

The Delhi Electricity Regulatory Commission (Performance Standards-Metering And Billing) Regulations, 2002

DELHI

India

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Rule

THE-DELHI-ELECTRICITY-REGULATORY-COMMISSION-PERFORMANCE STANDARDS-METERING AND BILLING) REGULATIONS, 2002

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The Delhi Electricity Regulatory Commission (Performance Standards-Metering And Billing) Regulations, 2002Published vide Notification No. F.8(9)/DERC/2001-02, dated 19th August 2002, published in the Delhi Gazette, Extra, Pt. IV dated 19th August, 2002In exercise of the powers conferred on it by section 61 of the Delhi Electricity Reform Act, 2000 (Act 2 of 2001), the Delhi Electricity Regulatory Commission hereby makes the following Regulations, namely:

Chapter I General

1. Short title, commencement, and interpretation.

- (i) These Regulations shall be called "Delhi Electricity Regulatory Commission (Performance Standards ? Metering & Billing) Regulations, 2002".(ii)These Regulations shall be applicable to the licensee and all its consumers.(iii)These Regulations shall come into force on the date of their publication in the official Gazette provided that the penalties specified in Regulation 38, 39 40, 41 & 42 shall be operative with effect from [1.4.2003] [Substituted by 1-1-2003 by Notification No. F. 8(9)/DERC/2001-02/3394 published in the Delhi Gazette Extra Pt. dated 1st January, 2003](iv)These Regulations shall extend to whole of the National Capital Territory of Delhi except the areas covered by New Delhi Municipal Council and Delhi Cantonment Board.

2. Definitions.

- In these Regulations unless the context otherwise requires:(a)"Act" shall mean the Delhi Electricity Reform Act, 2000.(b)"Billing cycle" shall mean the period for which the bill is raised.(c)"Billing demand" shall mean highest of the following: -(i)the contract demand, or(ii)the maximum demand indicated by the meter during the billing cycle, or(iii)highest of the sanctioned/connected load wherever contract demand has not been provided in the supply agreement.(d)"Board" shall mean Delhi Vidyut Board established under section 5 of the Supply Act Or its successor entities.(e)"Commission" shall mean Delhi Electricity Regulatory Commission.(f)"Connected load" shall mean the sum of the rated capacities in kW/HP (kilo Watt/ Horse Power) of all energy consuming apparatus including portable apparatus duly wired and connected to the power supply system in the consumer's premises. Further, connected load shall be calculated after allowing a tolerance of 5%. The connected load shall not include the load of spare plug sockets, stand by or spare energy consuming apparatus installed authorisedly, through change over switch, which cannot be operated simultaneously and load exclusively meant for fire fighting purposes. The equipment which is under installation and not connected electrically, equipment stored in warehouse/showrooms either as spare or for sale is not to be considered as "connected load". Only heating or cooling use of these apparatus/loads shall be taken into account as per prevailing season (i.e. 1st April to 30th September for cooling use and 1st October to 31st March for heating use).(g)"Contract demand" shall mean -(i)The demand in KVA (kilo Volt Ampere) at 0.85 power factor as provided in the supply agreement, for which the licensee makes specific commitment to supply from time to time subject to the governing terms and conditions. In any case, it shall not be less than 60% of the sanctioned load, or;(ii)Higher of the sanctioned/declared connected load, wherever contract demand has not been provided in the supply agreement.(h)"Demand charges" shall mean the amount chargeable for the billing cycle based upon the billing demand in KVA.(i)"Direct theft" shall mean abstraction of electrical energy either through bypassing the meter by some arrangement external to it or through unauthorised tapping of the supply from licensee's distribution network.(j)"Electricity Act" shall mean the Indian Electricity Act, 1910.(k)"Electricity Rules" shall mean Indian Electricity Rules, 1956.(l)"Energy charges" shall mean the charges for energy actually consumed by the consumer in kWh/kVAh (kilo Watt Hour/kilo Volt Ampere Hour) as the case may be, in any billing cycle. Demand charges, wherever applicable, shall be in addition to the energy charges.(m)"Dishonest abstraction of energy (DAE)" shall mean abstraction of electrical energy where accessibility to the internal mechanism of the metering equipment and some collateral evidence is found to support the conclusion that the meter has been caused to record less energy than actually passing through it. It shall also include any other means adopted by consumer to cause the meter to stop or run slow (such as reversing the polarity of one phase of poly phase meters, changes in CT or PT etc).(n)"Licensee" shall mean any person licensed under Part II or Part II A of the Electricity Act or under Part VI of the Act to transmit or supply energy.(o)"Maximum demand" shall mean the highest average load measured in kVA during any consecutive 30 minutes period of the billing cycle and shall be taken as the reading indicated by maximum demand indicator.(p)"Meter" shall mean a device suitable for recording consumption of electrical energy or any other quantity in electricity supplied during any specified period and shall include, wherever applicable, other associated equipment such as CT, PT etc. necessary for such recording.(q)"Minimum charges" shall mean the amount calculated on the basis of specified rate in

Rs./kW/month for the sanctioned/connected load and for the period of billing cycle, which shall be payable only when energy charges for that period fall short of this amount. This will be worked out at the rates specified under different categories of consumers and shall not include the rentals, maintenance and other charges/surcharges which shall be payable extra.(r)"Rationalisation Order" shall mean the Order on Rationalisation of Tariff for Delhi Vidyut Board (2000-01) issued by the Commission on 16.01.2001.(s)"Sanctioned load" shall mean the load in kW/HP (kilo Watt/Horse Power) for which the licensee has agreed to supply from time to time subject to the governing terms and conditions. The sum of the rated capacities of all energy consuming apparatus duly wired and connected to the power supply system including portable apparatus in the consumer's premises as also the load of all spare plug sockets shall required to be got sanctioned. The load of 15 amp. plug sockets shall be taken as 500 watts and that of 5 amp. plug socket as 60 watts.(t)"Supply Act" shall mean Electricity (Supply) Act, 1948.(u)"Tariff Order" shall mean the Order issued from time to time by the Commission on Annual Revenue Requirement and Tariff for Delhi Vidyut Board/licensee.(v)Unless the context otherwise requires, words or expressions occurring in these Regulations and not defined herein but defined in the Act/Supply Act/Electricity Act/ Electricity Rules/Tariff Order shall bear the same meaning as in the Act/Supply Act/Electricity Act/ Electricity Rules/Tariff Order or in absence thereof, the meaning as commonly understood in the Electricity Supply Industry.

