the Commission. The charges, terms and conditions for the use of the intervening facilities may be mutually agreed between the licensees subject to any order made by the Commission for the purpose. In the event of any disagreement the same shall be decided by the Commission.
- (13) The distribution licensee shall not show undue preference to any person in the distribution and supply of electricity or rendering of services in the area of supply. The distribution licensee shall not be held to have shown any such undue preference if any differentiation of the consumer occurs as a result of the implementation of any

order of the Commission or of the order of the State Government in regard to subsidy payment under Section 65 of the Act.

40. Distribution system planning and security standards, distribution system operating standards, overall performance standards

- (1) The distribution licensee shall plan, develop and operate its distribution system in accordance with the distribution system planning and security standards together with the distribution code as approved by the Commission.
- (2)
 - (a) The distribution licensee shall, within such time as the Commission may direct in the specific conditions or otherwise submit to the Commission the existing planning and security standards and the operating standards for its distribution system and the existing planning and security standards and operating standards relating to generation capacity connected to its distribution system being followed by the distribution licensee. Such existing standards, with such modification as the Commission may direct, shall continue to remain in effect until the new standards approved by the Commission.
 - (b) The distribution licensee shall, within such time as the Commission may direct in the specific conditions or otherwise, prepare, in consultation with the suppliers, generating companies, Central Transmission Utility, State transmission utility, regional power committee and such other person as the Commission may direct, and submit to the Commission for approval his proposal for distribution planning and security standards and distribution operating standards in accordance with these general conditions
 - (c) The distribution planning and security standards and distribution operating standards submitted by the distribution licensee and as approved by the Commission, shall take effect from such dates as the Commission may direct.
- (3) The licensee shall not be held responsible for breach of its obligations if the failure to meet the distribution planning and security standards or the distribution operating standards is due to force majeure, provided that, the licensee has used its reasonable efforts, to comply with such standards.
- (4) The distribution licensee shall, in consultation with suppliers, the generating companies, the Central Transmission Utility, the State transmission utility, the regional power committee and such other persons as the Commission may order, review the standards and their implementation on each occasion a review of the distribution code is undertaken. Following any such review, the licensee shall send to the Commission:
 - (a) a report on the outcome of such review; and
 - (b) any revision the licensee proposes to make of such documents from time to time having regard to the outcome of such review; and
 - (c) any written representations or objections (including those not accepted by the distribution licensee) from suppliers, the generating companies, the Central Transmission Utility, the State Transmission Utility, the regional power committee

and such other persons as the Commission may order arising during the consultation process.

Provided that the Commission may, upon application of the licensee, relieve the distribution licensee from the obligation to review the standards and their implementation, to such extent as shall be given in directions issued to the distribution licensee by the Commission for the purposes of this condition.

- (5) The Commission may, having regard to any written representations and objections received and following such further consultation as the Commission may consider appropriate, issue directions requiring the distribution licensee to revise the standards in such manner as may be given in the directions. The distribution licensee shall duly carry out the revisions as directed by the Commission
- (6) The distribution licensee shall, within 3 months of the end of each financial year, submit to the Commission a report indicating the performance of his distribution system during the previous financial year. The licensee's compliance with the standards of performance may be measured, in part, by the licensee's adherence to the distribution code, distribution (Conditions of Supply) Code and other codes and regulations set forth by the Commission. The licensee shall, if required by the Commission, publish a summary of the report in a manner approved by the Commission.
- (7) The licensee shall conduct its licensed business in the manner which it reasonably considers to be the best to achieve the performance standards in connection with provision of supply services and the promotion of the efficient use of electricity by consumers, as may be directed by the Commission by a general or special order.
- (8) The licensee shall provide annually, information to the Commission as to the means by which it proposes to achieve the performance standards and other standards applicable to him.

41. Distribution (conditions of supply) code and distribution code

- (1) A distribution licensee shall abide by the distribution (Conditions of Supply) code and distribution (Planning and Operation) code approved by the Commission.
- (2)
 - (a) The distribution (Conditions of Supply) Code may amongst others provide for recovery of electricity charges, intervals for billing of electricity charges, disconnection of supply for non-payment thereof, restoration of supply of electricity, tampering, distress or damage to electrical plant, electric lines or meter, entry of distribution licensees through any person acting on his behalf for disconnecting supply and removing the meter, entry for replacing, altering or maintaining electric lines or electrical plant or meter.
 - (b) The Commission may, at the request of the licensee, issue directions relieving the licensee of its obligations under the distribution (Conditions of Supply) code in respect of such parts of the licensee's distribution system and to such extent as may be directed by the Commission.

