

**ORISSA ELECTRICITY REGULATORY
COMMISSION
DISTRIBUTION (CONDITIONS OF SUPPLY)
CODE, 2004**

**THE ORISSA GAZETTE
EXTRA ORDINARY
PUBLISHED BY AUTHORITY**

No.710, CUTTACK, FRIDAY, MAY 28, 2004 / JAISTHA 7, 1926

**ORISSA ELECTRICITY REGULATORY COMMISSION
BHUBANESWAR-751 012**

NOTIFICATION

The 21 May, 2004

No. OERC/Engg-92/2003-In the exercise of powers conferred on it by Section 181 (2) (t), (v), (w) and (x) read with Part-VI of The Electricity Act, 2003 (Act 36 of 2003), Orissa Electricity Reform Act, 1995 (Act 2 of 1995) and all other powers enabling it in that behalf, the Orissa Electricity Regulatory Commission hereby make the following Regulations to govern distribution and supply of electricity and procedures thereof such as the system of billing, modality of payment of bills, the powers, functions and obligations of the distribution licensees and/or suppliers and the rights and obligations of consumers.

CHAPTER I

SHORT TITLE, COMMENCEMENT

1. (1) These Regulations may be called the "**Orissa Electricity Regulatory Commission Distribution (Conditions of Supply) Code, 2004**".
- (2) These shall come into force on the date of their publication in the Official Gazette.
- (3) They extend to whole of the State of Orissa.
- (4) These shall apply to all persons engaged in the business of distribution of electricity as a distribution licensee and the consumers of electricity in the State of Orissa.
- (5) The Orissa General Clause Act, 1937 shall apply to the interpretation of these Regulations.

CHAPTER II

DEFINITIONS

2. (1) In these Regulations, unless the context otherwise requires :
 - (a) "**Act**" means the Electricity Act, 2003 (Act 36 of 2003) and "**State Act**" means The Orissa Electricity Reform Act, 1995 (Orissa Act 2 of 1995);
 - (b) "**agreement**" with its grammatical variations and cognate expressions means an agreement entered into by the licensee and the consumer in

accordance Regulation-15 in the format at **Form no. 1 / 3** of these Regulation;

- (c) "**ampere**" means a unit of electric current and is the unvarying electric current which when passed through a solution of nitrate of silver in water, in accordance with the specification set out in Annexure-I of the Indian Electricity Rules, 1956 or Rules/Regulations made under Section 53 of the Act, deposits silver at the rate of 0.001118 of a gramme per second; the aforesaid unit is equivalent to the current which, in passing through the suspended coil of wire forming part of the instrument marked "Government of India Ampere Standard Verified" when the suspended coil is in its sighted position, exerts a force which is exactly balanced by the force exerted by gravity in Calcutta on the counter balancing iridioplatinum weight of the said instrument;
- (d) "**apparatus**" means electrical apparatus and includes all machines, fittings, accessories and appliances in which conductors are used;
- (e) "**average power factor**" means the power factor resulting from variations of the quantum and duration of the consumer's load during a specific period and its value corrected to the nearest percentum figure to be calculated as a ratio of the registration during the same period of kilowatt hour and kilovolt-ampere hour;
- (f) "**break-down**" means an occurrence relating to equipment of supply system or other electrical line which prevents its normal functioning;
- (g) "**Code**" means the Orissa Electricity Regulatory Commission Distribution (Conditions of Supply) Code, 2004;
- (h) "**Commission**" means Orissa Electricity Regulatory Commission;
- (i) "**conductor**" means any wire, cable, bar, tube, rail or plate used for conducting energy and so arranged as to be electrically connected to a system;
- (j) "**connected load**" means aggregate of manufacturer's rating of all apparatus including portable apparatus connected in the consumer's premises and apparatus in respect of which declaration has been made by the consumer under Regulation No.65 for taking supply or any other method of assessing connected load as may be approved by the Commission. This shall be expressed in KW or KVA. If the ratings are in KVA, the same may be converted to KW by multiplying the KVA with a power factor of 0.9. If the same or any apparatus is rated by the

manufacturer in HP, the HP rating shall be converted into KW by multiplying it by 0.746;

- (k) "**consumer installation**" means any composite electrical unit including electric wires, fittings, motors, transformers and apparatus portable and stationary, indoor, outdoor and underground erected and wired by or on behalf of the consumer in one and *at* the same premises;
- (l) "**contract demand**" means maximum KW or KVA or HP as the case may be, agreed to be supplied by the licensee and reflected in the agreement executed between the parties. Where the agreement stipulates supply in KVA, the quantum in terms of KW may be determined by multiplying the KVA with 0.9;
- (m) "**date of commencement of supply**" means the day immediately following the date of expiry of a period of one month from the date of intimation to an intending consumer of the availability of power at the point of supply or the date of actual availing of supply by such consumer, whichever is earlier.
- (n) "**demand charge**" refers to a charge on the consumer based on the capacity reserved for him by the licensee, whether the consumer utilises such reserved capacity in full or not;
- (o) "**designated authority of the licensee**" means an authority who has been notified as such by the licensee in the manner approved by the Commission to exercise powers under specific provisions of this Code;
- (p) "**earthed**" or "**connected with earth**" means connected with the general mass of earth as per I. E. Rules, 1956 as to ensure at all times an immediate discharge of energy without danger;
- (q) "**energy**" means electrical energy-
 - (i) Generated, transmitted or supplied for any purpose, or
 - (ii) Used for any purpose except the transmission of a message.
- (r) "**energy charge**" refers to a charge on the consumer for his actual consumption of electricity;
- (s) "**engineer**" means engineer, by whatever name he may be designated, who is employed by the licensee and who is in charge of the local area having direct jurisdiction over the area of supply or any part thereof in which the premises to be served are located and who is notified as such for the purposes of these Regulations by the licensee in the manner laid down by the Commission and includes any other engineer duly authorised by him to exercise any power, jurisdiction or authority under these Regulations;

- (t) **"extra high tension consumer"** means a consumer who obtains supply from the licensee at Extra High Voltage;
- (u) **"high tension consumer"** means a consumer who obtains supply from the licensee at High Voltage;
- (v) **"the Indian Electricity Rules, 1956"** means electricity rules made under the Electricity Rules, 1956 referred under Section 185 (2)(c) as amended or replaced or substituted from time to time under Section 53 of the Act;
- (w) **"Initial period of agreement"** means the period of two years starting from the date of commencement of supply in respect of Domestic and General Purpose category of consumers and five years in respect of other category of consumers. The initial period of agreement shall continue till the end of the month, on which the end date of the two years period expires;
- (x) **"licensed electrical contractor"** means a contractor licensed under Rule 45 of Indian Electricity Rules, 1956 or under Rules/Regulations made under Section 53 of the Central Act;
- (y) **"load factor"** in case of contract demand of 100 KW and above is the ratio of the total number of units consumed during a given period to the total number of units that would have been consumed had the maximum demand been maintained throughout the same period and is usually expressed as a percentage, that is,
Load Factor in Percentage = (Actual units consumed during a given period / Maximum demand in KW X Number of Hrs during the period) X 100,
'load factor' in case of loads up to and excluding connected load of 100 KW is the ratio of the total number of units consumed during a given period to the total number of units that would have been consumed had the contract demand been maintained throughout the same period and is usually expressed as a percentage, that is,
Load Factor in Percentage = (Actual units consumed during a given period / Contract demand in KW X Number of Hrs during the period) X 100,
- (z) **"low tension consumer"** means a consumer who obtains supply from the licensee at Low or Medium Voltage;
- (aa) **"maximum demand"** expressed in KW or KVA in relation to any period shall mean four times the largest number of kilowatt hours or kilovolt-ampere hours delivered at the point of supply of the consumer and recorded during any consecutive fifteen minutes in that period. Where agreement stipulates supply in KVA, the quantum in terms of Kilowatts may

be determined by multiplying the KVA with 0.9 'Maximum demand' for a category of consumer shall be calculated as per the procedure provided in the Tariff Order, approved by the Commission;

- (bb) "**meter**" means an equipment used for measuring electrical quantities like energy in kWh or KVAh, maximum demand in kW or KVA, reactive energy in KVAR hours etc. including accessories like Current Transformers (CT) and Potential Transformers (PT) where used in conjunction with such meter and any enclosure used for housing or fixing such meter or its accessories and any devices testing purposes;
- (cc) "**minimum monthly charges**" refers to such charges payable by the consumers to cover fixed charges incurred by the licensee for affording supply such as fixed expenses and operation and maintenance expenses or any such charge as made in the tariff order of the Commission;
- (dd) "**occupier**" means the owner or person in occupation of the premises where energy is used or proposed to be used;
- (ee) "**ohm**" means a unit of electric resistance and is the resistance offered to an unvarying electric current by a column of mercury at the temperature of melting ice 14.4521 grams in mass of an uniform cross sectional area and of a length of 106.3 centimeters; the aforesaid unit is represented by the resistance between the terminals of the instrument marked "Government of India Ohm Standard Verified" to the passage of an electric current when the coil of wire, forming part of the aforesaid instrument and connected to the aforesaid terminals is in all parts at a temperature of 30°C;
- (ff) "**phased contract demand**" means contract demand agreed to be availed in a phased manner;
- (gg) "**power factor**" means the ratio of kilowatt to kilovolt-ampere;
- (hh) "**standard agreement form**" means the form of agreement laid under Regulation 15;
- (ii) "**transmission system**" means the system consisting of extra high voltage electric lines, having design voltage of 66 KV and higher owned or operated by a transmission licensee authorised to transmit electricity for the purposes of the transportation of electricity from one power station to a sub-station or to another power station or between sub-stations or to or from any external interconnection including 33/11 KV bays/equipment up to the interconnection with the distribution system, any plant and apparatus and meters owned or used in connection with the transmission of electricity, but shall not include any part of a distribution system;

- (jj) "**volt**" means a unit of electro-motive force and is the electric pressure which, when steadily applied to a conductor, the resistance of which is one ohm, will produce a current of the one ampere and the unit may be indicated by the abbreviation V and one thousand such units may be indicated by the abbreviation KV;
 - (kk) "**voltage**" means the difference of electric potential measured in volts between any two conductors or between any part of either conductor and the earth as measured by a suitable voltmeter and is said to be;
 - (i) "**low voltage**" where the voltage does not exceed 250 volts under normal conditions subject, however, to the percentage variation stated in the Indian Electricity Rules, 1956 or in Rules/Regulations specified under the Act;
 - (ii) "**medium voltage**" where the voltage exceeds 250 volts and does not exceed 650 volts under normal conditions subject, however, to the percentage variation stated in the Indian Electricity Rules, 1956 or in Rules/Regulations specified under the Act;
 - (iii) "**high voltage**" where the voltage exceeds 650 volts and does not exceed 33,000 volts under normal conditions subject, however, to the percentage variation stated in the Indian Electricity Rules, 1956 or in Rules/Regulations specified under the Act;
 - (iv) "**extra high voltage**" where the voltage exceeds 33,000 volts under normal conditions subject, however, to the percentage variation stated in the Indian Electricity Rules, 1956 or in Rules / Regulations specified under the Act;
 - (ll) "**year**" means year commencing on first of April.
- (2) The words or expressions occurring in these Regulations but not defined herein above shall bear the same meaning as in the Act.

CHAPTER - III POWER SUPPLY

Application for Supply

3. Application for initial supply or subsequent additional supply of power shall be made in the format in duplicate as provided in **Form Nos. 1 & 2** as the case may be. Copies of the format of the application may be obtained from the local offices of the licensee free of cost. Photocopies of a blank Form or Form downloaded from the web-site of the licensee may also be used as an application form.

4. (1) The application after filling in shall be signed by the owner or the lawful occupier with the consent of the owner of the premises for which supply is required and shall be submitted at the local office of the engineer along with a non-refundable fee not exceeding the amount as fixed below together with a sketch map of the premises and documentary evidence of his ownership or occupation of the premises in question. Any assistance or information required for filling up the application may be obtained by the applicant from the local office of the engineer.

For loads at single phase	...	Rs.25/-
For Loads at three phase	...	Rs.100/-
For loads at HT	...	Rs.500/-
For loads at EHT	...	Rs.5000/-

- (2) The licensee shall acknowledge the application/letter(s) of the applicant/consumer forthwith.
5. Notwithstanding anything contained in Regulation 4, the licensee may grant connection to the premises of any applicant, and the licensee's engineer may dispense with documentary evidence of lawful occupation of the premises at his discretion. In cases where such documentary evidence of lawful occupation of the premises is dispensed with, any documentary evidence regarding electricity connection or payment of bills raised by the licensee for consumption of electricity will not constitute evidence for the purpose of lawful occupation of the premises in any municipal record, revenue record or any court of law.

Explanation : Any consumer who has been granted connection under this provision shall be deemed to be an occupier for the purposes of the licensee notwithstanding that his occupation is found by any court, tribunal or other authority to be not bonafide or lawful.

6. All applications for supply of power shall be filed at least thirty days before the expected date of supply, where distribution mains have been laid and power supply commenced. In case of high tension service or service requiring extension of the licensee's distribution mains, the prospective consumer shall submit his application not less than ninety days in advance provided that for contracting loads at HT or EHT in excess of 5 MW up to 10 MW, application shall be made

one year in advance and for contracting loads in excess of 10 MW two years in advance.