Chapter II

New Connections

3. General.

- (i) The licensee shall prominently display at all centres where requisition for new connection is accepted, the detailed procedure for new connection and the complete list of documents required to be furnished along with the requisition for new connection. No other document, which has not been listed, shall be asked to be submitted by the intended consumer. Rate of security and cost of service line to be deposited by the intended consumer shall also be displayed.(ii)Cost of service line shall be charged as per the provisions of clause VI of the Schedule to the Electricity Act.

4. Low Tension (LT: 230/400 V) Connection in Electrified Approved Colonies.

- The licensee shall process application for new connection submitted along with other necessary documents within the time frame as given below:(i)The applicant shall make requisition for new connection in the form set out in Annexure VIII to the Electricity Rules. If the consumer wishes to provide the meter himself (in accordance with section 26 of the Electricity Act), he shall explicitly inform the same in writing to the licensee at the time of making the application.(ii)The licensee shall issue dated receipt to the applicant. Any shortcomings in the application shall be intimated in writing within 2 days on receipt of application. The application shall be considered to be accepted only on removal of all shortcomings.(iii)Within 7 days from the date of acceptance of application the licensee shall either sanction the load and shall raise a demand note under proper receipt to the applicant giving breakup of estimate of applicable charges including advance consumption deposit

for providing the connection; or intimate the applicant under proper receipt if the load applied for is not technically feasible or is violative of any provision of the Act/Supply Act/Electricity Act/Electricity Rules/Tariff Order along with the details thereof. In such case, directions contained in the fourth proviso sub-clause (I) of clause VI of the Schedule to the Electricity Act shall have to be followed by the licensee. (iv) The applicant shall make the payment within 14 days of receipt of demand note failing which the sanction shall stand lapsed. (v) After payment of applicable charges and completion of all the other commercial formalities by the applicant as per licensee's relevant procedures in force from time to time, the licensee shall energise the connection through a meter within 7 working days, if the connection is to be given from existing network. If line extension is required, this period shall be 21 days for an extension up to 5 poles and 30 days for more than 5 poles. Provided further that the licensee shall not energise connection/commence supply - (a) without the approval, in writing of designated electrical inspector or of state govt. in some specific cases wherever required under the provisions of Act/Supply Act/Electricity Act/Electricity Rules/Tariff Order. (b) If upon inspection by the licensee the information as furnished by the applicant about his installation is found false or the energisation would be violative of any provision of Act/Supply Act/Electricity Act/Electricity Rules/Tariff Order. In any of the above two cases the licensee shall intimate the applicant about the reason for non-energisation of the connection within 10 days from the date of inspection in the shape of inspection note to be issued under proper receipt. The licensee shall energise the connection within the period stipulated above from the date from which objections to the energisation are settled to the satisfaction of competent inspecting authority or the licensee, as the case may be, after re-inspection on payment of re-inspection charges. (vi) If the connection is not energized and no intimation is received by the applicant within the period as stipulated above, the applicant may intimate the Chief Executive or an official nominated by him of the licensee under proper receipt. If no action is still taken within next 15 days, a penalty as specified in Chapter IX shall be paid by the licensee. (vii) The licensee shall issue the first bill within 2 billing cycles of energising the connection. In case, the consumer does not receive the first bill within two billing cycles from the date of energizing of the connection, he may report to the concerned District Center of the licensee and the licensee shall issue the bill within next 14 days. However, in case bill is not raised within six months from the date of energizing the connection, a penalty as specified in Chapter IX shall be paid by the licensee.

5. High Tension (HT: 11 kV) & Extra High Tension (EHT: above 11 kV) Connection.

- The licensee shall deal with the application for new connection at HT and EHT as follows: - (i) The applicant shall make requisition for new connection in the form set out in Annexure VIII to the Electricity Rules. If the applicant wishes to provide (in accordance with section 26 of the Electricity Act) the meter himself, he shall explicitly inform the same in writing to the licensee at the time of making the application. (ii) The licensee shall immediately acknowledge the receipt of application and intimate the applicant of shortcomings (if any) in the application, within 2 working days of receipt of application. The licensee shall intimate the applicant on whether the connection is technically feasible or not within 30 days for HT connections and within 60 days for EHT connections. This information shall be given to applicant under proper receipt. (iii) If the connection is technically feasible, the licensee shall also communicate to the applicant within the period

specified in clause (ii) above, the voltage at which supply would be given, point of commencement of supply, agreement to be executed with the licensee and other commercial formalities to be completed. The applicant shall be required to execute the said agreement and complete commercial formalities within 30 days from the date of receipt of such communication.(iv)Upon execution of agreement and completion of other commercial formalities, the licensee shall, within 15 days, raise a demand note giving estimate of applicable charges and amount of advance consumption deposit. The licensee shall also indicate expected time required for providing new connection. The applicant shall be required to pay the estimated charges and the advance consumption deposit within 30 days of receipt of such demand note.(v)Upon payment of full amount indicated in demand note by the applicant, the licensee shall energise the connection within 100 days for HT and 130 days for EHT from the date of payment of estimated charges subject to completion of all the mandatory requirements e.g. submission of installation test report, inspection of applicant's installation by electrical Inspector wherever required under the provisions of Act/Supply Act/Electricity Act/Electricity Rules/Tariff Order, taking State Government's written concurrence (if required) by the applicant. The licensee shall, however, not be held responsible for delay in providing the connection, if the same is on account of reasons such as right of way, acquisition of land etc. over which licensee has no reasonable control provided that the reasons for the expected delay are communicated to the applicant within the period specified for energisation.(vi)If the connection is not energised and no intimation is received by the applicant within the period as stipulated above, the applicant may intimate the Chief Executive of the licensee under proper receipt. If no action is still taken within next 15 days, a penalty as specified in Chapter IX shall be paid by the licensee.(vii)The licensee shall issue the first bill to the consumer within two billing cycles of energisation of connection. In case the consumer does not receive the first bill within two billing cycles from the date of energizing of the connection, he may report to the nominated officer of the licensee and the licensee shall issue the bill within next 14 days. However, in case bill is not raised within six months from the date of energizing the connection a penalty as specified in Chapter IX shall be paid by the licensee.

