

# **Chhattisgarh State Electricity Board Transfer Scheme Rules, 2008**

CHHATTISGARH

India

## **Chhattisgarh State Electricity Board Transfer Scheme Rules, 2008**

### **Rule**

### **CHHATTISGARH-STATE-ELECTRICITY-BOARD-TRANSFER-SCHEME- of 2008**

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Chhattisgarh State Electricity Board Transfer Scheme Rules, 2008Published vide Notification No. F 1-8/2008/13/1, dated the 19.12.2008Last Updated 16th September, 2019Notification No. F 1-8/2008/13/1 dated the 19th December, 2008. - In exercise of the powers conferred by Section 131 read with sub-section (1) and (2) of Section 133 of the Electricity Act, 2003 (Central Act 36 of 2003), State Government in consultation with the Governor of Chhattisgarh hereby issues the Chhattisgarh State Electricity Board Transfer Scheme, 2008 in regard to the transfer of properties, undertakings, interests, rights, obligations, liabilities, personnel and proceedings from Chhattisgarh State Electricity Board to its successor companies viz., Chhattisgarh State Power Generation Company Limited, Chhattisgarh State Power Distribution Company Limited, Chhattisgarh State Power Transmission Company Limited, Chhattisgarh State Power Trading Company Limited and Chhattisgarh State Power Holding Company Limited.

### **1. Short title, extent and commencement.**

- (i) This Scheme may be called the Chhattisgarh State Electricity Board Transfer Scheme Rules, 2008.(ii)This Scheme shall extend to the whole of the State of Chhattisgarh.(iii)It shall come into force with effect from 1st January, 2009.

### **2. Application of Scheme to the Assets and Liabilities.**

- The Scheme shall apply to the assets, properties, interests, undertakings, rights and liabilities, proceedings and personnel of the Board within and outside the State.

### 3. Definitions.

- In this Scheme, unless the context otherwise requires - (a) "Appointed date" means the date(s) notified by the State Government for effecting transfer of functions, properties, interest, undertakings, rights and liabilities, proceedings or personnel of the Board to the relevant Transferee in accordance with the Act and this Scheme and different dates may be appointed for different provisions and different transfers under the Scheme. (b) "Board" means Chhattisgarh State Electricity Board constituted under Section 5 (i) of the Electricity (Supply) Act, 1948 (54 of 1948) which is also functioning as deemed State Transmission Utility and a Licensee as per Section 172(a) of the Electricity Act, 2003; (c) "Act" means the Electricity Act, 2003 (36 of 2003); (d) "Company" means a company formed and registered under the Companies Act, 1956 (1 of 1956) and includes any body corporate under a Central, State or Provincial Act; (e) "Distribution Company" means the Chhattisgarh State Power Distribution Company Limited, a company incorporated under the Companies Act, 1956 with the main object of distribution, supply and trading of electricity; (f) "Generation Company" means the Chhattisgarh State Power Generation Company Limited, a company incorporated under the Companies Act, 1956 with the main object of operation and maintenance of running unit related with generation of electricity as well as installation of new power plant in Chhattisgarh State. (g) "Holding Company" means Chhattisgarh State Power Holding Company Limited, a company to be incorporated under the Companies Act, 1956 with the main object of undertaking the coordination activities between Generation Company, Distribution Company and Transmission Company for smooth functioning of the above mentioned successor entities. (h) "Liabilities" include all liabilities, debts, duties, obligations and other outgoing including statutory liabilities and Government levies of whatever nature and contingent liabilities which may arise in regard to the dealings before the appointed date in respect of the Undertakings transferred under this scheme. (i) "Personnel" means workmen, employees, staff and officers of the Board by whatever name called and includes trainees, if any for the recruitment in the Board and those on deputation from the Board to other organizations or institutions. (j) "Proceeding" means the proceedings of whatever nature including suits, appeals, complaints, petitions, applications, conciliatory, arbitration whether civil or criminal or otherwise; (k) "Property" means all assets including power systems, generating stations, transmission and distribution systems, dams, tunnels, plant, machinery, land, building, offices, stores, furniture, fixtures, vehicles, residential quarters and guest houses and amenities and installations pertaining and attached thereto and other movable and immovable assets, cash in hand, cash at bank, investments, book debts-corporeal and incorporeal, tangible and intangible assets, benefits, licenses, consents, authorities, registrations patents, trade marks and powers of every kind, nature and description whatsoever, privileges, liberties, easements, advantages, benefits and approvals, contracts, deeds schemes bonds, agreement and other instruments and interest of whatever nature and wherever situate; (l) "Rules" means the rules under this transfer scheme. (m) "Schedule" means the Schedules appended to this Scheme; (n) "State" means the State of Chhattisgarh; (o) "Transferee" means Transmission Company or Generation Company or Distribution Company or Trading Company or Holding Company, as the case may be, in whom the functions and Undertakings of the Board are vested in terms of the provisions of the Act read with this Scheme; (p) "Trading Company" means the Chhattisgarh State Power Trading Company Limited, a company to be incorporated under the Companies Act, 1956 with the main object of undertaking the trading of electricity. (q) "Transmission Company" means the

Chhattisgarh State Power Transmission Company Limited, a company incorporated under the Companies Act, 1956 with the main object of undertaking the transmission of electricity in the State of Chhattisgarh; (r) "Undertaking" means the functions of the Board and a block or blocks of properties, interest, rights and liabilities to the extent and in the manner specified as a part of the undertakings and such other properties, interest, rights and liabilities, personnel and proceeding as specified in this Scheme relevant to the functions;

#### **4.**

Words and expressions used in this Scheme but not specifically defined in this Scheme shall have the same meaning as assigned to them in the Act.