- (3) In addition to the distribution (Conditions of Supply) code, the Commission may from time to time approve at the request of the distribution licensee other conditions applicable for supply of electricity by the licensee in the area of distribution.
- (4) The distribution code may amongst others, cover all material technical aspects relating to connections, and the operation and use of the distribution system including the operation of the electrical lines and electrical plant and apparatus connected to distribution system in so far as relevant to the operation and use of the distribution system and shall include, but not be limited to, the distribution planning and connection code containing:
 - (a) planning code describing the plan for laying the distribution lines and the service lines in the area of supply, the technical and design criteria and procedures to be applied by the licensee in the planning and development of the licensee's distribution system; and
 - (b) connection conditions describing the technical, design and operational criteria to be complied with by any person connected or seeking connection with the licensee's distribution system; and the distribution operating code specifying the conditions under which the licensee shall operate the licensee's distribution system and under which persons shall operate their plant and/or distribution system in relation to the licensee's distribution system, in so far as necessary to protect the security and quality of supply and safe operation of the licensee's distribution system under both normal and abnormal operating conditions.
- (5) The distribution code shall be designed so as to permit the development, maintenance and operation of an efficient, co-ordinated and economical distribution system.
- (6) The distribution licensee shall, till the distribution (Conditions of Supply) Code or distribution Code comes into force, follow the same practices which have been followed by the supply licensees in the State with such modifications as may be directed or permitted by the Commission.
- (7) The distribution licensee shall from time to time, as appropriate, review the distribution Code and its implementation in consultation with the transmission licensee, trading licensee, generating companies and such other persons as the Commission may order. The licensee shall also undertake such review as and when directed to do so by the Commission. Following any such review, the licensee shall send to the Commission:
 - (a) a report on the outcome of such review;
 - (b) any proposed revisions to the distribution code as the licensee, having regard to the outcome of such review, reasonably thinks fit for the achievement of the objectives of the distribution code and his licence; and
 - (c) all written representations or objections received during such review.
- (8) All revisions to the distribution code shall require approval of the Commission.
- (9) The licensee shall make available to any person requesting for it, copies of the distribution code and distribution (Conditions of Supply) code and practices thereto

in force at the relevant time, at a price not exceeding the reasonable cost of duplicating it.

- (10) A compilation of the existing codes and practices relating to construction of the licensee's distribution system and its distribution facilities shall be filed with the Commission by the licensee within 90 days of the grant of licence. The licensee shall follow the existing codes and practices, with such modification as the Commission may direct from time to time. The construction practices shall be reviewed and upgraded by the licensee from time to time, as appropriate, based on relevant technological improvements and changes.
- (11) The Distribution licensee shall duly comply with the following:
 - (A) **Consumer service**
 - (1) **Code of practice on payment of bills**
 - (a) The licensee shall, within 90 days after grant of licence, prepare and submit to the Commission, for its approval, a code of practice concerning the payment of electricity bills by consumers including appropriate guidance for the assistance of such consumers who may have difficulty in paying such bills, and procedures for disconnection in the event of non-payment by the consumer. In granting approval, the Commission may make such modifications, as it considers necessary to the code of practice.
 - (b) The Commission may, upon receiving a representation or otherwise, require the distribution licensee to review, the code of practice and the manner in which it has been implemented with a view to determine whether any modification should be made to it or to the manner of its implementation.
 - (c) The distribution licensee shall, in consultation with such other persons as the Commission may direct, review and submit any revision to the code of practice that it wishes to make, to the Commission for its approval, including any representation received by the distribution licensee and not accepted by it. The Commission may modify the code of practice concerning payment of bills, as it considers necessary.
 - (d) The distribution licensee shall;
 - (i) draw the attention of consumers, in such manner as the Commission may direct, to the existence of the code of practice and each substantive revision of it and how they may inspect or obtain a copy of the code of practice in its latest form;
 - (ii) make a copy of the code of practice, revised from time to time, available for inspection by members of the public during normal working hours; and
 - (iii) provide an updated copy of the code of practice revised from time to time to each new consumer and to any other person who requests for it at a price not exceeding the reasonable cost of making photocopies of the documents.
 - (e) The distribution licensee shall comply with the existing practice and procedures with respect to the payment of electricity bills by consumers with such modifications as the Commission may direct, until the code of practice on payment of bills by consumers, as mentioned in this paragraph, is adopted with the approval of the Commission.

(B) Complaint handling procedure

- (a) The distribution licensee shall establish a forum for redressal of grievances of the consumers in accordance with the guidelines issued by the Commission under Section 42 of the Central Act.
- (b) The licensee shall within reasonable time, after the licence becomes effective and with approval of the Commission, notify a procedure for handling complaints from consumers of the licensee in addition to the establishment of forum for redressal of grievances. The Commission may hold consultations with the State Advisory Committee or a person or body of persons, who the Commission considers represents the interest of the consumers likely to be affected and make such modification in the procedure, as it believes necessary.
- (c) The Commission may, upon receiving a representation, or otherwise, require the Distribution licensee to review the complaint handling procedure prepared and the manner in which it has been implemented, with a view to determine whether any modification should be made to it or to the manner of its implementation.
- (d) Any procedure so established, including any revisions to it, shall notify the periods within which it is intended that different kinds of complaints should be processed and resolved.
- (e) The distribution licensee shall submit to the Commission for its approval any revision proposed to be made to the procedure established.
- (f) The Distribution licensee shall;
 - (i) draw to the attention of consumers, in such manner as the Commission may direct to the existence of the complaint handling procedure and each substantive revision of it and how the consumers may inspect or obtain copies of such procedure in its latest form;
 - (ii) make a copy of its complaint handling procedure, revised from time to time, available for inspection by members of the public at the relevant offices of the licensee during normal working hours; and
 - (iii) provide a copy of the complaint handling procedure revised from time to time to each new consumer, and to any other person who requests for it at a price not exceeding the reasonable cost of making photocopies of the documents.