6. Temporary Supply.

- The licensee shall deal with the application for temporary supply as follows: -(i)The applicant shall make request for temporary supply in the format prescribed by the licensee.(ii)The licensee shall issue dated receipt to the applicant. Any shortcomings in the application shall be intimated in writing within 2 days of receipt of application. The application shall be considered to be accepted only on removal of all shortcomings.(iii)The licensee shall examine the technical feasibility of the connection and if found feasible shall raise a demand note within 7 days of acceptance of application. And if not found technically feasible it shall intimate to the applicant in writing within 7 days giving the reason for the same.(iv)The applicant shall make the payment within 7 days of receipt of demand note failing which the sanction shall stand lapsed.(v)After payment of applicable charges and completion of all the other commercial formalities required by the licensee from time to time, the licensee shall energise the connection within 7 days.

Chapter III

Existing Connections

7. Transfer of Ownership of Connection.

- The licensee shall deal with the application relating to transfer within the time limits as prescribed below: (i) Change of ownership of connection due to change in ownership/occupancy of property: The applicant shall apply for change of ownership of connection along with copy of latest bill duly paid on the format prescribed by the licensee. The application shall be accepted on showing proof of lawful ownership/occupancy of property. The licensee shall give a demand note for advance consumption deposit within seven days under proper receipt. The applicant shall make the payment within 10 days of receipt of demand note. After payment, the change of ownership of connection shall be effected within two billing cycles. (ii) Transfer of ownership of connection to legal heir: The applicant shall apply for change of ownership of connection with copy of latest bill duly paid on the format prescribed by the licensee. The application shall be accepted on showing proof of legal heirship and no objection certificate from other legal heirs, if any. The change of ownership of connection shall be effected within two billing cycles after acceptance of application. However, if the change of ownership of connection is not effected within the said two billing cycles, a penalty as specified in chapter IX shall be paid by the licensee.

8. Load reduction.

- The Application for load reduction shall be accepted only after two years from original sanction. The applicant shall apply for load reduction on the format prescribed by the licensee along with the reasons for load reduction. The licensee, after verification, shall sanction the reduced load within 10 working days from the date of acceptance of application. The difference in advance consumption deposit shall be refunded within 60 days to the applicant at the original deposited rates. In case new load is less than 75% of the existing load, the meter and service line may be changed and cost of service line recovered from the applicant. If the load reduction is not sanctioned within the said period, a penalty as specified in chapter IX shall be paid by the licensee.

9. Load enhancement

10. Conversion from 1 phase to 3 phase LT &

vise-versa

11. Conversion from LT to HT & vice-versa.

- For Regulations 9, 10 and 11 above, the procedure laid down for new connection shall be followed as per Regulation 3 & 4. However, in case of load enhancement, advance consumption deposit shall be taken at prevailing rates only for increase in load.

Chapter IV

Billing

12. General.

- The licensee shall notify Billing and Payment Schedule area wise, District wise or Circle wise as may be decided by the licensee.(ii)The licensee shall raise the bill for every billing cycle based on actual meter readings. The bills sent to consumers by the licensee should reflect details e.g. current and last meter readings, rate, quantity of electricity consumed during the cycle, total amount to be paid for current consumption and details of past arrears, if any, last date for payment etc.(iii)Delivery of each bill shall be effected at least 15 days before the last day for payment of the bill.(iv)Provisional billing (based on average consumption) shall not be more than one billing cycle. In case meter is rendered inaccessible for two consecutive billing cycles, action as per Regulation 18 shall be followed.

13. Complaint on consumer bills.

- (i) In case of any complaint, the licensee shall acknowledge the consumer's complaint immediately if received in person or within 7 working days from the date of receipt if received by post.(ii)If no additional information is required, the licensee shall resolve consumer's complaint and intimate the result to the consumer within 15 days of receipt of the complaint. In case, any additional information is required, it shall be resolved and result intimated to the consumer within 30 days of receipt of the complaint. Till the complaint on the bill is resolved, the licensee shall, instead of recovering the disputed amount, raise a provisional bill for the disputed period based on average consumption of last three consecutive undisputed bills. Amount so recovered shall be subject to final adjustment on resolution of the complaint.(iii)In case, the bill is received late and the time available for payment is less than 14 days, the consumer may apply within two working days of receipt of such bill for extension of due date and the licensee shall extend the due date so as to allow 14 clear days from the date of communication of grant of such extension.(iv)In case of complaint regarding non-receipt of bill by the consumer the licensee shall furnish the duplicate bill immediately with due date for payment extended as above and no late payment surcharge shall be leviable if the complaint is correct.

13A. [Arrears appearing in the bills. [Inserted by Notification No. F.8(9)/DERC/2001-02/650, dated 20th May, 2003, published in the Delhi Gazette, Extra, Pt. IV, dated 20th May, 2003]

- (i) The licensee shall ensure that the arrears, for which the payment has already been made are not raised in any subsequent bill(s).](ii)If the said arrears appear for a bill, for which payment has already been made within due date, compensation at the rate of 10% of the arrear amount with a ceiling of Rs. 500 shall be payable to the consumer by the licensee. [Inserted by Notification No. F.8(9)/DERC/2001-02/650, dated 20th May, 2003, published in the Delhi Gazette, Extra, Pt. IV,

dated 20th May, 2003](iii)In case the said arrears are raised again for the second time, compensation at the rate of 15% of the arrear amount with a ceiling of Rs. 750 shall be payable to the consumer by the licensee. [Inserted by Notification No. F.8(9)/DERC/2001-02/650, dated 20th May, 2003, published in the Delhi Gazette, Extra, Pt. IV, dated 20th May, 2003](iv)If the arrears appear in a bill for which payment was made after due date, no compensation shall be paid. If such arrear, for which the payments have been made, appear in any subsequent bill(s), the case shall be dealt in accordance with clauses (ii) & (iii) above. [Inserted by Notification No. F.8(9)/DERC/2001-02/650, dated 20th May, 2003, published in the Delhi Gazette, Extra, Pt. IV, dated 20th May, 2003](v)The compensation mentioned in clauses (ii) and (iii) shall be adjusted at the time of making payment for the bill in which such arrears have appeared. [Inserted by Notification No. F.8(9)/DERC/2001-02/650, dated 20th May, 2003, published in the Delhi Gazette, Extra, Pt. IV, dated 20th May, 2003](vi)In case the arrears, as mentioned in clauses (ii) & (iii) appear in bill for the third time or thereafter, the consumer shall be entitled to make a petition to the Commission and the Commission shall decide the compensation to be made to such consumer on case-to-basis.] [Inserted by Notification No. F.8(9)/DERC/2001-02/650, dated 20th May, 2003, published in the Delhi Gazette, Extra, Pt. IV, dated 20th May, 2003]