### **5. Classification of Undertakings of the Board.**

(a) The Undertakings of the Board are classified in the following Schedules : (i) General Undertaking as set out in Schedule - 'A' ; (ii) Transmission Undertaking (along with functions of the State Transmission Utility) as set out in Schedule - 'B' ; (iii) Distribution Undertaking as set out in Schedule - 'C' ; (iv) Trading Undertaking as set out in Schedule - 'D' ; (v) Holding Undertaking as set out in Schedule - 'E'. (b) If the assets of the Undertaking under sub-Rule 4 (a) are subject to security documents or arrangements in favour of third parties for any financial assistance or obligation taken by the Board and the liabilities in respect thereof are to be classified in different Undertakings, the State Government may by order to be issued for the purpose, provide for the apportionment of the liabilities secured by such properties, assets and rights between the different Undertakings and upon such apportionment, the security shall be applicable to the extent of apportioned liability.

### **6. Transfer of Property to the State.**

(a) In accordance with the Section 131 (1) of the Act, on and from the appointed date As corrected by Corrigendum Notification No. F 1-8/2008/13/1 dated the 30th December, 2008. published in Chhattisgarh Rajpatra (Asadharan) dated 30-12-2008 Page 800. [01 January, 2009) the properties and all interests, rights, liabilities and proceedings of the Board as specified in Schedules 'A' to 'E' shall stand transferred to and vested in the State Government for the purposes of further transfers under this Scheme. (b) Nothing in sub-Rule 5 (a) shall apply to rights, responsibilities, liabilities and obligations in respect of the personnel and personnel related matters including statutory dues such as salary, wages, gratuity, pension, provident fund, compensation terminal and retirement benefits and the same shall be dealt in the manner provided under Rule 7 of this Scheme.

### **7. Transfer of undertaking by the State.**

(a) The Undertakings forming part of Generation Undertaking as set out in Schedule - 'A' shall stand transferred to and vested in Generation Company on and from the appointed date to be notified by the State Government subject to the terms and conditions specified in the Act and this Scheme. (b) The Undertakings forming part of Transmission Undertakings (along with functions of

State Transmission Utility) as set out in Schedule - 'B' shall stand transferred to and vested in Transmission Company on and from the appointed date to be notified by the State Government subject to the terms and conditions specified in the Act and this Scheme.(c)The Undertakings forming part of Distribution Undertakings as set out in Schedule 'C' shall stand transferred to and vested in the Distribution Company on and from the appointed date to be notified by the State Government subject to the terms and conditions specified in the Act and the Scheme.(d)The Undertakings forming part of Trading Undertakings as set out in Schedule 'D' shall stand transferred to and vested in the Trading Company on and from the appointed date to be notified by the State Government subject to the terms and conditions specified in the Act and the Scheme.(e)The Undertakings forming part of Holding Undertakings as set out in Schedule 'E' shall stand transferred to and vested in the Holding Company on and from the appointed date to be notified by the State Government subject to the terms and conditions specified in the Act and the Scheme.(f)On such transfer and vesting of the Undertakings in terms of sub-Rule 6 (a), 6 (b), 6 (c), 6 (d) and 6 (e) of this Scheme and except as otherwise provided, the respective Transferee, shall be responsible for all functions, contracts, rights, deeds, schemes, bonds, agreements and other instruments of whatever nature relating to the respective Undertakings transferred to it to which the Board was a party, subsisting or having effect on the appointed date, in the same manner as the Board was liable immediately before the appointed date, and the same shall remain in force and effect against or in favour of the respective Transferee and may be enforced effectively as if the respective Transferee had been a party thereto instead of the Board.(g)As consideration for the transfer and vesting of assets and liabilities to the transferees as specified in this scheme, the State Government and/or any company will be issued shares and/or instruments as may be decided by State Government.(h)The transfer to and vesting of the Undertakings to the transferees in terms of these Scheme Rules shall take effect immediately on the date of the transfer as may be notified by the State Government for the purpose notwithstanding that the value of such Undertaking have not been determined and shall be determined at a later date.(i)The value of the assets to be transferred to the Transferees shall be the fair value determined in any one or more of the following basis.(i)Revenue earning potential, or(ii)Depreciated replacement value, or(iii)Book value.(j)The opening balance sheet of the Transferees may be finalized and notified by the State Government at any time during the provisional period of twelve months from the appointed date as mentioned in Rule 10. of these Scheme rules.