(C) Consumer rights statement

- (a) The distribution licensee shall, within a reasonable period of time, as directed by the Commission, after the licence becomes effective or such other time as the Commission may allow, prepare and submit to the Commission for approval, a consumer rights statement, explaining to consumers serviced by the licensee their rights as consumers. The Commission may, upon holding such consultation with the State Advisory Committee and such other persons or bodies of persons who the Commission considers as representing the interests of consumers likely to be affected by it, may make such modification in the statement, as it considers necessary in public interest.
- (b) The Commission may, upon receiving a representation or otherwise, require the distribution licensee to review the consumer rights statement prepared and the manner

in which it has been implemented with a view to determining whether any modification should be made to it or to the manner of its implementation.

- (c) The distribution licensee shall submit any revision to the consumer rights statement that it wishes to make to the Commission for its approval, including any representation received by the distribution licensee and not accepted by it. The Commission may modify the existing consumer rights statement, as it considers necessary.
- (d) The Distribution licensee shall;
 - (i) draw the attention of consumers, in such manner as the Commission may direct, to the existence of its consumer rights statement and each substantive revision of it and how they may inspect or obtain a copy of such consumer rights statement in its latest form;
 - (ii) make a copy of its consumer rights statement, revised from time to time, available for inspection by members of the public at its offices during normal working hours; and
 - (iii) provide a copy of the consumer rights statement, revised from time to time, to all new consumers to be served by it, and to any other person who requests for it at a price not exceeding the reasonable cost of making photocopies of the documents.
- (12) The distribution licensee shall duly comply with the standards as the Commission may direct from time to time, for the performance of the duties of the distribution licensees under the Central Act.

42. Exemption to distribution licensee

A distribution licensee, entitled to undertake intra-state trading in electricity, shall not be required to have the technical or financial requirements as specified in clause 44 and 45 including the capital adequacy norms and the credit worthiness.

Provided that the Commission may under the proviso to Section 16 of the Central Act lay down general or specific conditions which such licensee shall be required to comply with to continue the activities of an electricity trader.

CHAPTER -VI : OTHER CONDITIONS FOR TRADING LICENSEE

43. Duties and functions of the trading licensee

- (1) The trading licensee may engage in the business of trading in electricity in the state, provided that in the event of sale or supply of electricity to a consumer besides others, the same shall be subject to payment of surcharge to meet the current level of cross subsidy as provided in Sub-Section (2) of Section 42 of the Central Act .
- (2) The trading licensee shall seek approval of the Commission before making any loans to, or issuing any guarantee for any obligation of any person, except when made or issued for the purposes of the licensed business.
- (3) The trading licensee shall not at any time transfer or assign his licence in any manner without the prior approval of the Commission

- (4) The trader shall make reasonable endeavours to maintain investment grade credit rating from an independent Credit Rating Agency throughout the period of the licence.
- (5) The licensee shall be governed by the technical requirements, capital adequacy requirements and creditworthiness specified by the Commission in these regulations, for being an electricity trader and shall upgrade these technical and capital adequacy requirements, including staff, when the volume of trade increases.
- (6) The licensee shall increase his net worth if the volume of trade moves from a lower category to a higher category and the change of category shall be decided based on the volume of electricity traded as on 31st March of each year, and of which the licensee shall keep the Commission informed of his moving from one category to the other and subsequent changes in the net worth.
- (7) The licensee shall be subject to trading margins for the intra-state trading, as fixed by the Commission from time to time.
- (8) The licensee shall establish and maintain adequate communication facilities like telephone, fax, internet facilities, before undertaking trading.
- (9) The licensee shall coordinate with Regional Electricity Boards or Regional Power Committees, as the case may be, State Load Despatch Centers, and State Transmission Utilities with regard to all trading related activities.
- (10) The licensee shall render all assistance to any person authorized by the Commission for carrying out his duties relating to the licence.
- (11) The licensee shall not omit or neglect to undertake trading activity for four consecutive quarters.
- (12) The licensee shall not enter into any agreement leading to abuse of his dominant position or enter into a combination which is likely to cause or causes an adverse effect on competition in electricity industry
- (13) The trading licensee shall duly comply with and undertake the activities consistent with the Grid Code, Distribution Code, Distribution (Conditions of Supply) Code and other codes and standards, order and directions of the National Load Dispatch Centre, Regional Load Dispatch Centre and the State Load Dispatch Centre and other statutory authorities issued in the discharge of their functions.
- (14) Trading shall be carried out bilaterally between the parties by entering into appropriate contracts. Necessary safeguards with regard to supply of electricity through trading or payment for the electricity traded shall be included in the agreements between the parties.
- (15) The electricity trader shall;
 - (a) have in place all agreements or arrangements for the purchase and sale of electricity, and all necessary authorizations as required by the trading licence to be able to perform its obligations under such agreements;