14. Change of occupancy/vacancy of premises.

- (i) It shall be the responsibility of the owner of the connection to get a special reading done by the licensee at the time of change of occupancy or on the premises falling vacant.(ii)The owner/user of the connection may request in writing to the licensee for special reading at least 30 days in advance of the said vacancy of the premises by the existing user or change of the occupancy, as the case may be.(iii)The licensee shall arrange a special reading to be done and deliver the final bill, including all arrears till the date of billing, at least 7 days before the vacancy of the premises. The final bill shall also include payment for the period between the date of special reading and date of vacancy of premises on pro-rata basis.(iv)Once the final bill is raised, the licensee shall not have any right to recover any charge(s), other than those in the final bill, for any period prior to the date of such bill.

15. Payment on self assessment by the consumer.

-(i) In case of non-receipt of bill the consumer may deposit self assessed bill in the format prescribed by the licensee for the period for which bill has not been received provided that it is not less than minimum charges payable for the said period. The licensee shall not levy any late payment surcharge in the next bill if consumer's claim of non-receipt of bill is correct. The payment so made by the consumer shall be adjusted in the next bill.(ii)In case of dispute regarding levy of surcharges, the licensee shall settle the dispute within one billing cycle from the date of protest by the consumer after giving him opportunity for reply and personal hearing.

16. Advance payment of anticipated bills by consumer.

- If a consumer intends to make advance payment of bills, the same shall be accepted by the licensee, in the format prescribed by the licensee, and the amount so paid shall be adjusted towards energy and other charges in the next bill. No interest shall be paid on balance amount lying

unadjusted with the licensee.

Chapter V

Metering

17. General.

- (i) No installation, other than those, which are specifically exempted, shall be serviced without a meter and all the requirements as laid down in section 26 of the Electricity Act shall be complied with. (ii) In case of new connection/replacement of meter, the consumer, in accordance with section 26 of the Electricity Act, may himself procure the meter either from the vendors certified by the licensee, or conforming to licensee's technical specifications. The licensee shall calibrate such meter at consumer's cost and seal the meter. Alternatively, consumer may choose to pay the full cost of the meter provided by the licensee. No meter rent shall be chargeable in such cases. (iii) The consumer may install his own check meter of approved make or conforming to licensee's specifications. The licensee may calibrate such meter at consumer's cost. However, check meter reading shall not be used for billing purposes. (iv) The responsibility of keeping the meter under safe custody shall lie with the consumer. The licensee may charge appropriate fee for replacing/repairing the meter parts damaged thereafter. (v) The licensee shall evolve a format of Meter Particulars Sheet for recording the particulars of the meters after replacement/installation and a copy of the sheet duly signed by the authorised signatory of the licensee shall be made available to the consumer under proper receipt. (vi) The licensee shall keep a record of meter in the Meter Particulars Sheet while energising a connection for which the meter has been provided by the consumer. (vii) During any inspection and before replacing a burnt/defective meter or, on consumer's complaint or suo moto, the licensee shall ensure that the meter is not tampered/bypassed. The licensee shall check the particulars of the old meter with the Meter Particulars Sheet. If the meter is found tampered/bypassed/with particulars other than recorded, the licensee may not replace the burnt/defective meter and may follow the procedure laid down for booking a case of pilferage of energy in these Regulations.

18. Reading of meters.

-(i) The meter shall be read once in every billing cycle. It shall be the duty of licensee official reading the meter to check the seals and condition of the meter. In case only one seal is found to be broken, he shall report the matter to concerned higher officer immediately and action in accordance with Rule 138 of Electricity Rules may be initiated. In case more than one seal is found to be broken or any other irregularity such as broken glass, hole in meter body is found, action under Chapter VII of these Regulation may be initiated. (ii) The consumer shall extend all facilities to the licensee to read the meter. (iii) In case, for any reason, meter is not read during any billing cycle the licensee shall send a provisional bill based on average consumption of last three billing cycles when readings were taken. Such provisional billing shall not continue for more than 2 billing cycles at a stretch. The amount so paid shall be adjusted against the bill raised on the basis of actual meter reading during subsequent billing cycles. Alternatively, if the consumer furnishes the meter reading(s) himself the

billing for that billing cycles(s) shall be done based on that/those reading(s) subject to adjustment in next billing cycle.(iv)If the meter is rendered inaccessible on two consecutive meter reading dates, the licensee shall serve a 7 clear days notice to the consumer under proper receipt, to keep open the premise for taking meter reading on date & time indicated in the notice. If the consumer does not comply with the notice, the licensee shall after expiry of the notice period cut off supply of the consumer for so long as such refusal or failure continues.(c)When a domestic consumer gives prior information in writing about inaccessibility of the meter to the licensee due to continued absence from residence, the licensee shall not send any notice/provisional bill or higher bill provided he pays the minimum charges in advance for such period. Whenever the meter is made accessible by the consumer for taking the meter reading, the entire consumption shall be taken as if the consumption was for the period excluding the intimated period of inaccessibility. This facility shall be available to the consumer if he has paid upto date dues.(vi)If the consumer desires to have special reading taken, the same shall be arranged by the licensee on payment of prescribed fee.(vii)If the provisional billing continues for more than two billing cycles, a penalty as specified in chapter IX shall be paid by the licensee.