## **8. Transfer of Personnel.**

(a)The transfer of personnel shall be subject to the terms and conditions contained in Section 133 and Section 134, of the Act.(b)Under this scheme : -i. On the Appointed date, notified by the State Government for transfer of the specific Undertakings under Rule 6. the personnel of the Board shall stand assigned to the services of the Generation Company, Distribution Company, and Transmission Company, as the case may be, on as is where is basis, namely, that they will continue to serve in the place where they are working on the appointed date, till further orders of the State Government.Transfer of personnel on deputation to Holding Company and 'trading Company, -ii. The personnel from the Generation Company, Distribution Company and Transmission Company shall be deputed to Holding Company and Trading Company taking into account the suitability, ability and experience of the personnel, and the number and nature of the vacancies in the Holding

Company. Transfer of personnel for shared services, -iii. The State Government may issue orders at any time within twelve months from the appointed date, in accordance to the Act, directing the personnel rendering services in the Board relating to undertakings classified in two or more of the Schedules, to be assigned to the undertakings classified under a specified schedule and thereupon such personnel shall be deemed to have assigned to the services of such undertakings for all intent and purposes.(c)The assignment under sub-Rule 7 (a) and 7 (b) above to the Transferees shall continue till the personnel are absorbed in the services of the specific Transferee, in accordance with the provisions of the Act, this Scheme, and orders to be issued by the State Government under this Scheme.(d)Absorption of personnel in Transferee Company. - The State Government shall in consultation with the Generation Company. Distribution Company, Transmission Company Trading Company and the Holding Company finalize the transfer to and permanent absorption of the Personnel in a Transferee taking into account the suitability, ability and experience of the personnel, number and nature of the vacancies and other relevant factors and issue appropriate orders, as it may think fit. for such permanent absorption within the provisional period mentioned in Rule 10.(e)For the purpose of sub-Rule 7 (d) above the State Government shall, in consultation with Generation Company, Distribution Company, Transmission Company Trading Company and Holding Company and the Board, constitute and notify a Committee as the State Government may consider appropriate to : (i) receive representations from the Personnel in regard to their transfer and absorption in the Transferee, and (ii) make recommendation on such transfer and absorption, within such time as State Government may by notification specify for the purpose.(f)The State Government shall take a decision on the transfer and permanent absorption of the Personnel in the Transferee after considering the recommendation of the Committee appointed for the purpose and shall issue orders for such transfer and permanent absorption of the Personnel.(g)Upon the finalization and issue of orders in terms of the sub-Rule 7 (f), the personnel shall form part of the service of the Transferee concerned, in the post, scale of pay or seniority in accordance with the orders that may be issued for this purpose, without any further act, deed or thing to be done by the State Government or the Board or the Transferee or any other person including the personnel.(h)Subject to the provisions of the Act and this Scheme, the Transferee shall be entitled to modify or frame new regulations governing the conditions of service of personnel transferred to the Transferee under this Scheme, but their rank, scale of pay, salary, allowances and other pecuniary benefits including pension, terminal benefits etc., after the appointed date shall not in any way be inferior to those applicable to them immediately before the said transfer.(i)In respect of all statutory and other schemes and employment related matters including the provident fund, gratuity fund, pension and any other superannuation fund or any other special fund created or existing for the benefit of the personnel, the relevant Transferee shall stand substituted for the Board for all purposes and all the rights, powers and obligations of the Board in relation to any and all such matters shall become those of the Transferee concerned and the services of the personnel shall be treated as having been continuous for the purpose of the application of scheme.(j)Arrangement for Provident Fund. - The State Government shall notify appropriate arrangements with regard to the funding and all the payments of provident fund including loans advances and final settlement to the employees, and the contribution for the existing employees towards the provident fund.(k)Arrangement for existing pensioners - The State Government shall notify appropriate arrangements in regard to the funding and due payment of the pension and terminal benefits to the existing pensioners of the Board as on the appointed date and till such time such payments shall be

duly made the Generation Company, Distribution Company or Transmission Company as the case may be. For the purpose of this sub-Rule the term : -i. "Existing Pensioner" means all the persons eligible for the pension as on the appointed date from the Board and shall include family members of the personnel, and ii. "Terminal Benefits" means the gratuity, pension, dearness allowances and other applicable relief, medical benefit, and other applicable benefits including the right to have the appropriate revisions in the above benefits consistent with the practice that were prevalent in the Board. (l) The provisions of sub-Rule 7 (j) and 7 (k) above shall apply only to existing personnel, and existing pensioner of the Board, as on the appointed date. All personnel recruited and appointed by the transferee, after the notification of this Scheme shall be governed by appropriate scheme of Provident Fund, which the Transferee concerned may establish, for the purpose. (m) All proceedings including disciplinary proceedings pending against the personnel prior to the appointed date which may relate to misconduct, lapses or acts of commission or omission committed before the appointed date, shall not abate and shall be continued by the relevant Transferee. (n) The personnel transferred to the Transferees, shall be deemed to have entered into an agreement with the Transferee concerned to repay loans, advances and other sums due or otherwise perform obligations undertaken by them to the Board which remain outstanding as on the appointed date, on the same terms and conditions as contained in the arrangement with the Board. (o) Nothing contained in this Scheme shall apply to personnel of the State Government or the Central Government or other organization on deputation to Board as on the appointed date but such personnel shall continue to be on deputation to the concerned Transferee(s) to whose services they are assigned on as is basis or otherwise as per the orders of the State Government from time to time, issued in this behalf.

## **9. Rights and obligations of third parties restricted.**

- Upon the transfer being effected in accordance with the provisions of the Act and this Scheme, the rights and obligations of all persons (including body corporate, financial institutions, lenders, etc.) shall be restricted to the Transferee to whom they are transferred to and notwithstanding anything to the contrary contained in any deed, documents, instruments, agreements or arrangements which such person has with the Board, he shall not claim any right or interest against the State Government, Board or any other Transferee.