7. An applicant, who is not the owner of the premises occupied by him, shall execute an indemnity bond, indemnifying the licensee against any damages payable on account of any dispute arising out of supply of power to the premises.
8. When the applicant's premises have no frontage on a street and the service line from the licensee's mains has to go over or under the adjoining premises of any other person (whether or not the adjoining premises is owned jointly by the applicant and such other person) the applicant shall obtain at his own expense necessary way-leave, licence, sanction, permission or other right or interest from the adjoining owner or co-owner. The licensee shall not supply power until such way-leave, licence, sanction or other right or interest is obtained and produced. Any extra expenditure incurred in placing the service line in accordance with the terms of way leave, licence sanction or other right or interest obtained from the owner or co-owner shall be borne by the applicant. No way-leave, licence sanction or other right or interest once granted shall be cancelled or withdrawn, without giving six months notice by registered post to the engineer and the concerned consumer and a provision to this effect should be incorporated in the terms of the way leave, licence, sanction, or other right or interest arranged by the consumer and submitted to the licensee. The consumer may however arrange for alternative route, if any, to retain the supply of power. In all such cases the consumer shall bear the cost of diversion and other incidental expenses as may be estimated by the engineer. It shall not be incumbent on the licensee to ascertain the validity or adequacy of the way-leave, licence, sanction, or other right or interest obtained by the applicant.

Notwithstanding anything stated above, any way leave (including way leave granted for supply to others) would be surrendered or alternate route would be accepted only if in the opinion of the licensee it is technically feasible. The decision of the licensee in this regard would be final.

9. The service connection to an applicant for Industrial or General Purpose may be given without prejudice to his liability to obtain permission or sanction, etc. from any other authority or body.

10. If the applicant in respect of an earlier agreement executed in his name or in the name of his spouse, parents or in the name of a firm or company with which he was associated either as a partner, director or managing director, is in arrears of electricity dues or other dues for the same premises payable to the licensee, the application for supply shall not be allowed by the engineer until the arrears are paid in full.
11. (i) Within three days of receipt of the application for LT supply, three clear days notice shall be sent by the licensee to the applicant or to the licensed contractor acting on his behalf for the applicant or his representative to be present for the purpose of inspection of the premises and fixation of the point of entry of supply mains and the position of mains, cut-outs or circuit breakers and meters. The licensee will in no case fix meters and main cut-outs nor will allow the same to remain in any position which entails entry of the licensee's employees into private or religious quarters.
- (ii) The licensee shall respond to the application for supply at HT within twenty-one days stating whether the connection is feasible or not. If feasible, the licensee shall intimate voltage at which supply will be given and point of commencement of supply.
- (iii) The licensee shall forward the application for supply at EHT to the transmission licensee within three days of its receipt for its further processing in terms of provisions in the Grid Code. The licensee shall obtain the final reply regarding feasibility from the Transmission Licensee and communicate the same to the applicant within one-month receipt of application.

Estimate

12. (1) (a) After the point of entry of the supply mains and the position of mains, cut-outs or circuit breakers and meters have been settled as provided for in Regulation-11 above, the licensee shall supply to the applicant within a period of one week an estimate of the cost of carrying out the work along with security deposit required. The licensee also shall forward the form of licensed contractors' completion and test report to the applicant. Before the work of laying the service line is taken up, the applicant shall pay in full the cost of laying the service line as per estimate prepared by the engineer.

- (b) If supply is requested at HT or at EHT, the licensee shall intimate the applicant the estimated charges and time required for providing new connection within sixty working days of notifying feasibility of supply as provided in Regulation-11 above. The licensee also shall forward the form of licensed contractors' completion and test report to the applicant. Before the work of laying the service line is taken up, the applicant shall pay in full the cost of laying the service line as per estimate prepared by the engineer.
- (c) After the deposit has been duly made, orders for taking up the work shall be issued within a period of three days from the date of deposit. The amount deposited by the applicant shall be subsequently adjusted, if necessary, on compilation of the figures of the actual cost of the service lines. The balance amount, if any, shall be refunded to the consumer by way of adjustment in the first electricity bill. The applicant shall pay any expenditure incurred in excess of the amount deposited by the applicant within fifteen days of demand.
- (d) A final bill shall be sent to the consumer after giving service connection, within one month, indicating therein the actual expenses incurred together with a demand or refund notice, if any.
- (2) Service lines for temporary connections shall be laid by the licensee where possible and the estimated cost for laying and removing such service lines together with estimated energy charge shall be paid by the applicant in advance on demand by the licensee.
- (3) Where any difference or dispute arises as to the cost or fixing of the position of service lines, the matter shall be referred to the Electrical Inspector for decision.

Licensee's Obligation to Supply and power to recover expenditure

- 13. (1) The supply of power shall be made, if it is available in the system, technically feasible and remunerative as per the norms fixed at **Appendix I** by the Commission and the applicant enters into an agreement in the standard form under Regulation 15 accepting the terms relating to tariff and other conditions of supply of the licensee.
- (2) In case the scheme of supply is not remunerative, as above, the applicant shall be required to bear the portion of charges to make the scheme remunerative.
- (3) No additional power shall be supplied by licensee unless all arrear charges for the existing power supply have either been paid in full or paid in accordance with

an installment facility granted by the licensee for unconditionally paying the arrears within the stipulated time.

- (4) Every Distribution Licensee shall, on receipt of an application from the owner or occupier of any premises give supply of electricity to the premises within the time stipulated in sub-clause (5), subject to the payment of fees, charges and security and the due fulfillment of other conditions to be satisfied by such owner or occupier of the premises.
- (5) Subject to Regulation 8, the Distribution Licensee shall give supply of electricity to the premises pursuant to the application under sub-clause (4) above:
- (a) Where no extension of distribution main or commissioning of new sub-station is required for effecting such supply within one month after the receipt of the application along with the fees, charges and security amount payable;
- (b) In cases where such extension of distribution main or commissioning of new sub-station is required but there is no requirement of erecting and commissioning a new 33/11kV sub station within the time frame given hereunder:

Type of service Connection requested	Period from date of payment of required security and other estimated charges, within which supply of electricity should be provided
Low Tension (LT) supply	30 days
11KV supply	60 days
33KV supply	90 days

Provided that the Distribution Licensee may approach the Commission for extension of the time specified above, in specific cases where the magnitude of extension is such that the Licensee will require more time, duly furnishing the details in support of such claim for extension and if satisfied with the justification given by the Distribution Licensee, the Commission may extend the time for commencing the supply.

- (c) In the case of application for new connection, where extension of supply requires erection and commissioning of new 33/11 KV sub-station, the Distribution Licensee shall within 15 days of receipt of application, submit

to the Commission a proposal for erection of 33/11 KV sub-station together with the time required for commissioning the substation. The Commission shall, after hearing the Distribution Licensee and the consumer concerned decide on the proposal and the time frame for erection of the sub-station. The Distribution Licensee shall erect and commission the sub-station and commence power supply to the applicant within the period approved by the Commission.

Provided that if the substation is meant to extend supply to an individual consumer, the Licensee may, unless otherwise directed by the Commission, commence erection of the substation only after receipt of necessary security from the applicant.

Provided further that, where such substation is covered in the investment plan approved by the Commission, the Distribution Licensee shall complete the erection of such substation within the time period stated in such investment plan.

Provided that wherever the substation or the line has been covered in the investment plan approved by the Commission the distribution licensee should not collect any charge from the intending consumers even though it may not be remunerative, in case the line or substation proposed in the investment plan would not have been there.

- (6) The Distribution Licensee shall not be responsible for the delay, if any, in extending the supply, if the same is on account of problems relating to statutory clearances, right of way, acquisition of land, or the delay in consumer's obligation to obtain approval of Chief Electrical Inspector for his High Tension or Extra High Tension installation, or for any delay in compliance with requirements by the applicant or delay or for any other similar reasons beyond the reasonable control of the Distribution Licensee.
- (7) Subject to the above it shall be the responsibility of the Distribution Licensee to have necessary commercial arrangements with the respective Transmission Licensee(s) to ensure that the required supply at Extra High Tension (EHT), i.e. above 33 KV, is made available within the time frame in consultation with Transmission Licensee.

- (8) In cases where the village or hamlet or area is not electrified earlier, the Distribution Licensee shall give supply of electricity to premises in such village or hamlet or area as per the programme of electrification of habitations covered in the investment plan approved by the Commission and subject to availability of fund for giving such supply and right of the way. The supply shall be extended within the time frame stated in such investment plan

(9) **Shifting of service connection/deviation of lines and shifting of equipment**

Wherever the consumers request for shifting the service connection to the new premises or for deviation for the existing lines at their cost the following time schedule shall be observed for completing these works after getting the expenses as laid down in this Code.

- | | |
|---|---------|
| 1. Shifting of meter/service | 15 days |
| 2. Shifting of LT lines | 30 days |
| 3. Shifting of 11KV lines | 60days |
| 4. Shifting of 33KV lines | 90days |
| 5. Shifting of 33/11 KV Distribution Transformer structures | 90 days |

The time schedule given above includes the time required for preparation of estimates, collection of deposits, etc.

The accounts should be settled within three months from the date of completion of shifting work by recovery of excess expenditure or refunding the balance deposit.

(10) **Transfer of service connection**

- (a) Subject to the Regulation 8, the transfer of service connection shall be effected within 15 days from the date of receipt of complete application.
- (b) The service connection from the name of a person to the name of another consumer shall not be transferred unless the arrear charges pending against the previous occupier are cleared.

Provided that this shall not be applicable when the ownership of the premises is transferred under the provisions of the State Financial Corporation Act.

(11) **Change of Classification**

A consumer can utilise a service connection given to him for a purpose different from the purpose for which he originally obtained the service connection, only if the same tariff is applicable to the new purpose also. If a different tariff is applicable to the new purpose, the consumer shall apply to the Licensee before changing the purpose.

Within fifteen days from the date of receipt of application from the consumer, the Licensee shall effect change of tariff.

However, no consumer will be permitted to change the tariff of the service connection from any low-tension tariff (other than agriculture) to low-tension tariff for agriculture.

Consequences of default

14. (1) The Distribution Licensee who fails to comply with the time frame for supply of electricity stipulated in Regulation 13(5) above shall be liable to pay penalty as may be decided by the adjudicating officer of the Commission in accordance with Section 143 read with sub-section (3) of Section 43 of the Act.
- (2) The liability to pay penalty under this Regulation for default if any, shall not absolve the Distribution Licensee from the liability to pay compensation to the affected person as per the regulation notified under sub-section (2) of Section 57 of the Act.

Agreement

15. Every person whose application for initial supply or subsequent additional supply of power has been processed by the licensee who avails the supply at three phase, shall before taking such supply execute an agreement in the standard format as per **Form No.3** of this Code and will deposit security amount as per Regulation 19(2) of this Code. In the case of non-remunerative schemes, portion of charges as indicated in Regulation 13 (2) will also have to be deposited. Such agreement shall not be required for Domestic and General Purpose consumers and their applications for power supply in the form as per in **Form No.1**, if accepted, shall constitute the agreement between the licensee and

the consumer. The duplicate copy of the application in **Form no.1** shall be handed over to the applicant with endorsement of acceptance for his reference and record.

Termination of Agreement

- 16.** (1) If power supply to any consumer remains disconnected for a period of two months for non-payment of charges or dues or non-compliance of any direction issued under this Code, and no effective steps are taken by the consumer for removing the cause of disconnection and for restoration of power supply, the agreement of the licensee with the consumer for power supply shall be deemed to have been terminated on expiry of the said period of two months, without notice, provided the initial period of agreement is over.
- (2) On termination of the agreement, the licensee shall be entitled to remove the service line and other installation for supply of power from the premises of the consumer. After permanent disconnection, if the consumer wishes to revive the connection, then it would be treated as a fresh application for connection and would be entertained only after all outstanding dues have been cleared.
- (3) Consumer may terminate the agreement after giving at least two months notice to the licensee only after completion of initial period of agreement.

Provided that the notice shall be accompanied with a copy of payment of last bill.

- 17.** Whenever restriction on power supply is imposed and power purchased from other States or agencies is supplied to the consumer on special request, a supplementary agreement shall be executed which shall remain in force for the period of such restriction.

Record of Disconnection and Reconnection

- 18** The licensee shall maintain a record of disconnection and reconnection. The licensee shall intimate in writing the date of disconnection to the consumer within seven days of disconnection and obtain acknowledgement of the consumer or his authorised representative.

Security Deposit

- 19.** (1) Any person entering into an agreement with the licensee for supply of power shall deposit such amount to cover charges (i.e. demand/fixed charges and energy charges as applicable) for supply of three months where by-monthly bill is in vogue

and two month charges in the case of monthly billing cycle, for the relevant consumer category. In case of phased contract demand, the security deposit will be accordingly phased. Enhanced security deposit shall be payable thirty days prior to each scheduled enhanced demand. Provisions to this effect shall be incorporated in the agreement.

- (2) The initial security deposit (demand charges plus energy charges) shall be calculated based on the load factor as under:

Calculation of amount for Initial Security Deposit

<p>■ Two months consumption charges as Security Deposit (In Rupees) = ■2 {(Contract Demand in K W) X (24 Hrs) X (30days) X (Load Factor) X (Energy Charge in Rs per unit) + *(Contract Demand in KVA) X (80%) X (Demand Charge in Rs. per KVA)}</p>		
Sl.	CATEGORY OF CONSUMER	LOAD FACTOR FOR CALCULATION OF ENERGY CONSUMPTION (%)
1	Domestic	10%
2	General Purpose	30%
3	Irrigation Pumping and Agriculture	15%
4	Public Lighting	30%
5	L.T. / H.T. Industrial (S) Supply	20%
6	L.T. Industrial (M) Supply	30%
7	Specified Public Purpose	30%
8	Public Water Works	50%
9	Large Industry	70%
10	Power Intensive Industry -	80%
11	Mini Steel Plant	40%
12	Railway Traction	40%
13	Heavy Industry	70%
14	Emergency Supply to CPP	To be mutually settled
15	Temporary Connection	As applicable to relevant consumer category
<p>* Applicable to consumers under two part tariff, ■ 2(two) where monthly billing cycle and 3 (three) where bi- monthly bill in vogue.</p>		

- (3) If any person requiring supply under LT or HT is prepared to take the supply through a pre-payment meter, the distribution licensee shall not be entitled to collect the security deposit from such person.