19. Testing of meters.

- (i) The licensee shall conduct periodical inspection/testing and calibration of the meters as per Rule 57 of Electricity Rules, in the following manner: -(a)Periodicity of meter testsThe licensee shall observe following time schedule for regular meter testing: -

Category	Interval of testing
NDMC, MES, Railways	6 months
Bulk supply meters (HT)	1 year
LT meters (11kW-100 kW)	3 years
LT meters (upto11 kW)	6 years

Wherever applicable, CT and PT shall also be tested along with meters.(b)When the meter is found to be fast beyond limits specified in Rule 57 (1) of the Electricity Rules, the licensee/consumer, as the case may be, shall replace/rectify the defective meter within 30 days of testing. The licensee shall adjust/refund the excess amount collected on account of the said defect, based on percentage error, for a period not more than 6 months from the date of test and charge the cost of replacement/repair of the meter in the next bill sent to the consumer.(c)When the meter is found to be slow beyond permissible limits, as specified in Rule 57 (1) of the Electricity Rules and the consumer does not dispute the accuracy of the test, the licensee/consumer, as the case may be, shall replace/rectify the defective meter within 30 days of testing. The consumer shall pay the difference due to the defect in the meter at normal rates, based on percentage error, for a period of not more than 6 months prior to date of test with due regard being paid to conditions of working, occupancy etc. of the premises during this period and up to the date on which defective meter is replaced/rectified.(d)If the consumer or his representative refuses to sign the test report and pay due billing charges, the defective meter shall not be replaced/rectified and the licensee shall approach the designated electrical inspector, who shall test the correctness of the meter and give results within one month. The decision of the Inspector shall be final and binding on the licensee as well as the

consumer.(ii)The licensee shall keep record of all such meter tests and submit to the Commission exception report every six months.

20. Meter Complaints.

-(i) Correctness of meter -(a)Should the consumer dispute the accuracy of the meter, he may, upon giving notice/complaint to that effect and paying prescribed testing fee, have the meter tested by the licensee.(b)The licensee shall, within 15 working days of receiving the complaint, carry out testing of the meter and shall furnish duly authenticated test results to the consumer.(c)If the meter is found to have error beyond the limits of accuracy as specified in Rule 57 of Electricity Rules, and the meter has not been tested within the meter testing schedule as prescribed in Regulation [19] [Corrected vide corrigenda dated 12th September, 2002 for "16"], the amount of past energy bill shall be adjusted in accordance with the result of test with respect to the meter readings of the 3 billing cycles prior to the billing cycle in which dispute has arisen and upto the date of replacement of meter.(d)The consumer shall not liable to pay any demand violation charges if the demand computed on the basis of test results of the meter exceeds his contract demand.(ii)Meter not recording.(a)If the meter is not recording/stuck as reported by the consumer, the licensee shall check the meter and if found stuck, the meter shall be replaced by the licensee/consumer, as the case may be, within 30 days of receipt of complaint.(b)If the meter is not recording/stuck as noticed by the licensee, the licensee shall notify the consumer. Thereafter, the licensee shall check the meter and if found stuck, the meter shall be replaced within 30 days.(c)The consumer shall then be billed on provisional basis on average consumption of last three billing cycles for a period between the date of last reading and the date of replacement/repair of the stuck meter.(iii)Burnt meterIn case the meter is found burnt upon inspection by the licensee on consumer s complaint or otherwise(a)The licensee shall restore connection immediately upon receiving the complaint by bypassing the burnt meter after ensuring that necessary corrective action at site is taken to avoid future damage. New meter shall be provided by the licensee/consumer, as the case may be, within three days.(b)The licensee shall get the burnt meter removed from site/consumer s premises and test the same. If it is established, based on test results, that meter got burnt due to technical reasons e.g. voltage fluctuation, transients etc. attributable to system constraints, the licensee shall bear the cost of meter.(c)In case upon inspection of the consumer s installation and subsequent testing of the meter, it is established that meter got burnt due to causes attributable to the consumer e.g. tampering, defect in consumer s installation, meter getting wet due to falling of water, connection of unauthorised load by the consumer etc. the consumer shall bear cost of new meter in case the original burnt meter was provided by him. In case the meter was provided by the licensee, the consumer shall pay the cost as under:

If meter was less than 2 years old	full cost
Between 2 to 5 years old	75% of the cost
Between 5 years to 8 year	50% of the cost
Between 8 years to 10 years	25% of the cost
More than 10 years	no cost

(d) In case the meter is found burnt and there is reason to believe that an official of the licensee gave a direct connection, pending replacement of meter, a case of direct theft shall not be booked. Consumer's complaint for replacement of burnt meter or the complaint regarding disruption in supply of energy shall be considered sufficient for this purpose.

21. Billing during the period defective/burnt meter remained at site.

- (i) The consumer shall be billed (for the period meter remained defective) based on the estimated energy consumption by taking the consumption pattern of the consumer for the 6 months prior to and 6 months after the period during which the meter remained defective. The amount already paid by the consumer by way of provisional bills for the period meter remained non functional or defective, shall be adjusted in this bill. (ii) In cases where the recorded consumption of past six months prior to the date meter became defective, is either not available or partially available, the consumption pattern as obtained from such lesser period along with the above mentioned subsequent six months pattern shall be deemed sufficient for estimation of consumption. (iii) In case, the Maximum Demand Indicator (MDI) of the meter at the consumer's installation is found to be faulty or not recording at all (unless tampered), the demand charges shall be calculated based on billing demand during corresponding months/billing cycle of previous year, when the meter was functional and recording correctly. In case, the recorded MDI of corresponding month/billing cycle of past year is also not available, the highest of the billing demand during 6 months succeeding meter replacement shall be considered.

Chapter VI

Disconnection & Reconnection

22. Disconnection on non-payment of the licensee's dues.

-(i) The licensee may issue a disconnection notice in writing, as per section 24 of Electricity Act, to the consumer who defaults on his payment of due charges giving him 7 clear days to pay the dues. Thereafter, the licensee may disconnect the consumer's installation on expiry of the notice period. If the defaulting consumer does not pay the amount for six months from the date of disconnection, the licensee may remove both the service line and meter from the consumer's premises. Such a connection shall then be treated as a dormant connection. (ii) The licensee shall take steps to prevent against reconnection of the connection disconnected in the manner as mentioned hereinabove.

