

# KERALA STATE ELECTRICITY REGULATORY COMMISSION THIRUVANANTHAPURAM

## NOTIFICATION

No.2114/ADL/KSERC /2014

Dated, Thiruvananthapuram 1<sup>st</sup> February, 2018

In exercise of the powers conferred by sub-section (1) of Section 181 of the Electricity Act, 2003 (Central Act 36 of 2003) and all other powers enabling it in this behalf and after previous publication, the Kerala State Electricity Regulatory Commission hereby makes the following regulation to amend the Kerala State Electricity Regulatory Commission (Conduct of Business) Regulations, 2003, namely,-

### Regulations

**1. Short title and commencement.-** (1) This Regulation may be called the Kerala State Electricity Regulatory Commission (Conduct of Business) Amendment Regulation, 2018.

(2) It shall come into force with effect from the date of publication of the same in the Government gazette.

**2. Amendment of regulation. –** In the Kerala State Electricity Regulatory Commission (Conduct of Business) Regulations, 2003, in Annex II, Schedule of Fees, in Sl. No.13 in column No.(1), for the entries in column Nos. (2) and (3),-

“(iv) Action while undertaking works, compensation etc., by licensees under section 67(3)	Rs.20,000/-”.
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the following entries shall be substituted respectively, namely,-

“(iv) Action while undertaking works, compensation etc., by licensees under section 67(3)	1% of the claim amount subject to a minimum of rupees five hundred.”.
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By Order of the Commission,

Santhosh Kumar.K.B  
Secretary

### **Explanatory Note**

(This does not form part of the notification, but is intended to indicate its general purport.)

As per sub-section (3) of Section 67 of the Electricity Act, 2003, a licensee shall make full compensation for any damage, detriment or inconvenience caused while

undertaking any works under Section 67 of the Act. Sub-section (4) of Section 67 empowers the Commission to determine the compensation where any difference or dispute arises, in determining the compensation between the parties. The Commission as per Annex II, Schedule of Fees, to the Kerala State Electricity Regulatory Commission (Conduct of Business) Regulations, 2003, has already fixed the fee for filing petition under Section 67 (3) as Rs.20,000/- irrespective of the amount claimed. The commission after considering the request of various stakeholders decided to re-fix the above fee. Accordingly a draft of the KSERC (Conduct of Business) Amendment Regulations, 2017 has been published on 13.12.2017 for obtaining suggestions and objections from the general public. Now the Commission has decided to notify the said regulation as finally approved by the Commission.

This notification is intended to achieve the above purpose.