Provided that in the case of existing consumers (LT or HT) who opt for the supply through pre-payment meter, the Licensee shall refund the amount of the security deposit of such consumer lying with the Licensee by adjustment of the then outstanding dues to the Licensee or any amount becoming due to the Licensee immediately thereafter.

- (4) The security deposit shall be paid in cash or by bank draft. It may also be paid by cheque or by credit card, where specifically allowed by the licensee.
- (5) The licensee may require any consumer to give him reasonable security as shall be approved by the Commission for the payment to him of all monies which may become due to him where any electric line or electrical plant or electric meter is to be provided for supplying electricity to such consumer, in respect of the provision of such line or plant or meter.

Review and payment of Additional Security Deposit for the electricity supplied:-

20. (1) General Review

Subject to the restrictions of the periods of three months or two months as specified in Regulation 19(1), the adequacy of the amount of security deposit calculated in respect of consumers shall be reviewed by the Licensee generally once in every year (preferably after revision of tariff for the respective year) based on the average consumption for the period representing 12 (twelve) months from April to March of the previous year.

(2) Demand notice for Additional Security Deposit

- (a) Based on review as per sub-clause (1) above, demand for shortfall or refund of excess shall be made by the Licensee. Provided, however, that if the security deposit payable by the consumer is short by or in excess of not more than 10% of the existing security deposit, no demand for shortfall will be made for payment of Additional Security Deposit and the consumer shall not be entitled to demand the refund of the Excess.

- (b) If the existing Security Deposit of a consumer is found to be in excess by more than 10% of the required security deposit, refund of the excess security deposit shall be made by the Licensee by adjustment of the then outstanding dues from the consumer to the Licensee or any amount becoming due from the consumer to the Licensee immediately thereafter.
- (c) Where the consumer is required to pay Additional Security Deposit, the Licensee shall issue to the Consumer a 30 days' advance notice stating the amount payable with supporting calculations.

(3) Surcharge for belated payment of Additional Security Deposit

- (a) The consumers shall pay the additional security deposit within thirty days from the date of service of the demand notice issued by the Licensee.
- (b) If there is any delay in payment, the consumer shall pay surcharge thereon at the rate of 15% per annum or at such rate as may be fixed by the Commission from time to time, without prejudice to the Licensee's right to disconnect supply of electricity, as per this Regulation.

(4) Disconnection for non-payment of Security Deposit for the electricity supplied

If the consumer does not make payment of initial security deposit, the licensee can refuse to release supply. In the case where additional security deposit is demanded by the licensee in terms of this Regulation 20(2) above, and the consumer does not make payment, the supply to the consumer shall be liable for disconnection as laid down under Regulation 100.

21. Interest on Security Deposit payable by the Licensee

- (1) The Licensee shall pay interest on security deposit of the consumer, at the bank rate notified by Reserve Bank of India provided that the Commission may direct a higher rate of interest from time to time by notification in official Gazette.

- (2) The interest accruing to the credit of the consumer shall be adjusted annually in the amounts outstanding from the consumer to the licensee as on 1st May of every year and the amounts becoming due from the consumer to the licensee immediately thereafter.
- (3) The licensee shall duly show the amounts becoming due to consumer towards interest on the security deposit in the bills raised on the consumer.
- (4) The Licensee shall pay interest at twice the rate specified under sub-clause (1) above for the delay in making the adjustments for interest on security deposit.

22. Refund of Security Deposit after termination of the Agreement

The security deposit shall be returned to the consumer only after the termination of the agreement and after adjustment of outstanding dues, if any, within a period of one month from the date of termination. In case of non-refund of such security deposit during the aforesaid period, it shall carry interest at the rate of 15 % per annum from the effective date of termination of the agreement (without prejudice to other rights and remedies of the consumer) payable to the consumer. Before termination of the agreement, the licensee is entitled to adjust the whole or part of the security deposit towards arrears payable by the consumer.

23. Service Line

- (1) Upon compliance of all conditions including technical feasibility and viability, the licensee shall lay service line, from the nearest distribution mains up to a convenient point on the boundary of the applicant's property to which power is proposed to be supplied.

Provided that in case of temporary supply, the licensee's estimated cost of laying the line at the time of connection and removing of service line at the time of disconnection shall be borne by the applicant.

- (2) The main cutouts or fuses shall be inserted and sealed by the licensee free of cost to the consumer and acknowledgement thereon shall be obtained from the consumer.

24 In case of a HT or EHT feeder directly taken to the consumer's premises for his exclusive use from the licensee's sub-station or from the transmission licensee, the metering arrangement shall be done at the consumer's premises or, at the licensee's sub-station itself.

- 25.** When the metering arrangements are installed in the consumer's premises, the position of the service cutouts or circuit breakers and meters shall be so fixed as to permit easy access to the employees of the licensee at any time.
- 26.** Where the shifting of the service line within the same premises is undertaken on the request of the consumer, the entire charge on account of shifting including the cost of additional materials if any shall be borne by the consumer and shall be payable within fifteen days of licensee's demand. In other cases, where shifting is necessary in public interest or for convenience of the licensee, the consumer shall extend full co-operation but shall not be required to pay any charges.
- 27.** The entire service line, notwithstanding that whole or portion thereof has been paid for by the consumer, shall be the property of the licensee and shall be maintained by the licensee who shall always have the right to use it for the supply of energy to any other person unless the line has been provided for the exclusive use of the consumer through any arrangement agreed to in writing.

Point of Supply

- 28.** Unless otherwise agreed to, the supply shall be at a single point at the out-going terminals of the licensee, i.e.,
- (a) Cut-outs or circuit breakers in the case of low tension consumers, and
 - (b) Control switch gear or circuit breaker or high tension fuses that may be installed in the licensee's or consumer's premises as mutually agreed in the case of high tension or extra high tension consumers subject to provisions of this Code.

Wiring on Consumer's Premises

- 29.** (1) For the protection of the consumer and the public it is necessary that the wiring on the consumer's premises should conform to the Indian Electricity Rules, 1956 and the rules of the insurance company with which the building may have been insured and will be carried out by a licensed contractor. The material used for wiring shall comply with the standards laid down in that behalf by the Bureau of Indian Standards. As soon as the applicant's licensed contractor completes the wiring and other electrical installation in the premises, the applicant shall submit to the licensee, the contractor's completion and test report.
- (2) As required by Rule 45 of the Indian Electricity Rules, 1956, no electrical installation work including addition, alteration, repairs and adjustments to existing installations, except such replacement of lamps, fans, fuses, switches, low voltage domestic appliance

and fittings as in no way alter the capacity and the character of the installation, shall be carried out within the premises of any consumer or owner for the purpose of supply of energy to such consumer or owner, except by a contractor licensed by the appropriate authority in this behalf and under the direct supervision of a person holding a certificate of competency issued or recognised by the appropriate authority. Any person committing a breach of Rule 45 of the Indian Electricity Rules, 1956 shall render himself liable to punishment under Rule 139 of the said Rules.

CHAPTER – IV

APPARATUS ON CONSUMER'S PREMISES

Installation of Equipment and Apparatus of the Consumer

- 30.** All transformers, switch-gear and other electrical equipment belonging to the consumer and connected to the mains of the licensee shall be maintained to the reasonable satisfaction of the licensee and shall comply in all respect with IE Rules and shall conform to the BIS.
- 31.** Low tension consumers shall in all cases and at their cost provide a safety device in the form of linked quick break main switch and a main fuse on each phase other than the earthed neutral at the point of commencement of supply. The switch shall be fixed as near as possible to the meter board or meter box.
- 32.** In the case of high tension or extra high-tension consumer, suitable protective devices approved by the licensee shall be used so as to afford full protection to the licensee's apparatus placed on the consumer's premises. In case a high tension or extra high-tension consumer is directly connected to a Transmission Licensee's sub-station, the Distribution Licensee shall obtain the concurrence of the Transmission Licensee before giving approval as above. A high tension consumer or extra high tension consumer requiring a supply of 1000 KVA and above shall install at his cost suitable circuit breakers of approved make with sufficient rupturing capacity as decided by the licensee on the incoming side of his load fitted with automatic protective devices, so adjusted that the circuit breakers supplied by the consumer operate before terminal circuit breaker or the isolating apparatus of the licensee is activated. A high tension consumer requiring supply below 1000 KVA shall provide on the high tension incoming side of his load a gang operated triple pole isolating switch of approved make with high tension fuses of fast blowing characteristics or circuit breaker of adequate rupturing capacity which should be so adjusted that they blow off or operate before the protective devices in the licensee's terminal circuit breaker or isolating apparatus operate. The consumer will allow the

licensee for connection and provide a terminal in the circuit breaker for connection for automatic meter/remote meter unit system whenever requires.

- 33.** High tension consumers shall install step-down transformers having vector group with winding connected in delta on high voltage side and star on low voltage side with neutral terminal brought outside and suitably earthed.
- 34.** Supply to the consumer may be cut off if the wiring, apparatus, equipment or installation is found to be defective at any time or if the consumer uses any apparatus or appliance or uses the energy in such manner as to endanger the service lines, equipment, electric supply mains and other works of the licensee or interferes with the efficient supply of energy to other consumers. In case of leakage in consumer's premises, provision of Rule 49 of Indian Electricity Rules, 1956 shall apply.

A. C. Motor Installation

- 35.** (1) No A. C. motor shall be connected to the low or medium voltage system of the licensee unless the motor and the installation thereof has suitable device to limit starting current as detailed in Regulation 36 below.

(2) Power supply shall not be given to any applicant at low or medium voltage and for utilising in induction motors of capacity of three HP and above or welding transformers of capacity one KVA and above, unless shunt capacitors of appropriate rating are installed by the consumer across the terminals of such motor(s) or welding transformers to achieve average monthly power factor as specified in this Code.

- 36.** (1) Motors of low or medium voltage shall be provided with control gear so as to prevent satisfactorily the maximum current demand from the consumer's installation exceeding the limits given in the following schedule at any time under all possible conditions.

<u>Nature of Supply</u>	<u>Size of installation</u>	<u>Limit of maximum current Demand</u>
Single phase	Up to and including 1 BHP	Six times full load current.
Three phase	Above 1 BHP and up to and including 10 BHP	Three times full load current.
Three phase	Above 10 BHP and up to and including 15 BHP	Twice full load current.
Three phase	Above 15 BHP	One-and-a-half-time full load current.

Failure to comply with these regulations will render the consumer liable to disconnection from the supply on account of interference with the supply to other consumers. Starting current limit may be relaxed by the licensee depending on the location and condition of working.

(2) Motor circuits shall be controlled by a triple pole linked switch protected by a no-volt release and T.P. fuses (or overload releases). It is important that the release should be maintained in thorough working order. Wiring for motors shall be run with all three-phase wires bunched in a single metallic conduit, which shall be efficiently earthed throughout and connected to the frame of the motor from which two separate earth wires shall be run. The minimum size of the earth wire permitted is No.14 S.W.G. All motors shall comply in every respect with the Indian Electricity Rules, 1956. Motors above one BHP shall be wound for three-phase, 400 volts between phases.

Installation of Equipment and Apparatus of the Licensee

37. The licensee may ask the applicant to provide accommodation to install the licensee's equipment and apparatus, which may be considered necessary by the engineer for effecting power supply to the applicant. After the applicant has provided such accommodation for fixing the equipment and apparatus, the said installation shall continue on his premises with full control vested in the licensee. The installation shall remain in the premises for a reasonable period not exceeding six-months even after the termination of the agreement without payment of any compensation to the owner of the premises to enable the engineer to ensure the supply of power to existing consumers receiving supply through the said installation.

Inspection and Testing for New Connections

38. After compliance with the provision of Regulation-19 by the applicant and within three days of receipt of the completion report and the test report of the licensed contractor, the engineer will give three clear days notice to the applicant of the time and the date when his representative proposes to inspect and test the installation. It shall then be the duty of the applicant to arrange his licensed contractor or other representative to be present during the inspection to give the engineer or his representative any relevant information required by him concerning the installation. On due compliance by the applicant, the engineer shall complete the inspection of applicant's installation within a period of ten days from the date of receipt of the test report of the licensed contractor.

39. No charge shall be levied for the first test by the engineer, but for subsequent tests, if required, charge shall be payable as may be fixed by the licensee.

In case of low tension consumers :

40. (1) Before taking the insulation tests of installation, wiring must be complete in every respect. All fittings such as lamps, fans, cookers, motors, etc. must be connected up, fuses inserted and all switches placed in the 'ON' position before the tests are carried out. Temporary wires or fittings or dead ends, shall not be included in the installation and no part of the work shall be left incomplete. The insulation resistance of the entire installation to earth shall be tested from the load side of the licensee's terminals.

(2) The licensee shall not connect the installation on the applicant's premises with its works unless it is reasonably satisfied that the installation shall not at the time of making connection cause leakage exceeding one five thousandth part of the maximum current supplied to the applicant's premises. Any defects if noticed by licensee's engineer shall be intimated within seven days from the date of inspection to the applicant.

(3) The insulation resistance shall be measured by applying between earth and the whole system of conductors or any section thereof with all fuses in place and all switches closed and except in case of earthed concentric wiring all lamps in position or both poles of the installation otherwise electrically connected together, a D.C. Voltage of not less than twice the working voltage provided that it does not exceed 500 Volts for medium voltage circuit. When the supply is derived from three wire (AC or DC) or a poly-phase system, the neutral pole of which is connected to earth either directly or through added resistance the working voltage shall be deemed to be that which is maintained between the outer or phase conductor and the neutral. The insulation resistance in megohms of an installation shall not measure less than 50 divided by the number of points on the circuit provided that the whole installation need not be required to have an insulation resistance greater than one megohm. Heating and power appliances and electric lines may if desired be disconnected from the circuit during the tests but in that event the insulation resistance between the case or frame work and all live parts of each appliance shall not be less than that stated in the relevant ISS or when there is no such mention, shall not be less than half a megohm.