23. Disconnection on Consumer's request.

-(i) In case consumer desires his connection to be disconnected, he shall apply for the same on the format prescribed by the licensee. (ii) The licensee shall carry out the special reading and prepare final bill including all arrears up to date of such billing within 5 days from such request. Upon payment of final bill the licensee shall issue No Demand Certificate to the consumer. (iii) Thereafter, the licensee shall not have any right to recover any charge(s) for any period prior to this date of billing.

24. Reconnection.

- The licensee shall reconnect the consumer's installation within 2 days of payment of past dues against the installation and reconnection charges. Dormant connections, however, would be reconnected only after all the formalities as required in the case of a new connection have been complied with by the consumer.

Chapter VII

Pilferage Of Energy

25. Procedure for booking a case for pilferage of energy.

- (i) The licensee, suo moto or on receipt of reliable information regarding commitment of any offence of theft/tampering/dishonest abstraction of energy (DAE), shall promptly conduct inspection of consumer's premises. The inspection team shall carry a written authority signed by designated officer of the licensee. (ii) The inspecting team shall prepare a report giving details such as connected load, condition of seals, working of meter and mention any irregularity noticed (such as, artificial means adopted for dishonest abstraction of energy) as per format prescribed by the licensee. (iii) The report shall clearly indicate whether conclusive evidence substantiating the fact that energy was being dishonestly abstracted was found or not. The details of such evidence should be recorded in the report and it should be clearly brought out whether the case is being booked for direct theft or DAE. (iv) No case for DAE shall be booked only on account of one seal on the meter missing or tampered or breakage of glass window etc. unless corroborated by consumption pattern of consumer as per Regulation 26 (ii) given below and such other evidence as may be available. (v) In case sufficient evidence is found to establish direct theft of energy, the licensee may lodge a report with the local police along with the material evidence including wires/cables, meter, service line etc. seized from the site, which shall be handed over to police. The licensee shall also assess the energy consumption for past six months as per the Tariff Order and prepare final assessment bill on 5 times the rates as per applicable tariff. The consumer shall be required to make the payment within 2 working days of its proper receipt. (vi) In case of suspected DAE, the inspection team shall not remove the tampered meter but shall disconnect it from the supply and shall restore the supply through a new meter of appropriate rating. In such cases, the licensee shall check the connected load and consumer's installation, affix a numbered Johnson's paper seal on the tampered meter and shall also record the particulars of the same in the report. (vii) While the report must be signed by each member of the joint team and the notice, if any, must be signed by an authorised signatory of the licensee and all these must be handed over to the consumer or his/her representative at site immediately under proper receipt. In case of refusal by the consumer or his/her representative to either accept or give a receipt, a copy of each must be pasted at a conspicuous place in/outside the premises. Simultaneously, the joint report, the assessment bill and the notice shall be sent to the consumer under Registered Post. (viii) The consumer shall be served a 3 days show cause notice at the site as to why the case of DAE should not be booked against him/her. The notice should clearly state the time, date and place at which the reply has to be submitted and the designation of the person to whom it should be addressed.

26. Personal hearing.

-(i) Within 4 working days from the date of submission of consumers reply, if made within prescribed period, the licensee shall arrange a personal hearing with the consumer.(ii)Before the personal hearing, the officer of the licensee, before whom personal hearing has to be given, shall analyse the case after carefully considering all the documents, submissions by the consumer, facts on record and the consumption pattern, wherever available. The licensee shall also assess the energy consumption for past six months as per the Tariff Order. In case of suspected DAE, if consumption pattern for last one year is reasonably uniform and is not less than 75% of the assessed consumption where meter is less than 10 years old and not less than 65% of the assessed consumption where meter is more than 10 years old, no further proceedings shall be taken and the decision shall be communicated to the consumer under proper receipt within 3 working days and connection shall be restored through original meter.(iii)During the personal hearing the licensee shall give due consideration to the facts submitted by the consumer and pass, within 15 days, a speaking order as to whether the case of suspected theft/DAE is established or not. In case of the decision that the case of suspected theft/DAE is not established, no further proceedings shall be taken and connection shall be restored through original meter.(iv)Where it is established that there is a case of DAE, the licensee [may] [Corrected vide Corrigenda dated 12th September, 2002 for "Shall"] lodge a report with the local police along with the material evidence including wires/cables, meter, service line etc. seized from the site, which shall be handed over to police. The licensee shall also assess the energy consumption for past six months as per the Tariff Order and prepare final assessment bill on 5 times the rates as per applicable tariff. The consumer shall be required to make the payment within 2 working days of its proper receipt. The licensee may, taking into consideration the financial position and other conditions of the consumer, extend the last date of payment or approve the payment to be made in instalments. The amount, the extended last date and/or time schedule of payment/instalments should be clearly stated in the speaking order. A copy of the speaking order shall be handed over to the consumer under proper receipt on the same day.

27. Default in payments of instalments.

- (i)In case of default in payment of subsequent instalment(s) approved by the licensee, the consumer shall be served with a 7 working days notice under proper receipt to make the payment.(ii)In case the consumer fails to pay instalment within specified period, the licensee shall give the consumer 2 working days disconnection notice. Thereafter, if the instalment remains unpaid, the licensee shall disconnect the supply. The supply shall not be reconnected till the remaining part of bill is fully paid. The reconnection shall be carried out as per the provisions of new connection laid down in Chapter II above.

28. Consumer depositing the assessment bill under protest.

-(i) In case the consumer is not satisfied with the decision taken during personal hearing and makes the payment under protest within the prescribed period, the licensee shall ask the consumer to furnish information to further substantiate his stand and arrange a personal hearing before an officer of the licensee one level above the officer before whom the previous hearing was given. The

licensee shall give due consideration to the facts submitted by the consumer and pass a speaking order as to whether the case of DAE is established or not.(ii)In case of the decision that the case of suspected theft/DAE is not established, no further proceedings shall be taken and the payment(s) made by the consumer for the withdrawn bill shall be refunded to him/her along with a compensation of 10% of the bill amount within 7 days of the decision.

29. Voluntary declaration of tampered meters.

-(i) In case a consumer comes forward and voluntarily declares tampering of meter and/or seals:(a)The tampered meter shall be replaced with a new meter by the licensee/consumer, as the case may be, immediately and the licensee shall raise the assessment bill at 2 times the normal tariff for the period of last six months reckoned from date declaration.(b)The energy bill, for the period the meter is not replaced, shall be sent as per the procedure for defective meters.(c)No FIR shall be lodged in case a consumer voluntarily declares the tampered meter and pays the requisite charges in time.(d)In case of default on the part of the consumer, the procedure for booking the case of DAE shall be followed.

