

KERALA STATE ELECTRICITY REGULATORY COMMISSION

NOTIFICATION

No. 609/D(T)/2018/KSERC

Dated, Thiruvananthapuram, 22nd January 2020.

In exercise of the powers conferred under sub-sections (1) & (2) of Section 181 of the Electricity Act, 2003, (Central Act 36 of 2003) read with sub-section (3) thereof, the Kerala State Electricity Regulatory Commission hereby makes the following Regulations, further to amend the Kerala Electricity Supply Code, 2014 issued under Notification Number.215/DD/T&D (Rev.)/2014/KSERC dated 31st January, 2014 and published in the Kerala Gazette Extraordinary No. 492 dated 13th February, 2014, namely:-

THE KERALA ELECTRICITY SUPPLY (AMENDMENT) CODE, 2020

1. Short title and commencement.- (1) These Regulations shall be called the Kerala Electricity Supply (Amendment) Code, 2020.

(2) This shall come into force from the date of publication of the same in the Official Gazette.

2. Amendment of the Code. - In the Kerala Electricity Supply Code, 2014 (hereinafter referred to as the Code),-

(i) In Sub-regulation(1) of Regulation 11 of the Code, the words “except in the case of consumers billed on the basis of contract demand” shall be added at the end;

(ii) In the Code, the proviso to sub Regulation(1) of Regulation 11 shall be substituted, namely:-

“Provided that a low tension consumer who, as on the date of implementation of the Kerala Electricity Supply Code, 2005, had a contracted connected load exceeding the limit of 100kVA, may be permitted, subject to realisation of low voltage supply surcharge, to operate with the same contracted connected load at the same voltage level of supply until an upward revision of connected load is sought for by the consumer.”;

(iii) In the Code, the proviso to Sub-regulation (2) of Regulation 11 of the Code, the following provisos shall be substituted, namely:-

“Provided that the consumers who existed on the date of implementation of Kerala Electricity Supply Code, 2005, and who were permitted to operate at low tension upto a connected load of 150kVA in accordance with clause (b) of sub Regulation(5) of Regulation 4 of the Kerala Electricity Supply Code, (Fourth Amendment) Regulations 2008 and subsequently opted for contract demand based billing shall be allowed to operate at the same voltage level and contract demand as on the date of implementation of the Code, subject to realization of low voltage surcharge until an upward revision of contract demand is granted on application submitted by the consumer or becomes otherwise necessary.”

“Provided further that the contract demand for an Industrial consumer in Industrial parks / industrial estate notified by notified by Government of Kerala and/or by Government of India except in multi storied buildings shall be limited to 150kVA in low tension subject to payment of low voltage surcharge in which their LT metering point shall be at the transformer point”

- (iv) In the Code, for Sub-regulation (2) of Regulation 49, the following sub Regulation shall be substituted, namely:-

“(2) The total connected load of such colony or residential complex or commercial complex or high rise building shall for the purpose of this regulation be the estimated connected load as per the scheme approved by the Electrical Inspector or certified by an Architect or a Licensed Engineer or a Licensed Electrical Contractor or computed as per norms approved by the Commission on the basis of the plinth area constructed, as the case may be.”;

- (v) In the Code, for Sub-regulation (5) of Regulation 49, the following sub Regulation shall be substituted, namely:-

“(5) The development authority or the promoter or the builder or the developer or such other person, as the case may be, who constructs such colony or complex or high rise building under the clauses (a), (b) and (c) of sub Regulation(1) above, shall, at his cost, construct the required internal distribution network including the service line, transformer, switchgear, metering cubicles etc., as per the detailed scheme approved by the Electrical Inspector, for receiving power from the licensee and for distributing it and shall handover the metering cubicle to the licensee before the commencement of supply of electricity. The internal distribution network including the transformer and switchgears and the underground service line cable of transformers are to be maintained by the development authority or the promoter or the builder or the developer or present occupier/building association or any other person who is the present registered consumer of the colony or residential complex or a commercial complex or an Industrial complex or a high rise building”;

- (vi) In Sub-regulation (1) of Regulation 50 of the Code, in column No. (i), for the words “constructed area” the words “plinth area constructed” and in column No.(ii), for the words “1500 watt per 10 square metre of the constructed area”

the words “1000 watt per 10 square metre of the plinth area constructed” shall be substituted;

- (vii) In Sub-regulation (3) of Regulation 72 of the Code, shall be substituted with the following namely:-

“(3) If the adjustment of interest is delayed, interest at 12% per annum based on the actual number of days of delay from due date, upto a period of 30 days and thereafter at the rate of 18% per annum for the entire period of default from due date.”

