



सत्यमेव जयते

The Gujarat Government Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Vol. LVI]

WEDNESDAY, JULY 15, 2015/ASADHA 24, 1937

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV-C

Statutory Rules and Orders (Other than those published in Parts I, I-A and I-L) made by Statutory Authorities other than the Government of Gujarat including those made by the Government of India, the High Courts, the Director of Municipalities, the Commissioner of Police, the Director of Prohibition and Excise, the District Magistrates and the Election Commission, Election Tribunals, Returning Officers and other authorities under the Election Commission.

Gujarat Electricity Regulatory Commission

Security Deposit

Notification

No. 3 of 2015

GERC (Security Deposit) (Second Amendment) Regulations, 2015

In exercise of the powers conferred under Section 47 and Section 181 (2) (v) and (w) of the Electricity Act, 2003 (Act 36 of 2003), read with Clause 5.3 of the Gujarat Electricity Regulatory Commission (Security Deposit) Regulations, 2005, the Gujarat Electricity Regulatory Commission hereby amends the Security Deposit Regulations, 2005 (Notification No.8 of 2005) (The Principal Regulations).

1. Short Title, Extent and Commencement:
 - i. These Regulations may be called the Gujarat Electricity Regulatory Commission (Security Deposit) (Second Amendment) Regulations, 2015.
 - ii. These Regulations extend to whole of the State of Gujarat.
 - iii. These Regulations shall come into force on the date of their publication in the Gujarat Government Gazette.
 - iv. These Regulations shall supersede the Gujarat Electricity Regulatory Commission (Security Deposit) (First Amendment) Regulations, 2010, which came into effect from 21-8-2010;

2. Amendment to Clause 4.3

Clause 4.3 of the Principal Regulations shall be substituted by the following.

“The amount payable towards security shall be in the form of cash or demand draft (DD) drawn in favour of the licensee. The Consumer whose total amount of Security Deposit exceeds Rs. 25 Lacs may, at his option, furnish the security deposit in the form of irrevocable bank guarantee initially valid for a period of two years. Such bank guarantee shall be from a nationalized or scheduled commercial bank. It shall be the responsibility of the consumer to keep the bank guarantee valid at all times and to renew the bank guarantee at least 2 months prior to its expiry.”

3. Amendment to Clause 4.6

Clause 4.6 of the Principal Regulations shall be substituted by the following

“Subject to the restrictions of the periods of three months or two months or one and a half months as specified in Clauses 4.1 and 4.2, the adequacy of the amount of Security Deposit in respect of consumers may be reviewed by the licensee every year for HT Consumers and once in every two years for LT Consumers based on the average units consumption for the past 12 (twelve) months.”

4. Amendment to Clause 4.9

Clause 4.9 shall be substituted in the Principal Regulations as under

Based on such review, the licensee may either seek increase in the amount of Security Deposit or reduce its amount as the case may be.

Provided that if the Security Deposit payable by the consumer is short by not more than 10% of the existing Security Deposit, no demand will be made for payment of further Security Deposit. If the existing Security Deposit of a consumer is found to be in excess by more than 10% of the required Security Deposit, refund of the excess Security Deposit shall be made by adjustment in next electricity bill. In case the full amount of refund cannot be adjusted in the next bill, balance amount shall be refunded by way of single cheque/DD within a period of 30 days from the date of adjustment in electricity bill. Where the consumer is required to pay additional amount by way of Security Deposit, he shall pay the same within 30 days from the date notice issued by the Licensee.

5. New Clauses 4.15 to be added after Clause No. 4.14 of the Principal Regulations.

“4.15 Distribution Licensee shall specify the amount of existing Security Deposit on Electricity Bill of Consumers of all categories.”

Gandhinagar
Date-15/07/2015

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