30. General.

- (i) While making the assessment bill, the licensee shall give credit to the consumer for the payments already made by the consumer for the period of the assessment bill. The assessed bill shall be prepared after excluding the consumption recorded by the meter. The bill shall clearly indicate the timing, days and place where it is to be deposited.(ii)The withdrawal of theft/DAE provisional/final bill shall be without prejudice to the right of the licensee to take any other action including recovery of charges, disconnection etc. on account of any other irregularity noticed as per the provisions of relevant Act/Electricity Act/Supply Act//Orders/ Regulation/Rules.(iii)In case of repetition of such cases of direct theft/DAE, the supply shall remain suspended and shall be reconnected only after a period of 15 days from the date of receipt of the payment for full bill.

Chapter VIII

Violation Of Provision(S) Of Tariff Schedule

31. Procedure for levy of charges other than normal tariff for violation of provision(s) of Tariff Schedule.

- (i) The licensee shall not be entitled to levy any charge on account of violation of provision(s) of Tariff Schedule prior to the date of last reading/inspection and in no case beyond past six months from the date of the current reading/inspection.(ii)In the Inspection Report the nature of violation shall be clearly mentioned.(iii)The inspection report and the show cause notice thereto must be signed by an authorised signatory of the licensee and must be handed over to the consumer or his/her representative at site immediately under proper receipt. In case of refusal by the consumer or his/her representative to either accept or give a receipt, a copy of each must be pasted at a

conspicuous place in/outside the premises. Simultaneously, the inspection report and the notice shall be sent to the consumer under Registered Post.(iv)The consumer shall be served upon with a 7 working day show cause notice at site as to why charges on account of violation of the provision(s) of Tariff Schedule, indicated in the inspection report, should not be levied on him/her. The notice should clearly state the time, days and place at which the reply has to be submitted and the designation of the person to whom it should be addressed.

32. Submission of consumer s reply.

-(i) Within 7working days from the date of receipt of inspection report/show cause notice the consumer may submit a reply or deposit prescribed inspection fee and request the licensee to do site verification again.(ii)Within 7 working days from the date of such request the licensee shall arrange an inspection of the consumer s premises and shall do site verification.(iii)Within 7 working days from the date of submission of consumer s reply, if made within stipulated time, or the date of second inspection, whichever is later, the licensee shall analyse the case after carefully considering all the documents, submissions by the consumer, facts on record and the report of inspection on consumer s request. If it is concluded that there is no violation of any provision of Tariff Schedule, the case of violation of provision(s) of Tariff Schedule shall be dropped immediately and the decision shall be communicated to the consumer under proper receipt within 7 working days from the date of taking the decision.(iv)If it is concluded that charges on account of violation of the provision(s) of Tariff Schedule be levied, the licensee shall arrange personal hearing with the consumer within 15 days from the date of such decision.

33. Personal hearing.

-(i) During the personal hearing the licensee shall give due consideration to the facts submitted by the consumer along with the facts on record and pass a speaking order as to whether the case of violation of provision(s) of Tariff Schedule is established or not. In case, violation of provision(s) of Tariff Schedule is not established, the case shall be withdrawn immediately. In case of establishment of the case of violation of provision(s) of Tariff Schedule the licensee shall levy the charges on this account from the date of reading/inspection immediately preceding the date of issue of notice to the consumer provided that this date shall not be beyond past six months from the date of issue of notice. The speaking order shall clearly state the decision taken and the charges to be levied with their effective dates. A copy of the speaking order shall be handed over to the consumer under proper receipt on the same day.(ii)The licensee shall recover these charges through subsequent electricity bills and permit recovery in instalments, if needed.

34. Default in payments.

-(i) In case of default in payment of these charges/instalment(s) approved by the licensee for two consecutive billing cycles, the consumer shall be served upon with a 7 working days notice under proper receipt to make the payment.(ii)In case of failure on the part of the consumer to reply to the show cause notice or to appear for personal hearing and non-payment of violation charges/instalment within 7 working days as per notice for payment, the licensee shall give the

consumer a 7 working days disconnection notice along with a final bill for upto date dues and late payment surcharge, if any. The consumer shall be required to make the payment of the final bill within 7 working days of its proper receipt. In case the final bill is not paid within stipulated time, the licensee shall disconnect the supply. The supply shall remain disconnected till the consumer pays all the dues along with late payment surcharge.

35. Consumer depositing the bill with charges for violation of Tariff Schedule provision(s) under protest.

-(i) In case the consumer gives reply to show cause notice for the levy of such charges within time and/or appears for personal hearing but is not satisfied with the decision taken and makes the payment under protest within the prescribed period, the licensee shall ask the consumer to furnish information to further substantiate his stand and arrange a personal hearing with the consumer within 15 days of such payment by the consumer.(ii)If it is not the first hearing, it shall be before an officer of the licensee one level above the officer before whom the previous hearing was given. The licensee shall give due consideration to the facts submitted by the consumer and pass a speaking order as to whether the case of violation of the provision(s) of Tariff Schedule is established or not.(iii)In case of the decision that the case of violation of the provision(s) of Tariff Schedule is not established, the case as well as the provisional assessment bill shall be withdrawn immediately and the payment(s) made by the consumer for the withdrawn bill shall be refunded to him/her along with a compensation of 10% of the bill amount within 7 days of the decision.(iv)If no case of violation of the tariff schedule is established, the licensee shall ensure that it is not reflected in the subsequent electricity bills.

36. Withdrawal of charges on account of violation of the provision(s) of Tariff Schedule for cases prior to notification of these Regulations.