## **10. Pending Suits, Proceedings, etc.**

(a) All Proceedings of whatever nature by or against the Board pending on the appointed date shall not abate or discontinue or otherwise in any way prejudicially be affected by reason of the transfer under this Scheme and the proceedings may be continued, prosecuted and enforced by or against the Transferee to whom the same are assigned in accordance with this Scheme and orders issued thereunder. (b) Such proceedings may be continued in the same manner and to the same extent as it would or might have been continued, prosecuted and enforced by or against the Board if the transfers specified in this Scheme had not been made.

## **11. Classification and transfer of property, rights, liabilities and proceedings to be provisional in the first instance.**

(a)The classification and transfer of Undertakings including personnel under this Scheme, unless otherwise specified in any order made by the State Government, shall be provisional and shall be final upon the expiry of twelve months from the appointed date.(b)At any time within a period of twelve months from the appointed date, the State Government may by order to be notified amend, vary, modify, add, reduce, delete or otherwise change terms and conditions of the transfer including items included in the transfer, and transfer such properties, interests, rights, liabilities, personnel and proceedings forming part of an Undertaking of one Transferee to that of any other Transferee or the Board or to the State Government in such manner and on such terms and conditions as the State Government may consider appropriate.(c)On the expiry of the period of twelve months from the appointed date and subject to any directions given by the State Government, the transfer of undertakings, properties, interests, rights, liabilities, personnel and proceedings made in accordance with this Scheme shall become final.

## **12. Transfer by operation of law.**

- The transfer under this Scheme shall be operated and be effective pursuant to action of the State Government by publishing this Scheme and Orders issued in terms of this Scheme and without any further act, deed or thing to be done by the State Government, Board, Transferees or any other person, subject to the terms and conditions of this Scheme.

## **13. Decision of State Government to be final.**

(a)If any doubt, dispute, difference or issue shall arise in regard to the transfers under this Scheme subject to the provisions of the Act, the decision of State Government thereon shall be final and binding on all parties.(b)The State Government may, by order published in the Official Gazette, amend this Scheme and make such provisions, not inconsistent with the provisions of the Act, as may appear to be necessary for removing the difficulties arising in implementing the transfer under this Scheme.

## **'I' Generation Undertakings**

### **Part I – Assets and Liabilities**

The Generation Undertaking shall comprise of the Assets, Liabilities and proceedings, including the following but not limited to them, belonging to the Board, concerning the Generation of electricity :

-Generation Assets

## 1. Existing Power Stations :

Thermal : (a) Korba (West) generating station with Phase 1 (2 x 210) MW plus and Phase 2 (2 x 210 MW) generating units and with all associated and related equipment such as generators, turbines, boilers, condensers, electrostatic precipitators, controls and instrumentation, Railway Sidings, coal handling system, ash handling system, ash pond, raw water supply and treatment system. DM water plant, secondary fuel oil storage facilities and its handling system, switch yard including step up transformers, service transformers, auxiliary unit transformers, circuit breakers, HT and LT Switchgears, control and protection system, overhead cranes, chimney. Stores, spare parts, consumables, raw materials etc. and works in progress.(b)Kobra (East) generating station with Phase 2 generating units of (4 x 50) MW and Phase 3 (2 x 120) MW capacity each with all associated and related equipment such as generators, turbines, boilers, condensers, electrostatic precipitators, controls and instrumentation. Railway Sidings, coal handling system, ash handling system, ash pond, raw water supply and treatment system, DM water plant, secondary fuel oil storage facilities and its handling system, switch yard including step up transformers, service transformers, auxiliary unit transformers circuit breakers, HT and LT Switchgears, control and protection system, overhead cranes, chimney. Stores, spare parts, consumables, raw materials etc. and works in progress.(c)2 x 250 MW Korba (East) generating station with all associated and related equipment such as generators, turbines, boilers, condensers, electrostatic precipitators, controls and instrumentation, Railway Sidings, coal handling system, ash handling system, ash pond, raw water supply and treatment system. DM water plant, secondary fuel oil storage facilities and its handling system, switch yard including step up transformers, service transformers, auxiliary unit transformers circuit breakers, HT and LT Switchgears, control and protection system, overhead cranes, chimney. Stores, spare parts, consumables, raw materials etc. and works in progress.

Hydel Power Stations : (a)Hasdeo Bango : Penstocks at the intake structure, penstock gates, draft tube gate, tail race channel, power house with 3 units of 40 MW capacity each along with generators, turbines and all associated and related equipment and switch yard including step up transformers, step down transformers, circuit breakers, control and protection system, overhead cranes, gantry cranes, hydraulic hoists, power house stores, spare parts, consumables, raw materials etc. and works in progress.(b)Rudri Mini/Micro Station : Penstocks at the intake structure, penstock gates, draft tube gate, tail race channel, power house with 0.20 MW capacity along with generators, turbines and all associated and related equipment and switch yard including step up transformers, step down transformers, circuit breakers, control and protection system, overhead cranes, gantry cranes, hydraulic hoists, power house stores, spare parts, consumables, raw materials etc. and works in progress.(c)Gangrel Station : Penstocks at the intake structure, penstock gates, draft tube gate, tail race channel, power house with 4 x 2.5 MW capacity along with generators, turbines and all associated and related equipment and switch yard including step up transformers, step down transformers, circuit breakers, control and protection system, overhead cranes, gantry cranes, hydraulic hoists, power house stores, spare parts, consumables, raw materials etc. and works in progress.(d)850 KW Mini Hydel at Korba (W) : All related auxiliaries, penstock gates, draft tube gate and tail race channel etc.(e)Sikasar Hydel Project - (2 x 3.5 MW) : All related auxiliaries, penstock gates, draft tube gate and tail race channel etc.