(4) The insulation resistance shall also be measured between all conductors connected to one pole phase conductor and all the conductors connected to the middle wire or to the neutral or to the other pole or phase conductor of the supply. Such a test shall be made after removing all metallic connections between the two poles of the

installation and in these circumstances, insulation resistance between the two terminals of the installation shall not be less than that specified in Regulation 40(3) above.

In case of high tension consumers and EHT consumers:

41. (1) Manufacturer's test certificates in respect of all HT or EHT apparatus shall be produced if required.
- (2) In addition, the licensee may test the HT or EHT installation, as the case may be, by applying standard test voltage in accordance with the Indian Electricity Rules, 1956 and Bureau of Indian Standards or International Electro-technical Commission.
- (3) Testing of a High Tension or EHT installation shall however be taken up by the engineer only after the HT or EHT consumer obtains certificates of inspection of the installation from the Electrical Inspector.

Approval of Consumers Installation

42. Before any wiring or apparatus of the applicants, including transformers, switch gear, etc. are connected to the licensee's distribution system, the same shall be subject to the inspection and approval of the engineer and no connection shall be made without such approval. In addition, all EHT or HT installation shall have to be approved by the Electrical Inspector or any officer authorised by him in this behalf as required under Rule 63 of The Indian Electricity Rules 1956.
43. (1) Power supply shall commence when the engineer is satisfied that-
- (a) installation is in accordance with the Completion and Test Report as approved by the engineer, and
 - (b) installation complies with other conditions of this Code, and
 - (c) installation complies with the provisions of the Indian Electricity Rules, 1956.
- (2) The engineer shall notify the applicant in writing of any defect noticed by him within seven days of inspection. In such a case the engineer may allow commencement of supply only after the defects in the installation are rectified to his satisfaction. If the applicant receives no intimation within seven days of inspection, the installation will be deemed to have been approved. In case the consumer challenges the defects pointed out by the licensee, the licensee shall refer the matter to the Electrical Inspector within seven days, whose decision shall be final and binding.

Commencement of Supply

44. Within seven days of approval of the applicant's installation, the engineer shall commence supply of power to the applicant under intimation to him. If the applicant fails to avail power within the period of ninety days from such intimation, he shall be liable to pay the demand charges and minimum monthly charges as applicable. The designated authority of the licensee may, in special circumstances, extend the above period of ninety days.

Licensee's Supply Mains and Apparatus

45. (1) All equipment such as metering equipment and tamper proof boxes etc. for the purpose of metering, except the meter shall be included in the service connection estimate and the cost thereof realised from the applicant. The applicant shall have the option of supplying an appropriate meter to the specification of the licensee and approved by the licensee.
- (2) In case the applicant requires the licensee to provide the meter, the licensee shall do so on such terms and conditions as decided by the licensee with the approval of the Commission.
- (3) Notwithstanding the fact that the meter, metering equipment and other apparatus as indicated above are supplied by the applicant, or paid for by the applicant, the same shall remain under the control of the licensee so long as the agreement is in force.

Safety of Installation

46. Without prejudice to any other action available under the law and under this Code, supply may be disconnected, if it constitutes an immediate danger to the safety of the installation or personnel.
47. The consumer shall compensate the licensee for any damage caused to the mains, apparatus or instruments or any other property of the licensee in the consumer's premises, occasioned by any act, omission, lapses or negligence on the part of the consumer or his servants, agents or employees and if supply of power has been disrupted or disconnected on account of such damage, the supply may not be restored until the damage is assessed and the cost of restoration is deposited by the consumer. The engineer's decision in regard to the damage caused and the compensation payable assessed on the basis of current market rate and the cost of restoration as assessed shall be final and binding subject to the result of the appeal, if any. The consumer may represent to the designated authority of the licensee in regard to the determination of

damage and cost fixed by the engineer. No damage shall be claimed and no demand for payment of cost shall be raised without giving seven clear days notice to the consumer and reasonable opportunity to him to make representation, if any.

48. The licensee shall, in consultation with the consumer, be entitled to lay necessary overhead and underground mains and install substations, equipment, transformers, etc. in accordance with the Indian Electricity Rules, 1956 on the private property of the consumer, required for the purpose of supply of power to him. The consumer shall not be entitled to interfere with or alter any such installation of the licensee in his premises at any time for any reasons whatsoever. Upon request by the consumer, the engineer may effect any alteration, if feasible, at the cost of the consumer.
49. The licensee in turn shall maintain its installation in good order. The conductors and poles shall be maintained in such order as not to cause any electrical or mechanical accidents or damage to consumer's property and public property or endanger human life. Prompt action shall be taken by the licensee to repair or replace the damaged parts immediately on getting intimation of damage or danger to life.

Fuse Failure

50. If at any time, the licensee's service fuse or HT fuse fails, intimation thereof may be sent to the nearest fuse call centre or section office having jurisdiction over the area for rectifying the defects or replacing the fuse. None other than the authorised employees of the licensee may replace the fuse in the licensee's cut-outs and H.V switchgears.

Access to Consumer's Premises

51. With a view to check un-authorised use of electricity, and unauthorised addition and alteration of equipment, theft and mis-appropriation of energy, diversion of power, by-passing of meter for consumption of electricity and for carrying out general inspection and testing, the engineer or his staff authorised by him shall be entitled to enter the premises of a consumer after informing the consumer or occupier. If he refuses to allow access or obstructs the engineer or his staff from entering into his premises, the engineer shall, without prejudice to other modes of action available under law, disconnect the supply of power of the premises in accordance with Section 163 of the Act.

Preparation of Inventory of Licensee's Installation or Inspection Report

52. During the checking and verification of the electrical installation in the premises of the consumer, including the supply line and meter, a complete inventory shall be prepared of all connected equipment, apparatus, machinery, forming integral part of the installation in the

premises of the consumer. The consumer or his representative shall be requested to sign the inventory or inspection report. If the consumer or his representative refuses to sign the inventory or the inspection report an endorsement to that effect shall be made by the engineer on the body of the report. A copy of the said report shall be affixed at the consumer's premises. In such cases, the consumer shall be deemed to have been served with a copy of the report. Within one month of service of the report as aforesaid, the consumer shall be entitled to complain against the correctness of the inventory or the result of the inspection to the designated authority of the licensee, who shall enquire into the matter of the complaint and decide on the correctness or otherwise of the report.

Addition and Alteration of Consumer Installation

- 53.** Additions or alterations to the consumer's approved installation shall be made only by a licensed electrical contractor. In case such addition or alteration results in increase of the connected or contract load of the consumer, prior approval of the licensee shall be taken and the procedures laid down in Regulations 72, 73 and 74 shall be followed. Approval of Electrical Inspector shall also be taken wherever applicable.

CHAPTER - V

METERS

- 54.** (1) Initial power supply shall not be given without a correct meter.
- (2) All the consumers shall be required to provide appropriate and suitable site for placement of meter, related equipment, appropriate metering device, load-limiter or other apparatus to the satisfaction of the licensee.
- (3) In the case of all new high-tension supplies, HT metering units shall be provided and installed. In case where LT metering unit is provided at L.T. side, all L.T. metering units shall be converted to H.T. metering units. For existing L.T. metering units connected on the L.T. side of the consumer's transformers, the reading of such metering units, shall be added with the average losses in the transformers calculated as bellow:
- (a) Energy loss in transformer in units per month = $(730 \times \text{rating of the transformer in KVA}) / 100$,
- (b) Demand loss in transformer in KVA = One percent of the rating of the transformer in KVA.

55. The licensee is authorised to review the status of the meters already installed in the context of upgraded technology becoming available.

Supply and Installation of Meters and Cut-outs/ MCBs / CBs

56. (1) The licensee shall supply the meter (unless the consumer elects to supply the same), cut-out/ MCB / CB / load limiter to consumers at the time of providing new service connection or at any other time as required.

- (2) In case of new connection/replacement of meter, the consumer, in accordance with Sections 55 and regulations framed under Section 73 of the Act, may himself procure the meter either from the vendors certified by the licensee conforming to licensee's technical specifications or requests the licensee to supply the meter and charge meter rent as per the tariff order. The licensee shall calibrate such meter at consumer's cost and seal the meter. The consumer shall have the option to get the meter calibrated in any standard testing laboratory of the Electrical Inspector.

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.

- (3) Meters will be installed at the point of supply or at a suitable place as the engineer may decide. The same shall be fixed preferably in the basement or ground floor in multi-storied buildings where it will be easily accessible for reading and inspection at any time. The consumer shall run his wiring from such point of supply and shall be responsible for the safety of the meter or metering equipment on his premises from theft, damage or interference.
- (4) In case of a feeder directly taken to the consumer's premises for his exclusive use from the licensee's sub-station or from the transmission licensee, the metering arrangement shall be done at the consumer's premises or, at the licensee's sub-station itself. When the metering arrangements are installed in the consumer's premises, the position of the service cut-outs or circuit breakers and meters shall be so fixed as to permit easy access to the employees of the licensee at any time. All EHT & HT consumers shall provide independent entry to the meter or metering cubicle. All efforts should be made to ensure un-obstructed access to the meter by a representative of the licensee.

- (5) An applicant requiring high voltage or extra high voltage supply must provide and maintain at his expense a locked and weather-proof enclosure of a design approved by the licensee for the purpose of housing the licensee's metering equipment. Similar enclosure may be used by the applicant for his own metering equipment.
 - (6) The metering box shall normally be mounted at such a height that meter reading counter/ display window is at eye level.
 - (7) Whenever new meter / metering equipment is installed (as a replacement or for a new connection), the meters and associated equipment shall be properly sealed by the engineer and consumer's acknowledgement obtained. The seals, nameplates, distinguishing numbers or marks affixed on the said equipment or apparatus shall not be interfered with, broken, removed or erased by the consumer. The meter, metering equipment, etc. shall on no account be handled or removed by any one except under the authority of the engineer or his authorised representative. The engineer or his authorised representative can do so in the presence of the consumer or his representative. An acknowledgement shall be taken from the consumer or his representative when seal is broken.
- 57.** The consumer may, after giving notice to the engineer, get a check meter installed at his own expense in his incoming line by the side of the licensee's meter. In case of difference in readings between the licensee's meter and consumer's check meter, the readings of the licensee's meter shall be taken to be conclusive. The consumer may demand the licensee's meter to be tested by the Electrical Inspector whose decision shall be final and binding on the consumer and the licensee. The consumer shall be required to pay a fee for such testing. If the meter is found incorrect after testing, the fee paid by the consumer shall be refunded by the licensee by way of adjustment in the next bill. If the meter is found correct after testing, the fee paid by the consumer shall be forfeited by the licensee.

Provided that even if the meter is supplied either by licensee or by consumer, if the Engineer suspects about the accuracy of the meter, the Engineer may by giving 24 hour notice to the consumer install a check meter either by side of the original meter within the premises of the consumer or at such other places as may be decided by the Engineer to test the accuracy of the meter and in that case the reading records in the check meter can be treated as of the original meter for the purpose of ascertaining the consumption made by the consumer, which is conclusive.

- 58.** (1) The meter and associated equipment shall be inspected by the engineer prior to their commissioning in the service. If the engineer has reason to believe that the meter is incorrect, he may at any time remove the existing meter supplied by the licensee for the purpose of testing in accordance with existing Rules, Regulations and provisions of the Act. The consumer shall not be entitled to object to such removal. For the period, the meter is not refixed again after testing, the billing shall be done taking into consideration the average 3 (Three) months energy bill after reinstallation of the meter.
- (2) In case the consumer has supplied the meter, if the meters become defective in service or found to be missing, the consumer shall, on such defects or loss being noticed by him or notified to him by the engineer, remove the defects or, as the case may be, replace the meter within a period not exceeding thirty working days. The engineer within seven working days of noticing the defect or loss shall advise the consumer for necessary test, repair or replacement of the meter. Should the consumer desire to get the meter tested or rectified in the licensee's testing laboratory, he may do so by depositing the fees fixed by the licensee and the licensee shall get it tested within a period of fifteen working days from the date of deposit. Failure to rectify or replace the meter within the above period shall result in disconnection after seven clear days notice to the consumer. For the period the meter is not refixed again after testing, the billing shall be taking into consideration the average 3 (Three) months energy bill after reinstallation of the meter.
- (3) Where the meter has been supplied by the licensee and the meter becomes defective in service, the engineer shall remove the meter and test the same as provided in Regulation 58(1).
- (a) If after testing, the meter is found defective not due to tampering or deliberate damage, the defective meter shall be replaced by another tested meter without any charge to the consumer within thirty working days from the date of removal of meter from consumer's premises.
- (b) If the meter is found to be missing, or after inspection or testing if the meter is found to have been tampered with or damaged, the engineer may call upon the consumer to deposit the cost of replacement within seven working days. The licensee shall install a tested meter within fifteen working days of deposit by the consumer.

59. (1) Should the consumer dispute the accuracy of any meter which is not his own property, he may, upon giving notice and paying the required fee, have the same tested by the engineer within a period of one month from the date of deposit of such fee.
- (2) Due notice to the consumer shall be served by the licensee to be present during the test. The Licensee shall have the option to carry out and conclude the test in absence of the consumer after expiry of the notice period. The billing for the period the meter remains defective or unavailable from the date of reporting to the date of its installation after repair or replacement shall be revised in accordance with Regulations 97 and 98.
- (3) If the meter is found to be incorrect after testing, fees paid by the consumer shall be returned by way of adjustment in the next electricity bill of the consumer.
- (4) The repair or adjustment of a meter found to be defective should be done so as to bring the percentage of the error within the stipulated limit of accuracy. In case adjustment or repair is not possible, the defective meter shall be replaced by another tested meter within a period of thirty working days.
- (5) In the event of any difference or dispute on the accuracy of any meter, the same shall be decided on an application by either party to the Electrical Inspector.
- (6) On receipt of complaints of meters running slow, running fast, creeping beyond limits, not working or defective, a tested standard meter can be fixed in series with the existing meter by the licensee. The connecting terminals/meter boxes of both the existing and tested standard meter shall be sealed jointly by Licensee's representative and the consumer. Meter reading of both the meters shall be taken jointly after some hours of operation. The accuracy of existing meter can be known by comparing readings of both the meters for the same period. If the existing meter is found to be defective, it can be removed to laboratory for repair and the tested meter already available in the consumer's premises can be fixed in place of the existing meter.