- (b) have in place the requisite agreements with the transmission licensees and distribution licensees for the transmission or wheeling of electricity, as the case may be;
 - (c) have in place billing and settlement agreements, i.e. between him and the supplier of energy including the generating companies or, between him and other licensees, who are purchasers of electricity and also between him and the customers, who are traders or consumers;
 - (d) inform the customer as to when the expiry will occur and the tariffs and terms and conditions applicable to the customer beyond the expiry of the contract, if the contract of the trader with its customer is for a fixed term, then prior to the expiry of the fixed term and the arrangement is continued;
 - (e) maintain an up to date register or record of all the business transactions including up-to-date record of his customers; and
 - (f) comply with any other requirements as the Commission may direct from time to time.
- (16) The electricity trader shall not engage in the business of transmission of electricity
- (17) The licensee shall, as soon as practicable, report to the Commission:
- (a) any significant change in his circumstances which may affect the licensee's ability to meet his obligations under the Act, the Rules and the Regulations, directions and orders issued by the Commission, the Grid Code, agreement or the licence;
 - (b) any material breach of the provisions of the Act, the Rules and the Regulations, directives and orders issued by the Commission, the Grid Code, agreement or the licence; and
 - (c) any major change in shareholding pattern, ownership or management of the licensee.
- (18) The trading licensee shall furnish information as may be required from time to time, to monitor the licensee's performance and compliance of the terms and conditions of the licence and any other legislative or regulatory requirement in Form 7 and 8 appended to these general conditions for submission of information. The information in the prescribed form shall be furnished to the State Load Despatch Centre and with a copy to the Commission, on a quarterly basis on 10th day of April, July, October and January for the quarters January to March, April to June, July to September and October to December respectively. The report sent to the State Load Despatch Centre shall be posted on the website of the electricity trader or any other authorized website.
- (19) The State Load Despatch Centre, shall verify the quantum of energy traded, as indicated in the report and submit a report to the Commission.
- (20) The trading licensee shall duly comply with the regulations, guidelines, directions and orders, the Commission may issue from time to time in regard to the technical and financial parameters and norms to be maintained at all times by the trading licensee. These shall include the technical requirements, capital adequacy and credit worthiness as per the provision of Section 52 of the Central Act.

44. Additional requirements for a trading licence

- (1) (a) An applicant for trading licence shall have the technical capability and resources adequate to manage the intended volume of intra-state trade.
(b) The Commission may from time to time by general or special order decide about the technical capabilities to be maintained by the electricity trader.
(c) The applicant shall have at least one person in the management with qualification in engineering and adequate experience in electricity industry to comply with the technical requirements for discharging the functions of the electricity trader.
- (2) The electricity trader shall maintain the technical capability and resources as directed by the Commission and any changes made which affect such capability must be reported to the Commission with details of the changes. He should satisfy the Commission that the capability maintained thereafter is adequate to cater to the volume of trade undertaken by him.

45. Financial requirements for trading licence

- (1) The applicant shall declare to the Commission the maximum trading volume he proposes to handle in a month and its future plans of trading during the initial three years.
- (2) The applicant shall maintain at all times the 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 subject to the minimum requirements as may be laid down by the Commission.

46. Provisions relating to safety and supply of electricity

The licensee shall comply with such measures relating to transmission or distribution of electricity as per the provisions of section 53 of the Central Act.

CHAPTER -VII

47. Dispute resolution

- (1) The Commission shall be entitled to act as arbitrator or nominate person(s) as arbitrator(s) to adjudicate and settle disputes between a licensee and any other licensee(s) or between the licensee and a generating company in pursuance of clause (f) of Sub-Section (1) of Section 86 read with Section 158 of the Central Act and the regulations of the Commission.
- (2) The arbitration proceedings for disputes as above may be commenced and conducted by the Commission or the disputes may be referred to the arbitration of others, as the case may be, in accordance with the CSERC (Conduct of Business) Regulations, 2004.

CHAPTER -VIII

48. Miscellaneous

- (1) All issues arising in relation to interpretation of these general conditions shall be a matter for determination by the Commission and its decision in this regard shall be final, subject only to the right of appeal under Section 111 of the Central Act.
- (2) The Commission may at the time of grant of licence waive or modify the application of any of the provisions of these general conditions either in the order granting the licence or by specific conditions made applicable to a specific licensee
- (3) The general conditions contained herein shall apply to all applicants for grant of licence after the coming into force of the Central Act and also to all deemed licensees under provisos first, second, third and fifth of section 14 of the said Act.

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)
Deputy Secretary

Form – 1 A
[See Regulation 3(3)]

Form of application for grant of licence for distribution of electricity in the State of Chhattisgarh

BEFORE THE CHHATTISGARH STATE ELECTRICITY REGULATORY COMMISSION, RAIPUR

Application No.

Case No.