Non Conventional Power Station(a)Kawardha Cogen Project (6 MW)II. Power Projects Under Construction : (a)Korba West Ext. Stage 3 (1 x 500 MW)(b)Bhaiyathan (2 x 660 MW)Tariff based bidding power project(c)Marwa



Thermal Power Project (2 x 500 MW)(d)IEFCO Joint venture in Ambikapur district (2 x 660 MW)(e)Mini Hydel project 850 KW(f)Development of coal blocksIII. Development of New Thermal and Hydel Power ProjectsIV. General Assets. - The following, if they exclusively or primarily pertain to the generating stations or projects referred to in Para I and II above or activities related to such generating stations or projects :(a)Special tools and equipment, material handling equipment, earth movers, bulldozers, concrete mixtures, cranes, trailers, heavy and light vehicles, furniture, fixtures, office equipment, air conditioners, refrigerators, computers and signal systems, spares, consumables, raw materials, lands and civil works installations including dams, barrages/canals roads, buildings, staff quarters, rest houses, properties and structures and their associated buildings, schools, dispensaries, testing laboratories and equipment, training centres, workshops, works in progress, machinery and equipment sent for repairs, scraps and obsolete.(b)All independent and stand-alone Rest houses, which are not part of any sub-stations/installations of the Board.(c)The office establishment and other buildings and lands, not covered elsewhere in this schedule, which are predominantly occupied/used for the activities of Generation Undertakings as on the appointed date.V. Miscellaneous. -(a)Contracts, agreements, interest and arrangements to the extent they are associated with or related to Generation activities or to the undertakings or associated with or related to Generation activities or to the Undertakings or assets referred to in Para I to IV above including all contracts and agreements with Coal India, IOC and HPCL.(b)Liabilities to the extent they are recognised and are associated Contingent with or related to Generation activities or to the Undertakings or Assets referred to in Para I to IV above.(c)Proceedings to the extent they are associated with or related to Generation activities or to the Undertakings or Assets referred to in Para I to IV above.VI. General. -(a)The assets of the generating undertaking shall vest in Generation Company.(b)In consideration of the transfer mentioned above, the State Government may, direct. Generation Company to issue instruments such as equity shares, preference shares, debentures and other securities in favour of the Chhattisgarh State Power Holding Company Limited as the State Government may direct taking into account the assets and liabilities transferred from Board to Generation Company.

## Part II – Functions and Duties of Generation Company

The functions and duties of the Generation company will be detailed as per the clauses of the Memorandum of Association and Articles of Association of the Company constituted thereunder as originally framed or as altered from time to time.Main functions and duties of Generation Company are :(a)To acquire, establish, construct, take over, erect, lay operate, run. manage, hire, lease, buy, sell maintain, enlarge, alter, renovate, modernize, work and use Electric generating stations, projects associated lines and all things connected thereto for the purpose of generation of power including power stations, civil works, cables, wires, lines, accumulators, plant, motors, meters, apparatus, materials and development of captive coal mine & mining and things connected with the production, generation, use, storage, measurement, and transmission lines connected therewith.(b)To carry on the business of exporting producing, trading, manufacturing or otherwise dealing in Electric Power and to coordinate, aid and advise on the activities of other companies and concerns including subsidiaries, associates, affiliates engaged in the generation, distribution or trading of power on all matters concerning the operation and maintenance of Electric generating stations, associate lines and in the production, generation, use, storage and measurement and

supply of electric power.(c)To study, investigate, collect information and data, review operations, plan, research, design, prepare feasibility reports, prepare project reports, diagnose operational difficulties and weaknesses, and advise on the remedial measures to improve and modernize existing stations and facilitate and to undertake for and on behalf of others the setting up of Electric power plants and generally work for the efficient and economic management of Electric power and the optimum utilisation of the resources available.

## **II Transmission Undertaking**

### **Part I – Assets and Liabilities**

The transmission undertaking shall comprise of all Assets, Liabilities and proceedings, including the following but not limited to them, belonging to the Board, concerning the transmission of electricity :

**I. Transmission Assets.** - All the transmission lines having the capacity to carry electricity at voltages of 66 kV and above (notwithstanding the same are presently charged at voltages below 66 kV) on double circuit/single circuit/single circuit on double circuit towers with Grid sub-stations of various capacities with all associated and related equipment, including step-up, step-down transformers, circuit breakers, metering arrangements and other protective devices with power-line communication system, allied control rooms, load dispatch center, lands (including right of way), buildings, roads and other auxiliary assets spread over within and outside the territory of the State including such assets under construction and assets acquired, transferred or rights of which were vested with the Board by transfer, sale, lease or otherwise, but excluding such constructions or installations lawfully owned and operated by others. In addition to the above, the 33 kV and below distribution system which are in the 66 kV and above Grid Sub-stations and are integral part of the transformation from 66 kV and above voltages to 33 kV and below voltages shall be part of the transmission system and they shall not form part of the distribution undertakings notwithstanding anything contained in any other schedule.