Reading of the Meters

60. Reading of meters shall be taken by qualified persons authorised by the licensee at intervals of one month or a period not exceeding two months in respect of LT Domestic and General Purpose consumers or as may be notified by the licensee. The meter readers shall have access to the consumer's premises at all reasonable times for the purpose of meter readings. In respect of Domestic and General Purpose consumers, meters should be read only during daylight hours. The Licensee may use hand held

instruments, Meter Reading Instrument (MRI) or Automatic Meter Reading (AMR) machine or any advanced mechanism for recording meter readings and detection of actual consumption of energy for generation of bills on the spot. The readings of each meter shall be entered by such reader in the meter reading book and the signature of the consumer or his representative will be obtained therein except where meters have been installed on the ground floor for a group of apartments or a group of houses in a common area. The meter reading may be entered and signed by the meter reader in the consumer's pass book provided by the licensee. The licensee may adopt alternative technically advanced practices for consumer's information of meter readings. The meter reader should be supplied by the licensee with a laminated photo identity card, which he shall show to the consumer on demand. Arrangements shall be made by the licensee to display the meter reading and payment status of high value consumers on the Internet.

Special Reading of Meters in Cases of Change of Occupancy/Vacation of Premises for Domestic Consumers

61. (1) It shall be the responsibility of the consumer to get his connection disconnected if he vacates the premises, as otherwise he shall continue to remain liable for all charges.
- (2) Notice and request for disconnection is to be given by the consumer at least 7 (seven) days before the proposed date of vacation. The licensee shall arrange to take a special reading of the meter after intimating the consumer.
- (3) If the licensee fails to disconnect the supply even after seven days notice, no claim shall lie on the consumer either for consumption of energy or safety of the licensee's equipment in consumer's premise.

Testing of Meters

62. (1) It shall be the responsibility of the licensee to satisfy himself regarding the accuracy of the meter before it is installed and may test them for this purpose.
- (2) The licensee shall also conduct periodical inspection/testing of the meters as per the following schedule or earlier:
- (a) **Single phase meters:** at least once every five years,
 - (b) **LT three phase meters:** at least once every three years,
 - (c) **HT/EHT meters including MDI:** at least once a year.

(3) CT and PT shall also be tested along with meters. Records of these test results shall be maintained in accordance with Rule 57 of Indian Electricity Rules, 1956 or in accordance with regulations framed under Section 73 of the Act.

(4) If required, the licensee may remove the existing meter for the purpose of testing as provided under Regulation 58 of the Code. The representatives of the licensee must, however, produce an authenticated notice to this effect and sign the document, mentioning his full name and designation, as a receipt, before removing the meter. The consumer shall not object to such removal.

63. The licensee shall keep the record of all meter tests.

CHAPTER - VI

CONTRACT DEMAND

Connected Load and Contract Demand

64. Contract demand for loads of 110 KVA and above shall be as stipulated in the agreement and may be different from the connected load. Contract demand for a connected load below 110 KVA shall be the same as the connected load. However in case of installation with static meter/meter with provision of recording demand, the recorded demand rounded to nearest 0.5 Kw shall be considered as the contract demand requiring no verification.

65. (1) The manufacturer's rating of each item shall be considered to determine the connected load at the premises.

(2) Spare plug points shall not be counted towards connected load.

(3) In case of non-availability of rated capacity of any item, the load shown below shall be considered for Domestic and General Purpose category of consumers.

<u>Item</u>	<u>Load per item (Watts)</u>	<u>NO. of item</u>	<u>Load</u>
<u>1.</u>	<u>2</u>	<u>3</u>	<u>4=2X3</u>
Tube light	... 40W		
Incandescent lamp	... 60W		
Table Fan / Ceiling Fan (36 ")	... 60 W		
Air Circulator	... 180 W		
Ceiling Fan (48")	... 60 W		
Ceiling Fan (56")	... 70 W		
Exhaust Fan	... 75W		
Music system	... 40 W		
Television (Portable)	... 65 W		

Television	...	125 W
Mixie / grinder	...	500 W
Electric Iron	...	450 W
Fridge (Single door)	...	1/8 HP (100 W)
Fridge (Double door)	...	1/6 HP (125W)
Cooler	...	170 W
Heater (for cooking) (according to physical availability)	...	1000/1500 W
Heater (for water heating)	...	1000/1500 W
Microwave oven	...	600/900 W
Washing machine	...	340 W
Kitchen Exhaust Chimney	...	45 W
Aqua guard filter m/c	...	30 W
Air conditioner (1 Ton)	...	1500W
Air conditioner (1.5Ton)	...	2000W
Geyser	...	2000 W
Geyser (Instant)	...	3000W
Pump Set	...	375 W
Personal Computer with monitor	...	120 W
Printer	100 W
Each light point as	...	60 W unless otherwise declared by the consumer, which will be final.

Reduction of Contract Demand

- 66.** (1) Every application for reduction of contract demand shall be made to the designated authority of the licensee.
- (2) Subject to Regulation 67 below no application for reduction in contract demand shall be entertained within three months from the date of commencement of initial or revised supply unless the agreement provides otherwise.
- 67.** Contract demand above 20 KW shall not be allowed to be reduced more than once within a period of thirty-six months from the date of initial supply or from the date of last reduction. Contract demand of 20 KW and below shall not be allowed to be reduced more than once within a period of twelve months from the date of initial supply or from the date of last reduction. The designated authority of the licensee may for reasons to be recorded, allow such reduction more than once within the aforesaid period of thirty-six months or twelve months as applicable.
- 68.** Every application for reduction of contract demand shall be accompanied by
- (1) such processing fees as may be notified by the licensee for the particular category of consumer,
 - (2) test report from the licensed contractor where alteration of installation is involved,
 - (3) meter reading of the previous three months, and

- (4) letter of approval of Electrical Inspector wherever applicable.
- 69.** No permission shall be granted to reduce the contract demand if on a consideration of the investment made by the licensee for effecting power supply to the consumer, the reduction is likely to result in the investment becoming non-remunerative according to the norms fixed by the licensee with the approval of the Commission, unless the consumer is agreeable to bear the financial burden of making the investment viable due to such reduction.
- 70.** Decision on a consumer's application for reduction of contract demand shall be taken by the designated authority within ninety days of receipt of complete application. No application shall be rejected without recording reasons. The order on the application shall be communicated to the consumer by registered post.
- 71.** When reduction of contract demand is permitted by the designated authority of the licensee, the effective date of such reduction shall be reckoned from the first day of the month following the month in which the application, complete in all respects, was received by the engineer.

Enhancement of Contract Demand

- 72.** Every application for enhancement of contract demand shall be made to the designated authority of the licensee and accompanied by -
- (1) such processing fee as notified by the licensee for the particular category of consumer,
 - (2) test report from the licensed contractor where alteration of installation is involved, and
 - (3) letter of approval of Electrical Inspector wherever applicable.
- 73.** An application for the enhancement of the contract demand may be rejected if -
- (1) the additional power cannot be supplied at the existing voltage of supply of the license and the consumer is not willing to avail the power at higher voltage at which licensee is able to supply in accordance with Regulation 76 of this Code, or
 - (2) the consumer is not agreeable to bear that part of the estimated cost of necessary additions or alterations in the system as is required to make it remunerative according to the norms fixed by the licensee with the approval of the Commission, or
 - (3) the consumer is in arrears of payment of licensee's dues.

74. If as a result of the enhancement of contract demand, the classification of the consumer changes, the designated authority of the licensee before allowing the application may call upon the consumer to execute fresh agreement, subject to compliance of other conditions as laid down in this Code.

CHAPTER - VII

SYSTEM OF SUPPLY

System of Supply

75. (1) The declared frequency of A.C. supply is 50 Hz.
- (2) The declared voltage of A.C. Supply is as follows:
- (a) Low Voltage - single phase, 230 V, between phases and neutral.
 - (b) Medium Voltage - Three phase or Two phase 400 Volts between phases.
 - (c) High tension supply - Three phase at 11 KV or 33 KV.
 - (d) EHT supply - Three phase at 132KV, 220KV or 400KV or two phases at 132 KV/220 KV for existing Railway Traction.
76. The voltage of supply shall be determined by the engineer depending on the contract demand of the consumer. The supply voltage for the contract demands shall normally be as follows.
- (1)
 - (a) For contract demand not exceeding 5 KW or 5.55 KVA, excepting in the case of irrigation pumps and agricultural services, supply shall be at single phase, two wires and 230 volts,
 - (b) For irrigation pumping and agricultural service load of 3 BHP and below, supply shall be at single phase, two wire and 230 volts, between phase and neutral, or 3 phase, 3 or 4 wire and 400 volts between phases,
 - (c) For load above 5 KW or 5.55 KVA up to and including 70 KVA, supply shall be at 2 phase, 3 wires or 3 phases, 3 or 4 wires at 400 volts between phases.
 - (2) For contract demand above 70 KVA but below 555 KVA, supply shall be at 3 phase, 3 wires at 11000 volts. For contract demand of 555 KVA and above but below 1110 KVA, supply may be given at 3 phase, 3 wires at 11000 volts or 33000 volts depending on the convenience of the licensee;
 - (3) For contract demand of 1110 KVA and above but below 5000 KVA, supply shall be at 3 phase, 3 wires at 33000 volts;

- (4) For contract demand of 5000 KVA and above, supply shall be at 3 phase, 3 wires EHT;

Provided that licensee, at its discretion, may also supply at any other voltage depending on system availability or condition.

Power Factor

77. The consumer shall so arrange his installation that the average power factor of his load during any billing period is not less than 90%. Power factor penalty shall be levied if there is a breach of the aforesaid requirement and supply of power may be disconnected if the power factor falls below 60%;

Provided that there shall be no disconnection without giving the consumer seven clear days notice in writing to show cause to the engineer why the supply of power should not be disconnected. If, after considering the reply to the show cause notice, the engineer decides to disconnect, he shall communicate his order to the consumer and disconnect supply after seven days of such communication.

Balance of Load

78. A consumer taking two or three phase supply shall balance his load in such a way that the difference in loading of each phase does not exceed 5% of average loading between the phases.

Parallel Operation with Licensee's System

79. The consumer shall arrange plant, machinery and apparatus of his generating station including any extension of or addition to the same to operate in an isolated mode from the licensee's system. Parallel operation is permissible only with the consent of the licensee. In cases where such consent has been given, the consumer shall so arrange his installation that the licensee or the engineer does not become liable for any damage caused to the consumer's plants, machinery and apparatus on account of such parallel operation, or any adverse consequences arising therefrom.

CHAPTER VIII

CLASSIFICATION OF CONSUMER

Classification of Consumer

80. Licensee may classify or reclassify the consumer into various categories from time to time as may be approved by the Commission and fix different tariffs and conditions of supply for different class of consumers. The present classification is as follows: -

(1) Domestic

This category relates to supply of power to residential premises for Domestic purposes only which may include connected load for non-Domestic purposes like offices, consultation chambers and other misc. loads upto 20% of the total connected load.

This category shall include consumers under Kutir Jyoti Programme and shall include supply to occupants of flats in multi-storied buildings or residential colonies receiving power at single point for Domestic purposes which may include connected load for non-Domestic purposes like offices, consultation chambers and other misc. loads upto 20% of the total connected load in case the non-Domestic load exceeds 20% of the total connected load, they shall be treated as General Purpose consumers.

Common facilities like water supply, common area lighting, lift etc, in residential housing colonies/complexes and apartments, being utilised mostly for residential purpose shall be covered under this category after the completion by the developer and occupied by residents.

This shall not cover residential colonies attached to industrial establishment where power supply is drawn through the meter of the industrial establishment.

(2) General Purpose

This category relates to supply of power to premises, which are used for office, business, general purpose or other purposes not covered under any other category where the non-Domestic load exceeds 20% of the total connected load.

(3) Public Lighting

This category relates to supply of power to the government, a local authority or any other public body for providing street lighting, for traffic signaling and for lighting of Public Park.

(4) Railway Traction

This category relates to supply of power for Railway Traction.

(5) Irrigation Pumping and Agriculture

This category relates to supply of power for pumping of water in lift irrigation, flow-irrigation, and for lifting of water from wells, nallahs, streams, rivulets, rivers, ponds, dug wells exclusively for agricultural purposes.

(6) Public Water Works and Sewerage Pumping Installation

This category relates to supply of power for public water supply and sewerage pumping installations owned and operated by the State Government, local bodies or their agencies.

(7) Specified Public Purpose

This category relates to supply of power to (a) religious institutions, (b) educational institutions (including their hostels), (c) hospitals, dispensaries and primary health centres owned by government, local bodies and charitable institutions (recognised as such by Income Tax Dept.), (d) electric crematorium and (e) non-commercial sports organisations.

The term 'educational institution' does not include vocational training or coaching centres.

(8) LT Industrial (S) Supply

This category relates to supply of power for industrial purpose with a contract demand below 22 KVA.

(9) LT/HT Industrial (M) Supply

This category relates to supply of power for industrial production with a contract demand of 22 KVA and above but below 110 KVA, where power is generally utilised as motive force.

(10) Large Industries

This category relates to supply of power to industries with a contract demand of 110 KVA and above but below 25000 KVA, where power is substantially utilised as motive force for industrial production.

(11) Heavy Industries

This category relates to supply of power to industries with a contract demand of 25000 KVA and above where power is substantially utilised as a motive force.