(To be filled by Commission's office)

IN THE MATTER OF :

Grant of Licence for distribution of electricity under section 14 of Electricity Act, 2003 to :-

1. (Full Name)
2. (Full Address)

The applicant hereby submits to the Commission the following particulars for the grant of a licence for distribution of electricity under section 14 of the Electricity Act, 2003 in the area of supply as indicated in this application:

1. Particulars of existing licences, or exemption, if any
 - (a) The category of licence and licence number or particulars of exemption.
 - (b) Its area of supply.
 - (c) How long has the applicant been in the business of distribution of electricity.
2. Principal business activity undertaken/proposed to be undertaken.
3. Details of ownership :
 - (a) Whether applicant is a company, firm, cooperative society, individual, local authority or Government department/establishment or of any other category.
 - (b) If registered company, firm or society etc. when and where registered with registration number and address of registered office.
 - (c) Names and addresses of directors with share holding / financial stake :-
 - (i)
 - (ii)
 - (iii)

4. Names of principal shareholders/partners/members
 - (a)
 - (b)
 - (c)

5. Resume of the organization giving details of
 - (a) Management capability
 - (b) Financial strength
 - (c) Ability to perform functions of distribution of electricity in a sustainable manner.

6. Proposed area of supply (give names of districts, tehsils, Panchayat samitis or towns, villages. If a smaller area is proposed, identify it by its boundaries on east, west, north and south and demarcate it on the map)

7. Proposed date of commencement of licence

8. Particulars of the existing distribution system proposed to be used and maintained for the purpose of supplying electricity :
 - (a) Description of proposed area (as per format – 1)
 - (b) Information about consumers (as per format – 2)
 - (c) Information about licensee (as per format –3)
 - (d) Mechanism for receiving power and payment by Distribution Licensee (as per format – 4)

9. Scheme of distribution system proposed to be established in next five years (Describe or attach separately)

10. Particulars of demand / supply
 - (a) Expected demand in area of supply
 - (b) Sources of obtaining power
 - (i) Own generation
 - (ii) Power to be purchased
 - (c) Sources and quantity of power proposed to be purchased from various sources

11. If licence for distribution of electricity has been granted to any other person in the proposed area of transmission or supply, give full name and address of such person.

12. Any other information applicant may like to furnish.

(Signature of applicant)

For Distribution Licence**DESCRIPTION OF THE PROPOSED AREA**

Sr.No.	Parameter	Unit	Data	Source
	Area	Sq Km		
	Gross Cropped Area	Sq Km		
	Gross irrigated area	Sq Km		
	Forest area	Sq Km		
	Population	No		
	Scheduled Caste/Scheduled Tribe Population	No		
	Total Population BPL	No		
	SC/ST Population Below Poverty Line (BPL)	No		
	Total number of Households			
	No of Rural Households	No		
	No of urban Households			
	No of Households electrified	No		
	No of Rural Households electrified			
	No of urban Households electrified			
	Percentage of Households electrified	%		
	No of Districts	No		
	No of Commissioneries	No		
	No of Tehsils	No		
	No of Villages	No		
	No of villages electrified	No		

(Signature of applicant)

For Distribution licence

INFORMATION ABOUT CONSUMERS LICENSEE (INCLUDING DEEMED LICENSEE)

Category		No. of Consumers	Contracted/ Connected Load	Energy Billed	Working meters	Defective meters	Consumers without meters	Arrear as on date
LT		No.	kW	MU	No	No	No	Rs. Lakhs
Domestic	No							
Single point connection	No							
Non-domestic	No							
Water-Works	No							
Industrial	No							
Agriculture	No							
Street Lights	No							
Total LT	No							
HT								
Railway Traction	No							
Coal Mines	No							
Mini Steel Plants	No							
Cement Factories	No							
HT Irrigation	No							
HT water-Works	No							
Other HT consumers	No							
RE Co-Society	No							
Border Villages	No							
Total HT	No							
Grand Total								

(Signature of applicant)

GENERAL & TECHNICAL INFORMATION

Sr No.	Parameter	Unit	Data
	No of Regions	No	
	No of Circles	No	
	No of Divisions	No	
	No of Sub-Divisions	No	
	No of Distribution Centres	No	
	No of Fuse off call centres	No	
	Length of 33 kV line	ckm	
	Length of 11 kV line	ckm	
	Length of LT line	ckm	
	Total No of 33 kV feeders originating from EHT s/s	No	
	Total No of 11 kV feeders originating from 33/11kV s/s	No	
	Total No of LT feeders originating from ii/0.4 kV s/s	No	
	Total No of 33 kV feeders metered	No	
	Total No of 11 kV feeders metered	No	
	Total No of LT feeders metered	No	
	Total No of Transformers with rating of :		
	Rating	No.	KV Ration
	750 kVA		
	500 kVA		
	315 kVA		
	300 kVA		
	250 kVA		
	200 kVA		
	150 kVA		
	100 kVA		
	75 kVA		
	63 kVA		
	50 kVA		
	25 kVA		
	Total number of Power transformers	No.	
	Total number of Distribution transformers		
	Total number of Power transformers metered on either primary or secondary side		
	Total number of Distribution transformers metered on either primary or secondary side		

	Total Transformation capacity		
	Power Transformer	MVA	
	Distribution Transformer	MVA	

