

DRAFT NOTIFICATION

KERALA STATE ELECTRICITY REGULATORY COMMISSION

NOTIFICATION

No.641/CT/12/KSERC

Dated, Thiruvananthapuram, ...April, 2012

In exercise of the powers conferred by 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 further to amend the Kerala Electricity Supply Code, 2005, namely:-

1. *Short title and commencement:-* (i). These regulations may be called the Kerala Electricity Supply (Amendment) Code, 2012.

(ii) It shall come into force at once.

2. *Amendment of Regulation:-* After clause 12 of the Kerala Electricity Supply Code, 2005, the following proviso shall be added, namely:-
“provided that the purchaser/new consumer shall deposit an amount equivalent to the previous arrears to the licensee, which shall be reimbursed as and when realised from the previous owner/occupier”

By order of the Commission
Sd/-
K. Chandrasekhara Babu
Secretary

Explanatory Note

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

As per the existing clause in the Supply Code, the arrear amount shall be realised only from the previous owner/occupier and the new purchaser/consumer is eligible to get his connection even if there is huge arrear from the previous consumer. The Hon. High Court of Kerala in the decision in WA No. 2114 of 2009 has directed the Kerala State Electricity Regulatory Commission to consider amending this clause since licensees find it difficult to realise the arrears from the previous owner and they may not have any assets for recovery. Commission has considered this issue in detail and decided to amend the Supply Code.

This amendment is intended to achieve the above object.