(12) Mini Steel Plant

This category relates to supply of power to steel manufacturing units licensed to

operate as mini steel plants with contract demand of 4444 KVA and above where power is ordinarily utilised in induction or arc furnaces.

(13) Power Intensive Industries

This category relates to supply of power to industries where power is substantially utilised as raw material involving electro-chemical or electro-metallurgical processes with a contract demand of and above 2000 KVA.

(14) Temporary supply

This category relates to supply of power to meet temporary needs on special occasions including marriage or other ceremonial functions, fairs, festivals, religious functions or seasonal business or for construction of residential houses, complexes, commercial complexes, industrial premises provided that such power supply does not exceed a period of six months.

(15) Industries owning Generating Stations and Captive Power Plants availing Emergency Supply only

This category relates to supply of power to industries with generating stations including Captive Power Plants only for start-up of the unit or to meet their essential auxiliary and survival requirements in the event of the failure of their generation capacity. Such emergency assistance shall be limited to 100 % of the rated capacity of the largest unit in the Captive Power Plant of Generating Stations

Consumers under Special Agreement

81. The licensee may, having regard to the nature of supply and purpose for which supply is required, fix special tariff and conditions of supply for the consumers not covered by the classification enumerated in this Code. For such purpose licensee may enter into special agreements with the approval of the Commission with suitable modifications in the Standard Agreement Form. The tariff in such cases shall be separately approved by the Commission.

Reclassification of Consumer

- 82.** If it is found that a consumer has been classified in a particular category erroneously or the purpose of supply as mentioned in the agreement has changed or the consumption of power has exceeded the limit of that category or any order of reduction or enhancement of contract demand has been obtained, the engineer may reclassify him under appropriate category after issuing notice to him to execute a fresh agreement on the basis of the altered classification or modified contract demand. If the consumer does not take steps within the time indicated in the notice to execute the fresh agreement, the engineer may, after issuing a clear seven days show cause notice and after considering his explanation, if any, may disconnect the supply of power.

CHAPTER - IX

CHARGES FOR SUPPLY

Tariffs and Charges

- 83.** Tariffs and charges for supply of electricity shall be determined by the licensee with the approval of the Commission under the Act. Such tariff, tariffs or charges shall take effect only after seven days from the date of publication in at least two daily newspapers having circulation in the area of supply. The charges may include: -
- (a) Minimum monthly charges,
 - (b) Demand charges,
 - (c) Energy charges, and
 - (d) Other charges.

Minimum Monthly Charges

- 84.** Every consumer, during continuance of agreement under Regulation 15, shall be liable to pay minimum monthly charges even if no electricity is consumed for any reason whatsoever or supply has been disconnected due to default of the consumer.

Demand Charges

- 85** (1) Monthly demand charges shall be payable by the consumer on the basis of maximum demand and contract demand as determined in the tariff notification. In case maximum demand meter is not provided or the meter has become defective, the monthly demand charges shall be payable on the basis of contract demand as determined in the tariff notification.
- (2) Such monthly demand charges shall be payable during the continuance of the agreement under Regulation 15 even if no electricity is consumed for any reason whatsoever or supply has been disconnected due to default of the consumer.
- (3) During statutory power-cuts and power restrictions imposed by the licensee, if the restriction on demand is imposed for a period exceeding sixty hours in a month, the

monthly demand charges shall be prorated in accordance with the period and quantum of demand restrictions imposed. In all other cases the consumer shall be liable to pay the full demand charges.

Energy Charges

- 86.** Energy charges as decided in the licensee's tariff shall be payable by the consumer on the basis of actual consumption of the energy.

Other Charges including Meter Rent (Subject to Regulation of the Authority under the provisions of Sections 55(1), 73(e) and 177(2)(c) of the Act).

- 87.** No meter rent shall be chargeable in case where consumer has supplied the meter or the consumer has paid the full cost of the meter provided by the licensee or during the period the meter supplied by the licensee remains defective. Bills shall be prepared for each category on the basis of the information provided in the prevailing tariff order.

The licensee may levy other charges including customer charges, connection charges, re-connection charges, delayed payment surcharge, fuel surcharge, power purchase surcharge, and power factor penalty as approved by the Commission from time to time.

Statutory Levies

- 88.** Statutory levies such as electricity duty shall be payable by the consumer on demand.

CHAPTER - X

RECOVERY OF ELECTRICITY CHARGES AND INTERVAL OF BILLING

Payment of Bills

- 89.** (1) It would be the duty of the engineer or his authorised agent to ensure that the bills are despatched within ten days from the end of billing cycle and records of such despatch are duly maintained. The licence shall send the bills to the consumers either by post or by courier or through the messenger well before the due date to avoid any inconvenience to the consumer not covered under spot billing.

Contents of the Energy Bill

- (2) The bill for metered connections may have the following details:
- (a) Service Connection Number
 - (b) Period of Bill
 - (c) Name and address of the consumer
 - (d) Bill number
 - (e) Pole Number from which connection is served
 - (f) Name, address and telephone number of the distribution centre
 - (g) Date of issue of bill
 - (h) Tariff category
 - (i) Tariff, rate of electricity duty applicable
 - (j) Contracted/ Connected load/ demand
 - (k) Single phase or three phase connection
 - (l) Identification details of the meter
 - (m) Reading date - past and present
 - (n) Meter reading - past and present
 - (o) Units assessed
 - (p) Basis of bill
 - (q) Meter rental

- (r) Current month's charges - Energy Charges, fixed/demand charge, Minimum Charges, Electricity Duty, meter rent, capacitor surcharge if any, security deposit installment if any, Rebate allowed, others if any
- (s) Arrear Electricity Charges, Delayed Payment Surcharge arrears.
- (t) Credit towards interest on Security Deposit
- (u) Total charges
- (v) Delayed Payment Surcharge
- (w) Due date of payment – through cheque and cash payment
- (x) Authority in whose favour cheque/Bank draft is to be issued. (To be printed on reverse of the bill)
- (y) Security Deposit held and required

The following information may also need to be provided to the consumer printed on the bills: -

- (a) The names(s) / address(es) of collection centers
- (b) Working hours for collection of bills
- (c) Designation and address of the authority with whom grievance pertaining to bills, meter, meter reading etc. can be lodged
- (d) Any other message that the Licensee may like to give e.g. requesting the consumer to indicate their phone number, if available, on the portion of the bill retained by the licensee on receipt of payment. This information can be used for better communication with consumers.
- (e) The bill may contain additional information, if any, as desired by the licensee.

(3)Contents of the spot billing

The spot bill may have the following details

- (a) Service Connection Number
- (b) Period of Bill
- (c) Name and address of the consumer
- (d) Bill number
- (e) Date of issue of bill
- (f) Tariff category
- (g) Tariff, rate of electricity duty and applicable
- (h) Contracted/ Connected load/ demand
- (i) Single phase or three phase connection
- (j) Reading date - past and present
- (k) Meter reading - past and present
- (l) Units assessed
- (m) Basis of bill
- (n) Meter rental
- (o) Current month's charges - Energy Charges, fixed/demand charge, Minimum Charges, Electricity Duty, meter rent, capacitor surcharge if any, security deposit installment if any, Rebate allowed, others if any
- (p) Arrear Electricity Charges, Delayed Payment Surcharge arrears.
- (q) Total charges
- (r) Delayed Payment Surcharge
- (s) Due date of payment

(4) Central Assistance Centre

The licensee shall make arrangements to provide guidance and information to any consumer on telephone and for this purpose shall set-up call centre or centres according to the directives given by the Commission in this regard. All urban areas may be brought under this facility in the first phase and rural areas may be included thereafter. Details of payment status, arrear status, authorised load, contract demand etc. may be provided to the consumer if he discloses his connection number and address. The licensee shall also develop and implement, within a reasonable time as desired by the Commission, a bill details display system on internet for division headquarter towns. Access to this information display may be controlled through password system.

Billing

- 90.** The charges payable by a consumer for supply of electrical power and other sums payable to the licensee shall be billed on prorata monthly basis indicating the period for which charges have been levied. When supply to a new consumer is commenced or an agreement is terminated on a day other than the first day of a month, demand charges and other charges as applicable under tariff notification shall be levied prorata for the number of days during the month for which supply shall have been given or agreement shall have been in force.

Disputed/Erroneous Bills

- 91.** In the event, of any dispute in the billed amount, the consumer may lodge a complaint before the designated officer/agency as determined by the Licensee and pay the average of last 6 months consumption or the billed amount whichever is less within due date pending settlement of the dispute. The licensee shall resolve the dispute or communicate its decision with reasons to the consumer within a maximum period of one month as per Regulation 92.
- 92.** (i) If the licensee finds the bill to be erroneous, a revised bill shall be furnished to the consumer indicating a revised due date. Excess amount paid by the consumer shall be refunded by way of adjustment in the subsequent bill. Such excess amount shall be refunded together with interest at the rate of 1 (one) % per month from the date of payment of excess amount.
- (ii) If the licensee finds the bill to be correct, the consumer shall be intimated accordingly and notified to pay the balance, if any, within fifteen days with interest at the rate of 1 % per month from the due date. If the engineer does not resolve the dispute within two months

stipulated in Regulation 91, the consumer will not be liable to pay the interest on the balance amount. However, if the dispute is not resolved due to negligence or non-cooperation of the consumer, the consumer will be liable to pay interest.

(iii) Failure to make payment as provided under Regulation 91 or Regulation 92(ii) above, shall merit action as provided in Regulation 100.

Payment

- 93. (1)** (a) The licensee shall ensure adequate publicity of the addresses / locations and working hours of the collection centres including those of banks where consumers can make payments. The licensee shall also endeavor to provide a choice of maximum alternative modes of payment to the consumers like payment through cash, local cheque, bank draft, banker's cheque, Electronic Clearing System (ECS), etc after proper cost-benefit analysis. EHT/HT/General Purpose consumers will inform their respective banker to pay electricity bill directly to Licensees on presentation of bill. Consumers will authorise bankers to debit their account on payment of bill
- (b) The collection centers should have the facility of receiving payment from consumers/representatives of consumers who wish to make payments on behalf of a number of consumers. Separate counters should be provided for this purpose so that the waiting time for other consumers is not increased.

Due Date of Payment

(2) The Licensee shall intimate the consumer of the due date for payment of his bills. The due date of payment for all consumers shall be fifteen days from the bill date This will normally be the due date for all billing cycles for that consumer If due date of payment mentioned in the bill is a public holiday, the succeeding working day shall be treated as the due date.

Receipt of Payment-

(3) Every consumer shall be issued a receipt in token of having received the payment. The entry regarding payment shall also be made in passbooks issued to LT consumers.

Advance Payment

(4)The consumer may also be allowed to make advance payment of future bills, which shall be adjusted in the succeeding months. Utility will also consider suitable rebate in

case of advance payment. The entry in passbooks in such cases will be made whenever the consumer comes or sends the passbook for updation. The details of payment made in advance shall also be entered into the passbook given to the L.T. consumers. The licensee shall prepare and submit a scheme for approval of the Commission for consumers with high value bills, where such consumers shall be eligible to make payment of part of their average monthly bill in advance and shall be eligible for the additional rebate as decided by the Commission.

Collection Drop Boxes-

(5)The licensee should make arrangements to receive payment through drop boxes where the consumer may drop his cheque (crossed account payee). Licensee should keep the drop boxes at the collection centres and at other locations as notified from time to time to facilitate the payment without the need for standing in the queue. The cheque should be drawn in favour of the licensee. The service connection number, billing month, consumer name and address including telephone number if any should be clearly written on the back of the cheque. In case the bank levies any clearance charge, the same amount shall be recoverable from the consumer in the subsequent bill.

Bounced Cheque

(6) In the event of non-realisation of cheque, the licensee shall have the right to increase the security deposit from the consumer and shall also have the right to take steps such as levying dishonored cheque charges or initiating other actions as per Law besides insisting on future payment by demand draft or by cash. The line may be disconnected forthwith without any notice if due date is passed.

Payment of Energy Charges

(7) Consumers are expected to make payment for the energy used by them every month/by-monthly. The licensee must ensure that a bill is delivered to the consumer by hand or by post every month/by-monthly.

Provisional Billing

(8) The amount thus billed shall be adjusted against the bill raised on the basis of actual meter reading during subsequent billing cycle. Such provisional billing shall not continue for more than one meter reading cycle at a stretch. If the meter remains inaccessible even for the next cycle, the consumer will be served with a 24-hour notice under section 163 (3) of the Act, to open his premises for reading of the meter at a fixed time and date.

If the meter is not accessible at the time fixed in the notice, the supply may be disconnected after serving a 24-hour notice under section 163 (3) of the Act.

Transformer Loss

(9) In the case of High Tension supply, if HT metering set can not be readily provided and installed, LT metering set shall be provided and connected on the LT side of the consumer's transformers. To the reading of such metering set, will be added the average losses in the transformers calculated as follows:

- (a) Energy loss in transformer in units per month = $(730 \times \text{rating of the transformer in KVA}) / 100$,
- (b) Demand loss in transformer in KVA = One percent of the rating of the transformer in KVA.

Pass Book/ Meter reading Card-

(10) The Licensee should provide a passbook or a meter-reading card to all Low-Tension (LT) consumers to facilitate the keeping of record of consumption by the consumer.

Non-Receipt of Bill-

(11) If for any reason the consumer does not receive the bill for the billing cycle within two weeks of the end of the billing cycle, it would be the obligation of the consumer to approach the engineer and collect a duplicate bill.

Rebate

(12) Payment of the billed amount in time shall entitle categories of consumers, as laid down in the tariff order under PART VII of the Act of the, to a rebate on such amount for the current billing period. Every bill shall indicate the amount payable by the relevant category of consumer if payment is made within the due date and the amount payable if the payment is made beyond the due date. The categories of consumers who are entitled to a rebate and the rate or rates of such rebate shall be determined by the licensee from time to time as part of the tariff as approved by the Commission

Delayed Payment Surcharge

(13) Category of consumers to whom delayed payment surcharge is applicable as per tariff order shall be liable to pay such delayed payment surcharge at the rate of two per cent per month or part thereof on arrears amount for default in payment by due date. There shall be no surcharge over surcharge.