Sr No.	Parameter	Unit	Data
	Energy Input	MU	
	Energy Billed	MU	
	Energy Lost	%	
	Amount Billed	Rs. Lakhs	
	Amount Collected	Rs. Lakhs	
	Percentage Collected	%	
	Total Arrear	Rs. Lakhs	
	Arrears <90 days		
	Arrears between 90-180 days		
	Arrears >180 days		
	No of HT consumers with arrears above Rs. 10 Lakh	No	
	No of LT consumers with arrears above Rs. 50,000/-	No	
	Total number of technical employees	No	
	Total number of non-technical employees	No	
	Total number of employees	No	
	No of electrical pump sets	No	
	No of non-electrical pump sets	No	
	No of Captive Plants (CPP)	No	
	Capacity of CPPs	MVA	
	Capacity of CPP above Contracted demand of captive user		
	Amount of energy sold by CPPs to grid	MU	

(Signature of applicant)

MECHANISM FOR RECEIVING POWER & PAYMENT

Interface with (Please Tick)

	Location of Boundary Points (e.g. Name of Substation)	Generation Co.	Transmission Co	Distribution Co.	Voltage Level	Details of Meter-Type/Class of Accuracy, Details of CT/PT
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						

Sr No	Power Procurement From (Name of Agency)	Proposed Commercial Arrangement	(Please Tick)
		Power Purchase Agreement	Bulk Supply Agreement
1			
2			
3			
4			
5			
6			

Attach Draft Commercial Arrangements/(s)

Sr No	Mode of Payment	(Please Tick)
1	Letter of Credit	
2	Escrow Account	
3	Monthly Demand Draft / Cheque	
4	Any Other	

(Signature of applicant)

Form – 1 B
[See Regulation 3(3)]

Form of application for grant of licence for transmission of electricity in the State of Chhattisgarh

BEFORE THE CHHATTISGARH STATE ELECTRICITY REGULATORY COMMISSION, RAIPUR

Application No.

Case No.

(To be filled by Commission's office)

IN THE MATTER OF :

Grant of licence for transmission of electricity under section 14 of Electricity Act, 2003 to :-

1. (Full Name)
2. (Full Address)

The applicant hereby submits to the Commission the following particulars for the grant of a licence for transmission of electricity under section 14 of the Electricity Act, 2003 in the area of transmission as indicated in this application:

1. Particulars of existing licences, or exemption if any
 - (a) The category of licence and licence number or particulars of exemption.
 - (b) Its area of transmission.
 - (c) How long has the applicant been in the business of transmission of electricity.
2. Principal business activity undertaken/proposed to be undertaken.
3. Details of ownership.
 - (a) Whether applicant is a company, firm, cooperative society, individual, local authority or Government department/establishment or of any other category.
 - (b) If registered company, firm or society etc. when and where registered with registration number and address of registered office.
 - (c) Names and addresses of directors with share holding / financial stake :-
 - (i)
 - (ii)
 - (iii)

4. Names of principal shareholders/partners/members
 - (a)
 - (b)
 - (c)
5. Resume of the organization giving details of
 - (a) Management capability
 - (b) Financial strength
 - (c) Ability to perform functions of transmission of electricity in a sustainable manner.
6.
 - (a) Proposed area of transmission (give names of districts, tehsils, Panchayat samitis or towns, villages. If a smaller area is proposed, identify it by its boundaries on east, west, north and south and demarcate it on the map)
 - (b) If transmission licence is sought for any specific transmission line, indicate such line and substations to be used.
7. Proposed date of commencement of licence
8. Particulars of the existing transmission system proposed to be operated.
 - (a) Commercial and technical information (as per format – 5)
 - (b) Input and supply points (as per format – 6)
 - (c) Particulars of Substations and their transformation capacity in MVA. (voltage wise)
9. Scheme of transmission lines/substations proposed to be established in next five years (Describe or attach separately)
10. If licence for transmission of electricity has been granted to any other person in the proposed area of transmission, give full name and address of such person.
11. Any other information applicant may like to furnish.

(Signature of applicant)

Commercial/Technical Information {Transmission Licensee (Including Deemed Licensee)}

Parameter	Unit	Data
Total No of Circles	No	
Total No Divisions	No	
Total number of Grid Sub-stations	No	
Total No. of Transformers with rating of:		
-		
40 MVA	No	
20 MVA	No	
-		
-		
n		
-		
20 MVA	No	
-		
-		
n	No	
-	No	
Total Transformation Capacity	MVA	
Number of feeders		
400 kV	No	
220 kV	No	
132 kV	No	
66 kV	No	
Length of feeders		
400 kV	ckm	
220 kV	ckm	
132 kV	ckm	
66 kV	ckm	
Total number of technical employees	No.	
Total number of non-technical employees	No.	
Total number of employees	No.	

(Signature of applicant)

INPUT AND SUPPLY POINTS – TRANSMISSION LICENSEE (INCLUDING DEEMED LICENSEE)

Input Points

Interface with (Name of the Company)

Sr No.	Location of Boundary Points	Generation Co.	Distribution Co.	Other States	Others	Voltage Level	Details of Meter – Type / Class of Accuracy, Details of CT/PT
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

Supply Points

Interface with (Name of the Company)

Sr No.	Location of Boundary Points	Generation Co.	Distribution Co.	Other States	Others	Voltage Level	Details of Meter – Type / Class of Accuracy, Details of CT/PT
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

(Signature of applicant)

Form – 1 C
[See Regulation 3(3)]

Form of application for grant of licence for Intra-State Trading in the State of Chhattisgarh

BEFORE THE CHHATTISGARH STATE ELECTRICITY REGULATORY COMMISSION, RAIPUR

Application No.