**II. General Assets.** - (a) The following, if they exclusively or primarily pertain to the above mentioned transmission systems properties or projects or activities related to such transmission systems, properties or projects. (b) Special tools and equipment, material handling equipment, earth movers, bulldozers, concrete mixtures, cranes, trailers, heavy and light vehicles, furniture, fixtures, office equipment, air conditioners, refrigerators, computers and signal systems, spares, all stores and spares lying at workshop, consumables, raw materials, lands and civil works installations including roads, buildings staff quarters, rest houses, properties and structures and their associated buildings, schools, dispensaries, testing laboratories and equipment, training centres, workshops, works in progress, machinery and equipment sent for repairs, scraps and obsolete. (c) All independent and stand-alone Rest houses, which are not part of any substations/installations of the Board and any other transferee company, predominantly company used/occupied by the transmission undertaking. (d) The office establishment and other buildings and lands, not covered elsewhere in this schedule, which are predominantly occupied/used for the activities of Transmission Undertakings as on the appointed date.

**III. Miscellaneous.** - (a) Contracts, agreements, interest and arrangements to the extent they are associated with or related to transmission activities or to the Undertakings or Assets referred to in Para I and II above. (b) Contingent liabilities to the extent they are recognised and are associated with or related to transmission activities or to the Undertakings or Assets referred to in Para I and II

above.(c)Proceedings to the extent they are associated with or related to transmission activities or to the Undertakings or Assets referred to in Para I and II above.IV. General - (a) Assets related to Transmission Infrastructure of the Board shall vest with Chhattisgarh State Power Transmission Company Limited.(b)In consideration of the transfer mentioned above, the State Government may, direct Transmission Company to issue instruments such as equity shares, preference shares, debentures and other securities in favour of the Chhattisgarh State Power Holding Company Limited as the State Government may direct taking into account the assets and liabilities transferred from Board to Transmission Company.

## **Part II – Functions and Duties of Transmission Company**

The functions and duties of the Transmission Company will be detailed as per the clauses of the Memorandum of Association and Articles of Association of the Company constituted thereunder as originally framed for as altered from time to time.Main functions and duties of the Transmission Company :(a)To plan, acquire, establish, instruct, take over, erect, lay, operate, run. manage, hire, lease, buy, sell, maintain, enlarge, alter, work and use, renovate, modernize, electrical transmission lines and/or network through extra high voltage, high voltage and low voltage lines and associated sub-stations, including cables, wires, accumulators plants, motors, meters apparatus, computers and materials connected with transmission, ancillary services, telecommunication and telemetering equipment.(b)To undertake, for and on behalf of others the erection, operation, maintenance, management of extra high voltage, high voltage and low voltage lines and associated sub-stations, equipment, apparatus, cables and wires.(c)To undertake planning and coordination activities in regard to transmission, works connected with the transmission, in the State of Chhattisgarh, Load Dispatch functions and such other functions as may be assigned to the Company by law or otherwise by Government or Government Authority concerning the operation of the Power System and to coordinate, aid and advise on the activities of other companies and concerns, including subsidiaries associates and affiliates, engaged in generation, transmission, distribution, supply and wheeling of electrical energy.(d)To carry on the business of wheeling, transmission and system operation including finalisation of tariff, billing and collection thereof. To execute agreements with generating, transmission, distribution or trading companies, Central and State generating stations, Regional Electricity Boards, neighbouring States, Utilities, Companies and persons.(e)To execute agreements for transmission and wheeling of power to other companies and persons and to coordinate, aid and advise on the activities of other companies and concerns, including subsidiaries, associates and affiliates engaged in generation, transmission, distribution, supply and wheeling of electrical energy.(f)To schedule and dispatch generation of all units connected to the State power system including the Centrally owned generating stations, in respect of the share assigned to the State and electricity purchased from other States undertakings.

## **III Distribution Undertakings**

### **Part I – Assets and Liabilities**

The Distribution Undertaking shall also comprise generally of all the Assets, Liabilities and proceedings, including the following but not limited to them, belonging to the Board, concerning the