Recovery of Arrear

- 94.** (1) The amount paid by the consumer shall be first adjusted towards electricity duty provided that in case of part payment by the consumer, the proportionate share of the duty from the total collection shall be adjusted first. Out of the balance, adjustments shall be made in the following order of priority:
- (a) Current electricity charges,
 - (b) Current miscellaneous charges,
 - (c) Arrear electricity charges,
 - (d) Arrear miscellaneous charges,
 - (e) Delayed payment surcharge.
- (2) The Licensee shall not be eligible to recover any sum due from any consumer after the period of two years from the date when such sum became first due unless such sum has been shown continuously as recoverable as arrears of charges for electricity supplied and the licensee shall not cut off the supply of the electricity, as per provisions laid down under Section. 56(2) of the Act.

Installment Facilities

- 95.** Payment of bills by installments may be granted by the licensee to the senior citizens and disabled in the Domestic category on request and on production of proof. In respect of others, the facility may be granted at the discretion of the designated authority of licensee. Grant of installments shall not affect the liability of the consumer to pay delayed payment surcharge till full clearance of the arrears. Consumers availing installment facilities shall not be eligible to avail rebate. The licensee may authorise the designate the authority to grant installment facilities.

Recovery of Arrears

- 96.** In addition to other modes of recovery available under the law, engineer shall be entitled to take recourse to proceedings under the Orissa Public Demand Recovery Act, 1962 (Act I of 1963) for realisation of the licensee's dues if such dues are treated as public demand.

Billing with Defective Meter

- 97.** For the period the meter remained defective or was lost, the billing shall be done on the basis of average meter reading for the consecutive three billing periods succeeding the billing period in which the defect or loss was noticed. It shall be presumed that use of electricity through defective meter was continuing for a period of three months immediately preceding the date of inspection in case of Domestic and Agricultural consumers and for a

period of six months immediately preceding the date of inspection for all other categories of consumers, unless the onus is rebutted by the person, occupier or possessor of such premises or place.

- 98** If the readings of meter working in association with Current Transformer (CT) and Potential Transformer (PT) and other auxiliary equipment, if any, are found to be incorrect on account of wrong connection or disconnection of such CTs, PTs and other equipment or on account of omissions or commissions in regard to multiplying factor, erroneous adoption of CT ratio, PT ratio, the billing in such cases shall be done as laid down in Regulation 97.

Meter Not Accessible:

- 99.** (1) If for any reason whatsoever, the meter installed in the consumer's premises is not accessible and meter reading can not be taken, the bills shall be raised provisionally on the basis of consumption last recorded subject to subsequent revision on the basis of actual meter reading. The meter should be installed at an accessible place.

(2) If the engineer apprehends that the consumer is deliberately avoiding the inspection of meter and meter reading, he may give seven clear days notice by Registered Post to the consumer to remain present in the premises on the date and time mentioned in the notice. If the consumer defaults, the engineer may take steps for disconnection of supply after giving twenty-four hours notice to the consumer.

CHAPTER – XI

DISCONNECTION/RECONNECTION OF SUPPLY

Disconnection of Service

- 100.** (1) Where a consumer fails to pay any consumption charge for electricity or any other sum due and payable by him to a licensee, by the due date mentioned in the bill, the licensee may, after giving not less than fifteen (15) clear days' notice in writing to such person and without prejudice to his rights to recover such charge or other sum, cut off supply of electricity and for that purpose disconnect any electric supply line or other works being the property of such licensee or the generating company through which electricity is supplied, transmitted, distributed or wheeled. The licensee may not commence the supply until such charge or other sum, together with any expenses incurred by him in cutting off and reconnecting the supply, are paid.

(2) Notwithstanding anything contained herein above, no sum due from any consumer, under this section shall be recoverable after a period of two years from the

date when such sum became first due unless such sum has been shown continuously as recoverable as arrears of charges for electricity supplied and the licensee shall not cut off the supply of the electricity for non payment of such sum which has become non-recoverable.

(3) In case of continued default in payment of electricity charges and any sum due to licensee by any consumer for a period of more than two months, the licensee shall be entitled to terminate the agreement executed by the consumer as per the terms and conditions of supply of the licensee as approved by the Commission and may remove the electric line or works connected with the provision of supply to the consumer.

(4) The licensee shall not cut off supply if the consumer deposits under protest:

- (a) The amount equal to the sum claimed from him, or
- (b) Electricity charges due from him calculated on the basis of average charge for electricity supplied to him during the preceding six months whichever is less pending disposal of the dispute. The licensee shall accept such payment from the consumer.

Restoration of supply of electricity

101. If any service is disconnected on account of non-payment of electricity charges or any other charges due to licensee, after the consumer has duly paid the amounts due, the additional charges for the delay and the charges for reconnection, the licensee shall restore the electrical supply in not more than four working hours of the consumer producing the proof of payment of the amounts and charges.

Provided however if the electric line or works providing supply to the consumer is removed by reason of the disconnection the licensee shall restore the supply after undertaking the works or providing the electric line with in the time stated for providing any new connection and the consumer shall also pay for such reconnection as if he has been provided a new connection.

Service of notice

102. Any order/notice to the consumer by the licensee including the notice under section 56 of the Act, shall be deemed to be duly served by the licensee if it is:

- (1) Sent by registered post, under certificate of posting, by courier, or other similar means, or delivered by hand to the person residing at the address notified to the licensee by the consumer and an acknowledgement taken from any person in the premises, or
- (2) Affixed at a conspicuous part of such premises in case there is no person, to whom the same can with reasonable diligence, be delivered.

CHAPTER XII

PROHIBITIONS

Assignment without Permission

- 103.** No consumer shall assign the agreement or transfer or part with the benefits under the agreement in favour of any other person without the express consent or approval of the engineer in respect of Domestic and General Purpose consumers and the designated authority of the licensee in respect of other categories of consumers. In case of death of a consumer who is an individual, his legal heir or successor in interest or legatee may be given recognition as a consumer in place of the deceased.
- 104.** Any connection which has been unauthorisedly transferred or parted with shall be liable for disconnection of supply after a seven days notice calling for his explanation and considering the explanation submitted, if any, by him. This may be in addition to any other action the licensee is authorised to take under law and this Code.

Re-sale, Transfer, Dishonest Abstraction and Theft of Energy

- 105** No consumer shall sell or transfer or divert power to any person or premises unless the agreement so provides.
- 106** No consumer shall make use of power in excess of the approved contract demand or use power for a purpose other than the one for which agreement has been executed or shall dishonestly abstract power from the licensee's system.

CHAPTER XIII

FORCE MAJEURE AND RESTRICTION ON POWER SUPPLY

- 107.** The licensee or the consumer shall not be liable for any claim for loss, damage or compensation whatsoever arising out of failure of supply when such failure is due either

- directly or indirectly to war, mutiny, civil commotion, riot, strike, lockout, fire, flood, tempest, lightning, earthquake or other force, accident or cause beyond his control.
- 108.** In the event of restriction / regulation (planned load shedding) on power supply ordered by the Commission under Section 23 of the Act, the licensee shall be under no obligation to supply energy contracted for.
- 109.** (1) The consumer shall curtail or stagger or altogether stop using electricity when so directed by the engineer or the designated authority of licensee if the power supply position or any other emergency in the licensee's system of supply warrants such a course.
- (2) The licensee will be entitled for the purpose of maintenance of its supply system to temporarily discontinue supply of power to any area for such period as may be reasonably necessary subject to such advance notice as may be feasible.
- 110.** At any time during the continuance of the agreement between the licensee and the consumer, the plant or premises of the consumer is destroyed or damaged due to force majeure conditions referred to in Regulations 107 and 108 resulting in break-down or rendering the plant or the premises wholly or substantially unfit for occupation or use, the consumer may on giving seven days notice in writing to the engineer of such break-down or unfitness take a reduced supply of power as may be necessary and feasible. In such a contingency, he shall not be liable to pay the charges in accordance with the agreement, but he shall pay minimum monthly charges, demand charges where such charges are payable on the basis of the maximum demand recorded in the demand meter and energy charges on the basis of actual energy consumed. The aforesaid period of reduced supply shall not count towards the initial period as stated in the agreement and the period of the agreement shall be extended for a further period equal to the period of reduced supply.

CHAPTER –XIV

MISCELLANEOUS

Issue of Orders and Practice Direction

- 111.** Subject to the provisions of the Act and these Regulations, the Commission may, from time to time, issue orders and practice directions in regard to implementation of these Regulations and procedure to be followed on various matters which the Commission has been empowered by these Regulations to lay down.

Power to remove difficulties

112. If any difficulty arises in giving effect to any of the provisions of these Regulations, the matter may be referred to the Commission who after consulting the parties affected may pass any general or special order, not inconsistent with the provisions of the Act, which appears to it to be necessary or expedient, for the purpose of removing the difficulty.

Saving of the Power of the Licensee relating to its Business of Supplying Electricity

113. It is open to any licensee to frame and adopt such provisions, consistent with the provisions of the Act, and other enactment for the time being in force, and the terms and conditions of the licence relating to supply of electricity, at variance with the provisions of this Code with the aim of providing a more consumer-friendly service;

Provided that the provisions so framed and adopted shall have effect subject to prior approval of the Commission in writing.

Repeal

114. (1) The OERC Distribution (Conditions of Supply) Code, 1998 is hereby repealed.
- (2) Section 5 of the Orissa General Clause Act, 1937 shall apply to such repeal in the same manner and to the same extent as it applies to any enactment.

By order of the Commission

M.R.Hazra

SECRETARY TO COMMISSION

FORM NO. 1

(See Regulations 3 and 15)

**FORM OF REQUISITION FOR SUPPLY OF ELECTRICAL ENERGY
(FOR DOMESTIC & GENERAL PURPOSE CATEGORY)**

To

The Junior Engineer/ Sub-Divisional Engineer,

(Indicate the local area of the jurisdiction of the engineer of the licensee)

Sir,

1. I/We hereby request you to supply Electrical energy to the premises hereinafter described. I/We am/are the owner/lawful occupier of the premises at ... in which supply of electrical energy is now required.

2. I/We agree to take supply for TWO YEARS to utilise the energy for General Purpose/ Domestic purposes only. Thereafter Agreement shall so continue unless terminated by either of the parties after giving one month's notice.

3. I/We agree to pay for the service connection and other dues including the security as may be payable and shall also pay the charges, surcharges, electricity duty in accordance with the OERC Distribution (Conditions of Supply) Code, 2004 provided that annual sum payable individually by me/us under the proviso Section 45 of the Electricity Act, 2003 shall not be deemed to be part of the minimum monthly charges or demand charges, if any, payable under Regulations 84 and 85 of the OERC Distribution (Conditions of Supply) Code, 2004

4. I/We have obtained and perused a copy of OERC Distribution (Conditions of Supply) Code, 2004 and understood its contents and hereby undertake to observe and comply with the terms and conditions stipulated therein to the extent they are applicable to me/us.

5. I/We further require you to supply me/us with the necessary meter/meters on hire in terms of Section 55 of the Electricity Act, 2003. I/We agree to give you such security [as per Section 47(1) (b) of the Electricity Act, 2003] as may be required for the price of the meter/meters, whenever called upon to do so. (Strike out if meter to be supplied by the consumer).

6. Plot/Holding No. of the premises :

Village/Town/Street:

Address for Correspondence:

Owned by:

(Name & Full address)

Tenanted/occupied by:

(Name & Full address)

Written permission of the

Yes/No/Not-applicable/Applicable

Landlord/owner Tendered

Written permission of way leave

(Furnish if required)

{Refer to Regulation 8 of the OERC Electricity Distribution (Conditions of Supply) Code, 2004}

7. The following are my/our electrical installation to be fixed in the premises:

	No. of Points	Wattage of points	Total wattage
Tube light			
Incandescent lamp			
Table Fan/Fan (36 ")...			
Fan (48")			
Fan (56").....			
Air Circulator.....			
Tape Recorder/Music system...			
Television			
Mixie			
Electric Iron			
Fridge			
Cooler			
Heater (for cooking)			
Heater(for water heating).....			
Microwave oven			
Washing machine			
Aqua guard filter m/c...			
Kitchen chimney			
Air conditioner (1 /1.5Ton)			
Geyser			
Pump Set			
Personal Computer			
Printer			
Industrial appliance...			
Other equipment			

8. My contract demand is _____ KW/KVA

The electrical installation works will be
carried out by
(contractor)

Date:

Applicant's Signature

Note :

- (a) Addition or omissions to the connected load/contract demand to be notified to the licensee and permission obtained before effecting such changes.
- (b) The wattage against item (7) above may be estimated as following :
 - (i) In case of non-availability of rated capacity of any item, the load shown below shall be considered for Domestic and General Purpose category of consumers.

<u>Item</u>	<u>Load per item (Watts)</u>	<u>NO. of item</u>	<u>Load</u>
<u>1.</u>	<u>2</u>	<u>3</u>	<u>4=2X3</u>
Tube light	... 40W		
Incandescent lamp	... 60W		

Table Fan / Ceiling Fan (36 “)	...	60 W
Air Circulator	...	180 W
Ceiling Fan (48”)	...	60 W
Ceiling Fan (56”)	...	70 W
Exhaust Fan	...	75W
Music system	...	40 W
Television (Portable)	...	65 W
Television	...	125 W
Mixie / grinder	...	500 W
Electric Iron	...	450 W
Fridge (Single door)	...	1/8 HP (100 W)
Fridge (Double door)	...	1/6 HP (125W)
Cooler	...	170 W
Heater (for cooking)	...	1000/1500 W
(according to physical availability)		
Heater (for water heating)	...	1000/1500 W
Microwave oven	...	600/900 W
Washing machine	...	340 W
Kitchen Exhaust Chimney	...	45 W
Aqua guard filter m/c	...	30 W
Air conditioner (1 Ton)	...	1500W
Air conditioner (1.5Ton)	...	2000W
Geyser	...	2000 W
Geyser (Instant)	...	3000W
Pump Set	...	375 W
Personal Computer with monitor	...	120 W
Printer	100 W
(ii) Each light point as	...	60 W unless otherwise declared by the consumer, which will be final.