Case No.

(To be filled by Commission's office)

IN THE MATTER OF :

Grant of Licence for distribution of electricity under section 14 of Electricity Act, 2003 to :-

1. (Full Name)
2. (Full Address)

The applicant hereby submits to the Commission the following particulars for the grant of a licence for trading of electricity under section 14 of the Electricity Act, 2003.

1. Particulars of existing licences, if any
 - (a) The category of licence and licence number.
 - (b) Its area of business.
 - (c) How long has the applicant been in the business of trading of electricity.
 - (d) Volume of power traded.
2. Principal business activity undertaken/proposed to be undertaken.
3. Details of ownership :
 - (a) Whether applicant is a Company, Firm, Cooperative Society, individual, local authority or Government department/establishment or of any other category.
 - (b) If registered Company, firm or society etc. when and where registered with registration number and address of registered office.
 - (c) Names and addresses of directors with share holding / financial stake :-
 - (i)
 - (ii)
 - (iii)

4. Names of principal shareholders/partners/members

- (a)
- (b)
- (c)

5. Resume of the organization giving details of

- (a) Management capability
- (b) Financial strength
- (c) Ability to perform functions of trading of electricity in a sustainable manner.

6. Details of financial data of Applicant :-

Net worth (in equivalent Indian Rupees conversion to be done at the rate of exchange prevailing at the end of each year) for immediate past 5 (five) financial years (specify financial year as applicable)

(DD/MM/YY) to (DD/MM/YY)

	In Home Currency	Exchange rate used	In equivalent Indian Rs.
(a) Year 1() to ()			
.....			
(b) Year 2() to ()			
.....			
(c) Year 3() to ()			
.....			
(d) Year 4() to ()			
.....			
(e) Year 5() to ()			
.....			

(f) Copies of Annual Reports or certified audited results to be enclosed in support of above.

7. Annual turnover (in equivalent Indian Rupees - conversion to be done at the rate of exchange prevailing at the end of each year) for immediate past 5 (five) financial years. (Specify financial year as applicable)

(DD/MM/YY) to (DD/MM/YY)

	In Home Currency	Exchange rate used	In equivalent Indian Rs.
(a) Year 1() to ()			
.....			
(b) Year 2() to ()			
.....			
(c) Year 3() to ()			
.....			
(d) Year 4() to ()			
.....			
(e) Year 5() to ()			
.....			

(f) Copies of Annual Reports or certified audited results to be enclosed in support of above.

8. List of documents enclosed in support of Sl. Nos. (10) and (11) above.

Name of the document

- (a) _____
- (b) _____
- (c) _____
- (d) _____

9. (a) Whether applicant himself shall be financing the proposed trading fully on its own balance sheet

Yes/No

(b) If, yes, proposed equity from the applicant

- (i) Amount :
- (ii) Percentage :

10. In case the applicant proposes to tie up with some other agency for equity :

(a) name & address of such agency :

(b) proposed equity from the other agency

- (i) Amount :
- (ii) Percentage of total equity :

(c) Consent letter of such other agency to be enclosed.

11. Details of debt proposed for the trading activity:

- (a) Details of lenders
- (b) Amount to be sourced from lenders
- (c) Letters from the lenders in support of the above to be enclosed.

12. Area of business:

13. Volume of power to the traded :

14. Trading arrangement proposed:

(Signature of applicant)

Form – 2
[See Regulation 3(3)]

**BEFORE THE CHHATTISGARH ELECTRICITY REGULATORY COMMISSION,
RAIPUR**

Application No.

Case No.

(To be filled by the Commission office)

IN THE MATTER OF:

An application for grant of a licence for Distribution/Transmission/Trading of electricity/amendment of an existing licence.
and

IN THE MATTER OF:

(Names and full address of the applicant)

Affidavit verifying the application

I, Son / daughter of aged residing at do solemnly affirm and state that:-

1. I am the applicant in the above matter.

Or

I am the duly authorized representative of the said applicant & make this affidavit on his behalf.

2. That the statement made in paras of Part 1 of the application are true to the best of my knowledge and statement made in paras are based on my information and I believe them to be true.

(Signature and name of Deponent)

Verified, this day of that the contents of above affidavit are true to my knowledge and belief and no part of it is false and nothing material has been concealed therein.

(Signature and name of Deponent)

Form – 3
[See Regulation 4(1)]

Form of Application for amendment / alteration of a licence for transmission
or distribution or trading of electricity in the State of Chhattisgarh

**BEFORE THE CHHATTISGARH ELECTRICITY REGULATORY COMMISSION,
RAIPUR**

Application No.

Case No.