-(i) When the consumer has been objecting to the levy of charges on account of violation of the provision(s) of Tariff Schedule and has received one or more bills with such charges but has not received any show cause notice, the consumer may deposit an inspection fee prescribed by the licensee and present the receipt with a Format of Withdrawal duly filled up. If he has received a show-cause notice, he may also give his reply with the Format.(ii)The licensee shall do the site verification within 3 working days. The licensee shall give the consumer or a representative of the consumer a copy of his site verification report.(iii)Where on site verification, it is found by the licensee that there is no violation, the charges on this account shall be dropped by the licensee as follows: -(a)If no show cause notice was issued and there is evidence that the consumer has been objecting, then the licensee shall withdraw the charges on account of violation of the provision(s) of Tariff Schedule with effect from the billing cycle following the date of consumer's first protest. However, if the licensee finds that the consumer has protested after receiving the first violation bill, and before the second violation bill, the licensee shall drop the charges on account of violation of the provision(s) of Tariff Schedule ab initio.(b)Where the licensee finds that a show cause notice stands issued as per record, and the consumer has replied to it within the time prescribed or without unreasonable delay, the licensee shall withdraw the charges on account of violation of the

provision(s) of Tariff Schedule as per consumer's claim.(c)Where the licensee finds that a show cause notice was issued and the consumer has not replied to it, the licensee shall withdraw charges on account of violation of the provision(s) of Tariff Schedule with effect from the billing cycle immediately following the consumer's first protest.(iv)The licensee shall arrange personal hearing with the consumer, as in new case, if the consumer so desires and communicates his intention to the licensee in writing under proper receipt.(v)The licensee may permit instalments and these shall be so allowed that the amount of instalment is not less than the amount of current energy bill including charges on account of violation of the provision(s) of Tariff Schedule. This shall apply only to such old cases where more than six months arrears of tariff violation charges are levied.

37. General.

-(i) The licensee shall develop a format for requesting withdrawal of charges on account of violation of the provision(s) of Tariff Schedule.(ii)In cases, where the charges on account of violation of the provision(s) of Tariff Schedule are withdrawn ab initio, the inspection fee deposited by the consumer shall be refunded through subsequent electricity bills.(iii)The levy of charges on account of violation of the provision(s) of Tariff Schedule shall continue till the cause of levy is removed and verified by the licensee as per procedure laid down above.(iv)In case, a consumer has applied for a separate new connection so as to remove the cause of levy of tariff violation charges on the existing connection, these charges be withdrawn from the billing cycle falling after a period of 14 days, (Normal time required for installation of new connection) from the date the consumer completes the requisite commercial formalities for the grant of separate connection and there is no lapse on his part. This is subject to condition that installation of such new connection shall remove the cause of levy.

Chapter IX

Monitoring And Penalties

38. Penalty for delay in providing new connection under Regulations 4 and 5.

- A penalty of Rs. 500 shall be payable by the licensee for delay in energizing the connection. The licensee shall submit a quarterly pendency statement giving zone wise details of connections not energized within the time frames specified in Regulations 4 & 5 along with reasons thereof. The statement shall also include number of new connections applied for, sanctioned and energized. The penalty accumulated on this account during the quarter shall be deposited with the Commission along with this report.

39. Penalty for delay in raising the first bill under Regulation 4 and 5.

- In case the first bill is not raised within six months from the date of energizing the connection, a penalty of Rs. 500 shall be payable by the licensee. The licensee shall submit a quarterly statement to the Commission giving zone wise details of such bills (first bill raised after six months) along with penalty accumulated on this account during the quarter.

40. Penalty for delay in transfer of ownership under Regulation 6.

- In case transfer of ownership is not effected within two billing cycles of acceptance of application, a penalty of Rs. 500 shall be payable by the licensee. The licensee shall submit a quarterly statement to the Commission giving zone wise details of pendency along with penalty accumulated on this account during the quarter.

41. Penalty for delay in load reduction under Regulation 7.

- In case load reduction is not sanctioned within 5 days of acceptance of application or advance consumption deposit not refunded within 60 days of acceptance of application, a penalty of Rs. 500 shall be payable by the licensee. The licensee shall submit a quarterly statement to the Commission giving zone wise details of pendency along with penalty accumulated on this account during the quarter.

42. Penalty in case provisional billing continues for more than two billing cycles under Regulation 17.

- In case provisional billing continues for more than [two] [Corrected vide corrigenda dated 12th September, 2002 for "three"] billing cycles, penalty of Rs. 500 per such bill shall be payable by the licensee. The licensee shall submit a quarterly statement to the Commission giving zone wise details of such bills (provisional billing continues for more than two billing cycles) along with penalty accumulated on this account during the quarter.

Chapter X Miscellaneous

43. General.

- (i) The licensee shall make a Schedule of Delegated Powers indicating authority for execution and compliance of these Regulations and submit for the approval of the Commission within 3 months of notification of these Regulations. This Schedule shall be publicised widely through newspapers/website and shall make this Schedule available to the public at nominal cost. (ii) The licensee shall nominate of the Appellate Authority in respect of the decision taken by the authority in Schedule of Delegated powers. (iii) The licensee shall, within 3 months from the notification of these Regulations, submit to the Commission for its approval, the Schedule of Miscellaneous Charges for all the applicable charges proposed to be charged from the customer under these Regulations. Till such time the approval is granted by the Commission, the existing charges shall continue to be applicable. (iv) The licensee shall monitor the progress of each case of new connection, billing, metering, disconnection, reconnection and theft/DAE cases on monthly basis and send MIS reports on the status report submitted to the Commission once in two months. (v) The licensee shall keep uploading the area wise list and current status of new connection, billing, metering,

disconnection, reconnection and theft/DAE cases on the website giving overall figure of such cases booked, decided and pending. This shall also have details such as name of the consumer, address, K.No., kinds of offences observed, date of personal hearing, amount of bill raised, other penalties levied, last date of payment of assessed bill, current status of payment and a list of defaulters. The licensee shall also upload all the reports sent to the Commission mentioned in these Regulations.(vi)These Regulations shall not apply to the extent Rationalisation Order or Tariff Order has made specific provisions.

44. Exemption.

- These standards of performance shall remain suspended during force majeure conditions such as National Emergency as defined in the Constitution of India or other forces or causes beyond the control of the licensee including strike, fire, lockout etc. affecting the licensee's installation and activities.

45. Power of relaxation.

- The Commission may, in public interest and for reasons to be recorded in writing, relax any of the provision of these Regulations.

46. Savings.

- The Commission may, at any time and on such terms as it may think fit, amend these Regulations or remove any error or defect in these Regulations.