(iii) Spare plug points shall not be counted towards connected load.

The acknowledgement of application is to be made to the applicant.

FORM NO. 2
(See Regulation 3)

APPLICATION FOR SUPPLY OF ELECTRICAL ENERGY
(For Industrial Category)

Dated, the

To

Executive Engineer/Divisional Engineer
.....**Division,**
At.....

(Through SDO)

Dear Sir,

I, the undersigned on behalf of request you to please submit an estimate to me for provision of service connections & for supply of electrical power as per details given below. The rate at which electrical energy is proposed to be supplied & other conditions of supply may please be forwarded with your estimate.

I / We am/are the owners/tenants of the said Premises.

1. Postal Address of the applicant :
2. Premises at which power is required :
3. Purpose for which power is proposed to :
Private residence, Factory, Home
Industry, Irrigation, Pump, Domestic,
Cinema, Workshop, Restaurant Mill.
4. Whether the premises is provided with
electrical power, if so, its nature and why
this additional power is required.
5. a)If a factory, nature of manufacturing :
process & whether it is manufacturing
now or proposes to do so.
b) Working hour/days of factory. :
c) Demand during the hours factory
Will be idle (K.W)
6. (a) Load factor Percent.
(b) Maximum demand K.W.
(c) M.D. expected during 5 p.m. to 10 p.m.
(d) Voltage of supply required at
3 phase 50 Cycles A.C.

7. (a) Guaranteed monthly minimum consumption, if any, per K.W. or per 100 K.W. or maximum demand/connected load.
- (b) Whether consumer accepts to pay for the Minimum guaranteed consumption if the Consumption falls short of the guaranteed.
8. Whether energy required on a permanent or temporary basis.
9. Period for which energy is required.
10. Whether applicant accepts to execute an agreement as As per rules in for of the Department.
11. DETAILS OF LOAD REQUIRED.

(a) GENERAL

Item no.	Nature of demand (Light, fan, motor etc)	Number	Connected load of each point.	Total connected load	Remark
----------	---	--------	----------------------------------	----------------------------	--------

1. Light
2. Fans
3. Plug Points
4. Plug points
Appliances i.e., iron,
Cooker, Refrigerator.
5. Consignees.

Total :

(b) MOTORS AND OTHER PPLIANCES.

Item No.	H.P. of each K.W.	Voltage	Winding	Control	Use	Remark.
-------------	----------------------	---------	---------	---------	-----	---------

Total H.P. of all Motors :

Total No. of Motors :

STEP-UP OR STEPDOWN TRANSFORMERS.

Item No.	Capacity K.V.A.	PRIMARY		SECONDARY	
		Voltage Winding	Protection	Voltage Winding	Protector

Total :

Yours faithfully.

A P P L I C A N T**FORM NO. 3**

(See Regulation 15)

STANDARD AGREEMENT FORM FOR SUPPLY OF ELECTRICAL ENERGY

THIS AGREEMENT made on the day of two Thousand and between (Name of the Licensee) (hereinafter called "the Licensee" which expression, unless repugnant to the subject or context, shall include its successors and assigns) of the ONE PART And The name of the consumer and the address in detail should be mentioned. In the case of Registered partnership firm, besides the name and address of the firm the name and address of the Managing Partner or the Partner executing the agreement on its behalf should be mentioned. In the case of a Company incorporated under the provisions of the Companies Act, 1956, the address of the registered office of the Company and the name of the Managing Director or Principal Officer of the Company duly authorised to executive the agreement should be stated.

(Thereinafter called "THE CONSUMER" which expression, unless repugnant to the subject or context, shall include his heirs, successors and assigns) of the OTHER PART.

WHEREAS the consumer has requested the licensee to supply electrical energy to the premises of the consumer situated at in the district of for the purpose of and the licensee has agreed to supply the same on terms and conditions stipulated hereunder.

NOW THESE PRESENTS WITNESS that in consideration of the payment to be made by the consumer as herein after contained, it is hereby MUTUALLY AGREED BY AND BETWEEN THE PARTIES HERETO as follows:

1. Duration of Agreement : This agreement shall commence from the date of its execution and shall continue to be in force until the expiry of FIVE years from the date of supply, and thereafter shall so continue until the same is determined by either party giving to the other, two calendar month's notice, in writing, of its intention to terminate the Agreement.

Provided that after the initial period of agreement if power supply remains disconnected for a period of two months for non-payment of tariff or non-compliance of the directions issued under the OERC Distribution (Conditions of Supply) Code, 2004 and no effective steps are taken by the consumer for removing the cause of disconnection and for restoration of power supply, the agreement of the licensee with the consumer for power supply shall be deemed to have been terminated on expiry of the 2 months period from the date of disconnection without further notice.

2. Condition of Supply : The consumer has obtained and perused a copy of the OERC Distribution (Conditions of Supply) Code, 2004 understood its contents and undertakes to observe and abide by all the terms and conditions stipulated therein to the extent they are applicable to him. The said Code as modified from time to time, to the extent they are applicable shall be deemed to form part of this Agreement.

3. Quantum of Supply : Subject to the provisions hereinafter contained and during the continuance of this Agreement, the licensee, represented by the 'engineer', shall supply the consumer and the consumer shall take from the licensee, a supply up to but not exceeding a contract demand ofKVA/.....KW. The consumer may utilise power up to KVA/..... KW.out of the aforesaid contract demand in his residential colony for use by himself or his employees.

4. Type of Supply : The aforesaid supply shall be from a three phase 50 Hz alternating current system at a normal pressure of Volts. The quantum of supply shall be measured by a suitable metering equipment of Volts.

5. Security Deposit : The consumer, pursuant to the OERC Distribution (Conditions of Supply) Code, 2004 has made Security Deposit of Rs..... in favour of the engineer. The consumer undertakes to make any additional security deposit, as and when called upon by the engineer.

6. Charges to be paid by the Consumer : The consumer shall pay to the engineer, for power demanded and electrical energy supplied under this agreement 'minimum monthly charges', 'demand charges', 'energy charges' and 'other charges' in accordance with the provisions of OERC Distribution (Conditions of Supply) Code, ,2004 and as notified in the Tariff Notifications from time to time;

Provided that annual sum payable by any individual consumer under the proviso to Section 45 of the Electricity Act, 2003, shall not be deemed to be part of the minimum monthly charges or demand charges, if any, payable by the consumer or the particular class of consumers under Regulation 84 and 85 of the OERC Distribution (Conditions of Supply) Code, 2004 Provided further that the consumer shall pay electricity duty or such other levy, tax or duty as may be prescribed under any other law in addition to the charges, fuel surcharge and transformer loss payable under the OERC Distribution (Conditions of Supply) Code, 2004.

7. The tariff and conditions of supply mentioned in this Agreement shall be subject to any revision that may be made by the licensee from time to time.

8. Stamp Duty : The consumer agrees to bear the cost of the stamp duty and all costs incidental to the execution of this Agreement in full.

In WITNESSES WHEREOF the parties hereto have put their hands and seals this the day of20.....

Signature of the consumer

Signature of the engineer acting for

and on behalf of the

..... (licensee)

Witnesses to the execution
the consumer.

Witnesses to the execution by
by the engineer.

1.

1.

2.

2.

APPENDIX-I

(See Regulation 13)

**PROCEDURE FOR DETERMINATION OF REMUNERATIVE
NORMS****Introduction**

The Licensee is under obligation to supply power to the consumer, if it is available in the system, technically feasible and remunerative. Regulation 13 of OERC Distribution (Condition of Supply) Code, 2004 requires that Distribution Licensees will look into the technical feasibility and commercial viability as per the norms. In case the scheme of supply is not remunerative as above, the applicant shall be required to bear the portion of charges to make the scheme remunerative.

1. General

New construction/extension/upgradation of lines, sub-stations, etc. meant for a single beneficiary or a group of beneficiaries require capital investment and additional expenditure for servicing the new consumers. The licensee shall undertake Cost-benefit analysis of the scheme of power supply in order to ascertain whether the remunerative supply scheme is technically feasible.

2. Remunerative Scheme

An investment on any scheme of power supply shall be treated as remunerative if the revenue from sale of power is equal to or exceeds the cost of power purchase for meeting the consumer's load, the cost of capital, depreciation, interest and O&M expenses.

The licensee shall undertake such schemes at its cost when the scheme is found to be commercially viable if it is remunerative as per the norms approved by the Commission hereunder.

Any work that does not satisfy the above norms will be taken up by the licensee provided the consumer bears the differential amounts of capital cost which satisfies the viability norm.

3. Cost-Benefit Analysis

The licensee makes a Cost-Benefit Analysis of each scheme/project intended to be undertaken for power supply. For the purpose of this calculation the licensee has to take useful life of the assets to be created for power supply for this purpose.

The licensee should take a period of 12 months (one year) for calculating annual net revenue at the end of first year to calculate the commercial viability norm.

4. Calculation of capital cost

Cost data compiled by DISTCOs shall be submitted to the Commission for approval from time to time. Pending submission of Cost Data to the Commission for approval, Capital cost shall be estimated as per the cost data approved by the Commission from year to year (financial year wise).

When a consumer is asked to undertake the capital work, the estimated cost shall be calculated on the aforesaid basis. The licensee is entitled to get 6% of the total estimated capital expenditure towards inspection fees for checking and ensuring that the capital works has been

done as per the standards pertaining to safety and security. The licensee should ensure inspection of works by the Electrical Inspector.

The material cost shall be inflated by the percentage as mentioned below for the incidental expenses incurred from procurement of materials to erection and installation of the capital works.

(a)	Cost of materials as per the cost data	A	
(b)	Stock storage insurance	B	3% of A
(c)	Contingency	C	3% of (A+B)
(d)	Tools & Plants	D	2% of (A+B)
(e)	Transportation	E	7.5% of (A+B)
(f)	Erection charges	F	10% of (A+B)
(g)	Sub-total	G	Sum of A...F
(h)	Other overheads	H	6% of G
(i)	Total estimated capital cost	I	G+H

5. Calculation of annual expenditure and revenue

The cost benefit shall be carried out for a period of 12 months. The following costs shall be taken into account on the basis mentioned against each.

i)	Cost		Basis
	Cost of power purchase as per the approved BST [on the quantum of proposed sale to the consumer/ (100-loss percentage)]	J	As per the prevailing tariff order approved by the Commission
	Repair and Maintenance Expenses	K	- do -
	Depreciation	L	- do -
	Total annual expenditure	M	- do -
	Return	N	- do -
	Total annual expenditure + return	X	(M+N)

In the current tariff order R&M expenses, depreciation and RoI (Rate of return) has been approved at 5.4%, 7.86% and 16% respectively.

ii) **Benefit**

The licensee shall calculate the average estimated earning per year from additional sale that will accrue due to new connections. The revenue to be earned can be from following sources.

(a)	Minimum fixed charges/customer charges	O	
(b)	Revenue from demand charges	P	
(c)	Revenue from energy charges	Q	
(d)	Other revenue	R	
(e)	Total revenue	Y	(O+P+Q+R)

6. The scheme shall be considered remunerative if $Y-X = 0$ or positive

This condition gets satisfied when the gross operative surplus (Y-M) is equal to or more than the return on investment calculated at the approved rate of return then the licensee has to make the investment of the total capital cost.

7. **Consumer contribution required making the scheme remunerative**

In case the gross operating surplus is less than the return on investment then the capital to be invested in the scheme is to be shared by the licensee and the consumer. The licensee shall make investment in the ratio of operating surplus to the estimated RoI. Balance capital cost i.e. capital investment as reduced by investment made by licensee shall be the consumer's contribution.

8. When the gross operating surplus turns out to be negative then the scheme shall be treated as non-remunerative.

9. **Assessment of consumption**

The average annual load factor for a category of consumer as approved in the prevailing tariff order for the particular distribution licensee shall be considered for assessing the consumption for any new consumer/s.

10. **Losses of the distribution system**

Overall loss percentage as approved by the Commission for the distribution licensee as per the prevailing tariff order shall be the basis for determining the quantum of energy to be purchased by the licensee for meeting the requirement of the consumer.

11. **Revenue**

The licensee shall adopt current tariff for the purpose of calculation for revenue including miscellaneous revenue, if any, from sale of power.

The Commission, therefore, direct that :-

- i) Normally when a scheme is found to be remunerative the licensee should make investment for all LT works. In case the gross operating surplus is less than the RoI and initially not found to be remunerative as per the commercial viability norms approved by the Commission a portion of the capital cost has to be met by the beneficiary to make it remunerative.
- ii) As an example as per the present tariff and cost estimate, one span of LT line can be remunerative when there are two prospective consumers in Domestic category with 2 KW connected load each. Power supply to consumers with CD less than 2 KW in Domestic category should be given from the existing L.T. network without further calculation of remunerative norms. Similarly, one span of LT line is found General Purpose category is willing to avail power supply with a connected load of 1 KW.
- iii) In case the consumer is prepared to invest in capital works that are remunerative for licensee in giving power supply to new connections at HT, all such consumers may be asked to invest the full estimated cost which will be adjusted against monthly energy bill subsequently not exceeding 24 months from the date of availing power supply.
- iv) If any capital subsidy is available for the proposed power supply for any category of consumer by the Government or any corporate body, the same should be treated as "consumer contribution" for that scheme.
- v) Government of Orissa shall provide capital subsidy to the licensee for the entire capital expenditure for new R.E. works.