distribution of electricity in the area of supply consisting of Collectorates of Raipur, Bilaspur, Durg, Rajnandgaon, Raigarh. Koriya, Korba, Sarguja. Janjgir-Champa, Mahasamund, Kawardha, Dhamtari, Kanker. Bastar, Dantewada. Jashpur, Narayanpur in the State of Chhattisgarh -I. Distribution Assets. - All 33 kV, 11 kV, LT. (Single phase 2 wire to 3 phase 5 wire) lines (with overhead lines. Aerial Bunched cables and underground cables) and Sub-stations on different types of supports with various sizes of conductors and step up/step down transformers, breakers, protective and metering devices and control rooms, testing laboratories, lands (including right of way), buildings, roads, diesel generating sets or other conventional and non-conventional generating units, service connections and installations inside consumer's premises, street lighting timers and signal systems owned by or leased to the Board but excluding fittings, fixtures and installations owned, by private persons or local authorities, including any of the above assets under construction as on appointed date.II. General Assets. - The following, if they exclusively or primarily pertain to the above mentioned distribution systems, properties or projects or activities related to such distribution systems, properties or projects : (a) Special tools and equipment, material handling equipment, earth movers, bulldozers, concrete mixtures, cranes, trailers, heavy and light vehicles, furniture, fixtures, office equipment, aircoolers and airconditioners, refrigerators, computers and signal systems, spares consumables, raw materials, lands and civil works installations including roads, buildings, staff quarters, rest houses, properties and structures and their associated buildings, schools, dispensaries, testing laboratories and equipment, training centres, workshops. Transformer repairing units works in progress, machinery and equipment sent for repairs, scraps and obsolete. (b) AH independent and stand-alone Rest houses, which are not part of any sub-stations/installations of the Board and any other transferee companies predominantly used/occupied by the distribution undertaking. (c) The office establishment and other buildings and lands, not covered elsewhere in this schedule, which are predominantly occupied/used for the activities of Distribution Undertaking of Distribution Company as on the appointed date.III. Miscellaneous - (a) Contracts, agreements, interest and arrangements to the extent they are associated with or related to distribution activities or to the Undertakings or Assets referred to in Part I and II above including all agreements and contracts with Central Power Sector Undertakings (NTPC, PGCIL and NPCIL), IPPs and Captive Power Plants. (b) Contingent liabilities to the extent they are recognized and are associated with or related to distribution activities or to the Undertakings or Assets referred to in Para I and II above. (c) Proceedings to the extent they are associated with or related to distribution activities or to the Undertakings or Assets referred to in Para I and II above.IV. General. - (a) The assets of the distribution undertaking shall vest in Distribution Company. (b) In consideration of the transfer mentioned above, the State Government may, direct Distribution Company to issue instruments such as equity shares, preference shares, debentures and other securities in favour of the Chhattisgarh State Power Holding Company Limited as the State Government may direct taking into account the assets and liabilities transferred from Board to Distribution Company.

## Part II – Functions And Duties of Distribution Company

The functions and duties of the Distribution Company will be detailed as per the clauses of the Memorandum of Association and Articles of Association of the Company constituted thereunder as originally framed or as altered from time to time. Main functions and duties of Distribution

Company are : (a) To acquire, establish, construct, take over, erect, lay, operate, run, manage, hire, lease, buy, sell, maintain, enlarge, alter, renovate, modernize, work and use Electric Sub-transmission lines and/or net work through medium voltage and low voltage line and associated sub-stations, including distribution centres, cables, wires, accumulators, plants, motors, meters, apparatus, computers and materials connected with sub-transmission, distribution, ancillary services, supply of electrical energy, telecommunication and telemetering equipment in the State of Chhattisgarh and elsewhere. (b) To undertake, for and on behalf of others the erection, operation, maintenance, management of medium voltage and low voltage, lines and associated sub-stations, equipment, apparatus, cables, wires, maintain uninterrupted electricity supply. (c) To undertake finalization of tariff, billing and collection thereof. (d) To execute power purchase agreements with Trading Companies, Generating Companies, Central and State generating stations, Regional Electricity Board, other states, utilities, companies and persons and execute Transmission Service Agreement with transmission licensees. (e) To execute agreements for sale or purchase of power to or from other distribution or trading companies and other persons and to coordinate, aid and advise on the activities of other companies and concerns, including subsidiaries, associates and affiliates engaged in generation, transmission, distribution, supply and wheeling of electrical energy. (f) To study, investigate, collect information and data, review operations, plan, research, design, prepare projects, diagnose operational difficulties and weaknesses, and advise on the remedial measures to improve and modernize existing high voltage, medium voltage and low voltage lines and sub-stations. (g) To forecast load and indicate generation targets in consultation with Transmission Companies and Generating Stations/Companies. (h) To tender and finalise contracts for purchase of power from new generation plants (both under State and Central Sectors) including Independent Power Producers. (i) To carry on the business of purchasing, importing, exporting, producing, trading, or otherwise dealing in Electric Power and to coordinate, aid and advise on the activities of other companies and concerns including subsidiaries, associates, affiliates engaged in the distribution or trading of power on all matters concerning the operation and maintenance, use, storage and measurement, distribution and supply of electric power. (j) The bulk purchase and bulk supply functions, namely, purchase of electricity in bulk from the generating companies including Central Generating Companies, Independent Power Producers and other Joint Venture Companies and supply of electricity in bulk to the distribution companies in Chhattisgarh and other States on the Union of India.

## **IV Trading Undertakings**

### **Part I – Assets And Liabilities**

The Trading undertaking shall comprise generally of all the assets. Liabilities and proceedings including but not limited to them, belonging to the board, concerning the trading of electricity. I. Miscellaneous : (a) Contracts, agreements, interest and arrangements to the extent they are associated with or related to trading activities or to the Undertakings or Assets referred above including all agreements and contracts with Central Power Sector Undertakings (NTPS, PGCIL and NPCIL), IPPs and Captive Power Plants. (b) Contingent liabilities to the extent they are recognized and are associated with or related to trading activities or to the Undertakings or Assets referred above. (c) Proceedings to the extent they are associated with or related to trading activities or to the

Undertakings or Assets referred above.II. General : - (a) In consideration of the transfer mentioned above, the State Government may. direct Trading Company to issue instruments such as equity shares, preference shares, debentures and other securities in favour of the Chhattisgarh State Power Holding Company Limited as the State Government may direct taking into account the assets and liabilities transferred from Board to Trading Company.