(To be filled by Commission's office)

IN THE MATTER OF :

Grant of amendments or alteration of a licence for transmission / distribution / trading of
electricity under section 18 of Electricity Act, 2003 to :-

1. (Name)

2. (Address)

The applicant hereby submits to the Commission the following particulars for making
alterations or amendments to the terms and conditions of his existing Licence for
transmission / distribution / trading of electricity under section 18 of Electricity Act,
2003:

1. Particulars of existing licence.

(a) Licence No. _____ Dated _____

(b) The category of licence – Transmission or Distribution or Trading

(c) Its area of supply / transmission / business.

2. Changes, if any, proposed in area of supply / transmission / business.

Existing area

Proposed area

(a) Name and address of Zila Parishads and municipalities falling within the area of
supply / transmission to be affected by proposed alteration or modification.

(i)

(ii)

(iii)

(b) Cantonments, aerodrome, fortress, arsenal, dockyard or camp or any building or place in occupation of the government for defence purposes to be affected by proposed alteration or modification.

(i)

(ii)

(iii)

3. Specific amendment / alteration proposed in other clauses.

Existing provision

Proposed amendment / alteration

(a)

(b)

(c)

4. Reasons for the alteration / amendment sought.

5. If the proposed amendment / alteration will lead to additional investment, arrangements for funding it.

6. Any other particulars considered relevant / necessary.

(Signature of applicant)

Form – 4
[See Regulation 8(1)]

Notice of application for transmission/distribution/trading licence

Notice is hereby given by (Name of applicant) that he has applied to the Chhattisgarh State Electricity Regulatory Commission, Old Chhattisgarh Collage Compound, Civil Lines, G. E. Road, Raipur under the provisions of Section 15 of the Electricity Act, 2003 for grant of a licence for transmission / distribution / trading of electricity in the area mentioned below :

Description of transmission line / area of supply / area of business

The application along with its enclosures will be available for inspection at:

(i) Office of the applicant

.....
.....

(ii) Office of the Commission at the address mentioned above

The application along with its enclosures can also be down loaded from the website of the Commission ***www.cserc.cg.nic.in*** and also from the website of the applicant **www.....** (if the applicant has a website)

Copies of the application along with its enclosures can also be obtained on payment of Rs. 50 in cash or by Demand draft from the office of the Commission either in person or by post.

Any person having any object to the application may send his objection in six copies, so as to reach the office of the Commission within thirty days of publication of this notice and send a copy of his objection to the applicant. The objector should clearly state his name and address and grounds of his objection.

The objector should also clearly mention whether he would like to be heard in person by the Commission.

(Signature of applicant)

Form – 5
[See Regulation 18 (3)]

Notice of amendment / alteration an existing transmission / distribution / trading licence

Notice is hereby given under section 18 of the Electricity Act, 2003 by,
..... (Name of licensee), holder of
transmission / distribution / trading licence No. dated
..... for the following area:-

(Description of area) – (As per licence)

that the licensee has applied to the Chhattisgarh State Electricity Regulatory Commission, Old Chhattisgarh Collage Compound, Civil Lines, G. E. Road, Raipur for making following alterations and amendments in the terms and conditions of his licence mentioned above :

(Give existing provisions of the term and condition and the amendment / alteration sought)

Existing Provision	Proposed Amendment
1.	
2.	
The application along with proposed amendments / alterations will be available for inspection at the office of the Commission at the address mentioned above, and at the office of the applicant given below :	
.....	
.....	
(Address of the office of the applicant)	

The application along with proposed amendment / alteration can also be down loaded from the website of the Commission www.cserc.cg.nic.in and also from the website of the applicant www..... (if a website exists)

Copies of the application along with proposed amendment / alteration can also be obtained on payment of Rs. 50 in cash or by Demand draft from the office of the Commission either in person or by post.

Any person objecting to the proposed amendment/alteration may send his objection in six copies, so as to reach the office of the Commission within thirty days of publication of this notice and send a copy of his objection to the applicant. The objector should clearly state his name and address and grounds of his objection.

The objector should also clearly mention whether he would like to be heard in person, in case the Commission decides to hear the objectors.

(Signature of applicant)

FORM - 7
(See Clause 43(18) of General Conditions of Licence)

Proforma for submission of information for the Quarter

Name of the Trader:

Licence details (No & date):

S.No.	Volume of trading in million Kwhs	Purchased from	Sold to	Point of purchase	Point of Sale	Point of Sale	Sale price	Transmission/wheeling charges borne by Seller / Trader / Buyer	Transmission losses borne by Seller / Trader / Buyer	Charges borne by Seller / Trader / Buyer	Remarks
-------	-----------------------------------	----------------	---------	-------------------	---------------	---------------	------------	--	--	--	---------

FORM - 8
(See Clause 43(18) of General Conditions of Licence)

**Proforma for submission of Standards of Performance of Electricity Trader
(to be submitted through SLDC)**

Name of the Trader:

Licence details (No & date):

S.No.	Volume of trading during the quarter	Cumulative trading upto the present quarter	Whether there is any change in the category of trader (Yes/No)	Whether net worth is increased due to change of category (Yes/No)	Whether additional licence fee, due to change in category deposited with the Commission (Yes/No)	Whether any violation to the licence conditions pointed out by any agency or observed by the licensee himself	Payment track record for energy purchased for trading	Remakrs