- (viii) In the first proviso to Regulation 81 of the Code, for the words “five working days” the words “seven working days” shall be substituted;

- (ix) In the Code, for clause (c) of the sub Regulation(4) of Regulation 95, the following clause shall be substituted namely:-

“(c) the applicant shall remit the labour charges and material charges required for shifting the electric line or electric plant as estimated by the licensee as per the cost data approved by the Commission from time to time in accordance with the Regulation 33 of the Kerala Electricity Supply Code, 2014.”

- (x) In the Code, for Sub-regulation (4) of Regulation 97, the following Sub-regulation shall be substituted namely:-

“(4) Arrear or excess charges shall be determined based on the actual period of re classification or a period of twelve months whichever is lesser”

- (xi) In the Code, for Sub-regulation (5) of Regulation 97, the following Sub-regulation shall be substituted, namely:-

“(5) twelve monthly installments for the payment of the arrear charges determined under sub Regulation(4) above may be allowed on the request of the consumer without interest”

- (xii) In the Code, the proviso to Sub-regulation (5) of Regulation 97 shall be omitted;

- (xiii) In Sub-regulation (7) of Regulation 130 of the Code, for the words “late payment penalty” the words “interest on late payment” shall be substituted;

- (xiv) In the title of Regulation 131 of the Code, the word “penal” shall be omitted;

- (xv) In the Code, for clause (i) of Sub-regulation (2) of Regulation 149, the following clause with proviso shall be substituted, namely:-

“(i) entry and inspection by the assessing officer /officers of and above the rank of Sub – engineer of the licensee having jurisdiction in the area:

Provided that further proceedings under Section 126 of the Act shall be done only by the assessing officer as designated by the Government under the said section”

(xvi) In the Code, for Sub-regulation (4) of Regulation 152, the following Sub-regulation shall be substituted, namely:-

“(4) The consumer may be given installment facility by the licensee for a maximum period of twelve months without interest for the remittance of such amount of short collection”;

(xvii) In the Code, Sub-regulation (2) of Regulation 155, the following Sub-regulation shall be substituted, namely:-

“(2) The assessing officer /officers of and above the rank of sub – engineer of the licensee having jurisdiction in the area may inspect the premises of the consumer or inspect the equipments, gadgets, machine and devices found connected to the system and used or inspect the records maintained by the consumer or by any other person before initiating proceedings by the assessing officer for provisional assessment.”;

(xviii) In the Code, for Sub-regulation (11) of Regulation 155, the following Sub-regulation shall be substituted, namely:-

“(11) It shall also be mentioned in the provisional assessment order that, if consumer does not wish to challenge the provisional assessment, he may accept such assessment and pay the assessed amount to the licensee within seven days of service of provisional assessment order as per subsection (4) of Section 126 of the Act.”;

(xix) In the Code, Sub-regulation (12) of regulation 155 shall be omitted;

(xx) In the Code, in the proviso to Sub-regulation (6) of Regulation 157, the words “seven days from the date of serving the final order” shall be substituted by the words “thirty days from the date of such order.”;

(xxi) In the Code, Sub-regulation (9) of Regulation 157, the words “seven days” shall be substituted by the words “thirty days”;

(xxii) In the Code, Sub-regulation (17) of the Regulation 158, shall be substituted with the following:-

“(17) In case the Appellate Authority holds that no case of unauthorised use of electricity is established, no further proceedings shall be initiated or continued by the licensee in this regard and the amount deposited by the appellant shall be refunded along with interest at the rate of ‘ FBIL +200 base points’ per annum compounded every six months for the period from the date of deposit till the amount is refunded.”;

- (xxiii) In the Code, Sub-regulation (18) of the Regulation 158 shall be substituted with the following.
“(18) In case the amount payable as determined by the appellate authority is less than the amount already deposited by the consumer at the time of filing the appeal, the excess amount shall be refunded along with interest at the rate of ‘FBIL +200 base points’ per annum compounded every six months from the date of such deposit till the date of refund.”;
- (xxiv) In Sub-regulation (8) of Regulation 160 of the Code, for the words “amount as per the provisional assessment order” the words “assessed amount” shall be substituted.

By order of the Commission,

C R Satheesh Chandran,
Administrative Officer,
(in charge of the Secretary)