## **Part II – Functions and Duties Of Trading Company**

The functions and duties of the Trading Company will be detailed as per the clauses of the memorandum of Association and Articles of Association of the Company constituted thereunder as originally framed or as altered from time to time.Main functions and duties of Trading Company are : (a)To execute power purchase agreements with Trading Companies, Generating Companies, Central and State generating stations. Regional Electricity Board, other states, utilities, companies and persons and execute Transmission Service Agreement with transmission licensees.(b)To execute agreements for sale or purchase of power to or from other distribution or trading companies and other persons and to coordinate, aid and advise on the activities of other companies and concerns, including subsidiaries, associates and affiliates engaged in generation, transmission, distribution, supply and wheeling of electrical energy.(c)To tender and finalise contracts for purchase of power from new generation plants (both under State and Central Sectors), including Independent Power Producers.(d)To carry on the business of purchasing, importing, exporting, trading, or otherwise dealing in Electric Power and to coordinate, aid and advise on the activities of other companies and concerns including subsidiaries, associates, affiliates engaged in the distribution or trading of power on all matters concerning the operation and maintenance, use. storage and measurement, distribution and supply of electric power.(e)The bulk purchase and bulk supply functions, namely, purchase of electricity in bulk from the generating companies including Central Generating Companies; Independent Power Producers and other Joint Venture Companies and supply of electricity in bulk to the distribution companies in Chhattisgarh and other States on the Union of India.(f)To deal with all the tariff matters of different generating units. Transmission system and disputes regarding contractual arrangement at Regulatory Commission. Appellate Tribunal and other appropriate Courts.

## **V Holding Undertakings**

### **Part I – Assets and Liabilities**

The Holding Undertaking shall comprise of the equity investments made in Chhattisgarh State Power Generation Company Limited, Chhattisgarh State Power Transmission Company Limited, Chhattisgarh State Power Distribution Company Limited and Chhattisgarh State Power Trading Company Limited.

### **Part II – Functions and Duties of Holding Company**

The functions and duties of the Molding Company will be detailed as per the clauses of the

Memorandum of Association and Articles of Association of the Company constituted thereunder as originally framed or as altered from time to time. Main functions and duties of Holding Company are : (a) This company shall be primarily an investment company and shall invest in companies in the field of electricity. These companies may be engaged in the business of generation, transmission, distribution and trading of electricity or any or all of these activities. (b) The Company shall be the holding company of the Chhattisgarh State Power Generation Company Limited, Chhattisgarh State Power Transmission Company Limited, Chhattisgarh State Power Distribution Company Limited and Chhattisgarh State Power Trading Company Limited (hereinafter referred to as Successor Entities), vested with the assets, interest in property, rights and liabilities of Chhattisgarh State Electricity Board ("The Board") as per the Government of Chhattisgarh's decision to reorganize the Board under the provisions of Part XIII (Reorganisation of Board) of the Electricity Act, 2003 (and the transfer schemes notified thereunder) and the resolutions, circulars, notification or ordinances issued in this regard. (c) The Company shall undertake coordination activities between Chhattisgarh State Power Generation Company Limited, Chhattisgarh State Power Transmission Company Limited, Chhattisgarh State Power Distribution Company Limited, and Chhattisgarh State Power Trading Company Limited for smooth functioning of the above mentioned successor companies and monitor their functions. (d) The Company shall endeavour to resolve differences between Chhattisgarh State Power Generation Company Limited, Chhattisgarh State Power Transmission Company Limited, Chhattisgarh State Power Distribution Company Limited and Chhattisgarh State Power Trading Company Limited. (e) The Company shall provide all the necessary support to Chhattisgarh State Power Generation Company Limited, Chhattisgarh State Power Transmission Company Limited, Chhattisgarh State Power Distribution Company Limited and Chhattisgarh State Power Trading Company Limited. (f) Operating expenses incurred by the Holding undertaking like administration and general expenses legal and consulting fees etc. would be shared by the Chhattisgarh State Power Generation Company Limited, Chhattisgarh State Power Transmission Company Limited, Chhattisgarh State Power Distribution Company Limited and Chhattisgarh State Power Trading Company Limited in the ratio of their respective equity. (g) All disputes relating to division of assets, liabilities, employees and employees related dues of erstwhile MPEB under the provisions of the M.P. Re-organization Act, 2000. (h) Allocation of disputed assets and liabilities in respect to division of MPEB into MPSEB and CSEB and also the assets and liabilities to the extent not included in schedules "A", "B", "C" and "D" (i) After final settlement of disputed assets and liabilities of erstwhile MPEB under the provisions of the M.P. Re-organization Act, 2000, the same shall be allocated through an order to be notified by the State Government among Chhattisgarh State Power Generation Company Limited, Chhattisgarh State Power Transmission Company Limited, Chhattisgarh State Power Distribution Company Limited and Chhattisgarh State Power Trading Company Limited in the same manner as has been done in this transfer scheme. (j) To deal/handle all matters including legal cases and Tax matters in the name of CSIIB. (k) To deal with common services till final allocation to different company.