

**Rajasthan Electricity Regulatory Commission (Electricity
Supply Code And Connected Matters-Eighth Amendment)
Regulations, 2004**

[15 October 2007]

CONTENTS

1. Clause 2. Last Sentence
2. Clause 6. Application for Supply - Sub Clause (3)
3. Clause 6. Application for supply - Sub Clause (6)
4. Replaced Clause 6 (A)
5. Clause 12. Priority in release of connections
6. Clause 13. Withdrawal of application - Sub-clause (1)
7. Clause 14. Delay on the part of Applicant to take supply-Sub-clause (2)
8. Clause 16. Security in respect of electricity supplied-Sub-clause (1)-New proviso at the end
9. Clause 16. Security amount in respect of electricity supplied-Sub-Clause (2)(a)
10. Clause 19. Adjustment of excess security
11. Clause 20. Security for electric meter
12. Clause 21. Payment of Interest
13. Clause 29. Assessment in case of stopped, lost or stolen meter-Sub-clause (1) (iv) - a new addition
14. Clause 30. Defective Meter- Sub-clause (1)
15. Clause 30. Defective Meter- Sub-clause (2)
16. Clause 39. Recovery of old dues -Sub-clause (1)
17. Clause 39. Recovery of old dues - New sub-clause (3)
18. Clause 40. Restoration of Supply - Sub-clause (1) (1)
19. Clause 40. Restoration of Supply - Sub-clause (1) (2)
20. Clause 41 (A). Measures to Control Theft - Sub clause 2(a) (iii)
21. xxx
22. Clause 41 (A) - Measures to Control Theft - Sub clause 2(g)
23. Clause 41(A) Measures to Control Theft Sub clause 2(h)
24. Clause 41(A) - Measures to Control Theft - Sub clause 2(j) (i)
25. Clause 41(A)
26. Addition of new proviso after sub-clause 3(a)(iii)
27. Clause 41(A) - Measures to Control Theft - Sub clause 3(b) - Disconnection
28. Clause 41 (A) - Measures to Control Theft - Sub clause 3(c) (i)
29. Clause 41 (A) - Measures to Control Theft - Sub clause 3(h)
30. Clause 43 - Increase in Connected Load/Demand -Sub clause (2)

31. Addition of a new clause: 45. Removal of Difficulties
32. Deletion of clauses/provisos
33. Item 2 (1) of the Schedule - Amount to be deposited with the application- S.No.1&3
34. Item 2 (2) of the schedule - Additional amount to be deposited for extension of distribution mains/supply lines
35. xxx

Rajasthan Electricity Regulatory Commission (Electricity Supply Code And Connected Matters-Eighth Amendment) Regulations, 2004

[15 October 2007]

In exercise of the powers conferred by sections 43 to 48, 50, 55 and 56 read with section 181 of the Electricity Act, 2003 (Act 36 of 2003), the Rajasthan Electricity Regulatory Commission, after previous publication, makes the following regulations. These regulations shall be called The Rajasthan Electricity Regulatory Commission (Electricity Supply Code and Connected Matters-Eighth Amendment) Regulations, 2004 and will come into force from the date of its publication in the official gazette. The following amendments are made in the said regulations. The clause-wise amended text will now read as follows:

1. Clause 2. Last Sentence :-

Words or expressions occurring in these Regulations and not defined herein shall have the same meaning assigned to them under RERC (Metering) Regulations, 2007 & the Electricity Act, 2003 in that order.

2. Clause 6. Application for Supply - Sub Clause (3) :-

In case the licensee requires the applicant to give security for payment which may become due to him- (a) in respect of electricity supplied; (b) in respect of electric meter when provided by the licensee, the applicant enters into an agreement for its safe custody and rental thereof; the LT applicant will deposit the specified security amount with the application while the HT applicant will deposit the security amount with the demand notice without affecting the priority for releasing the connection.

3. Clause 6. Application for supply - Sub Clause (6) :-

The licensee will provide the receipt of the application/L-form received from the applicant, in case of deficiency or incomplete application, the licensee, within seven days of the receipt of application, shall inform the applicant of the deficiencies, including

non attachment of L-form. If the deficiency is not removed by the applicant within 30 days from the date of receipt of such intimation by the applicant, the application will stand cancelled and the application fee forfeited. However, the refundable amount shall be refunded within 30 days, beyond which interest thereon shall be paid by the licensee at prevailing Bank rate.

4. Replaced Clause 6 (A) :-

6(A) Special provisions for Agriculture Consumers Notwithstanding anything contrary to it contained in the Regulations for electricity supply to agriculture consumers, application for supply, connection release priority, increase in connected load, shifting of connections, restoration of supply etc shall be governed by the policy Agriculture Policy and update the "Part-III Special provisions for Agriculture Consumers" of the "Terms and Conditions for Supply of Electricity." The licensee shall publish the up-dated Agriculture Policy at the end of each financial year under intimation to the Commission. However, the licensee shall not revise the application fee, line cost, rental charges etc. until so revised by the Commission through the Regulations.

5. Clause 12. Priority in release of connections :-

The licensee shall maintain a priority register for each consumer category as per tariff schedule, subdivision /locality-wise, separately for the consumers falling under clauses 7, 8 & 9 and shall release connection to the consumers as per priority on first come first serve basis.

6. Clause 13. Withdrawal of application - Sub-clause (1) :-

If a person, after applying for connection, withdraws his application or refuses to take supply, the application fee shall be forfeited but the security money shall be refunded whereas the amount, deposited by the applicant towards the line cost and plant cost will be refunded as here-under: i. In case the work execution has Full amount not commenced by the Discom by that time ii Otherwise 50% amount The refund shall be made by the licensee within 30 days of the receipt of withdrawal/refusal letter, beyond which interest shall be payable at the Bank rate.

7. Clause 14. Delay on the part of Applicant to take supply- Sub-clause (2) :-

If, after serving of notice, the applicant fails to take the connection, the licensee may recover the minimum charges as determined by the Commission for the relevant category of consumers for

completed months after expiry of notice period till the applicant takes the connection. However, such recovery shall be restricted to a maximum of 12 months.

8. Clause 16. Security in respect of electricity supplied-Sub-clause (1)-New proviso at the end :-

Provided further that the large industrial consumers opting for Special fortnightly billing and entering into supplementary agreement with the licensee to the effect that consumer shall make payments of main and fortnightly bills on a fixed date every month without the requirement of serving any notice prior to disconnection, would be required to make payment of security equivalent to one month consumption charges.

9. Clause 16. Security amount in respect of electricity supplied-Sub-Clause (2)(a) :-

The provisional security deposited initially shall be reviewed on the basis of average monthly consumption of first twelve months after commencement of supply based on consumption equivalent to 2 months in general and 1-1/2 or 1 month in case of fortnightly billing, as the case may be and shortfall, if any, from the security furnished under sub clause (1), shall be intimated by the licensee to be deposited by the consumer.

10. Clause 19. Adjustment of excess security :-

If, under clause 17, the security given by a consumer is found to be in excess and the difference between the amount so worked out and the security amount deposited with the licensee exceeds Rs.500 or 10% of the existing security whichever is more, the licensee shall refund the excess security amount to the consumer by adjustment through bills issued or otherwise, latest by September end of the next year, thereafter the licensee shall pay the interest on the unpaid security amount at the bank rate plus 2% per annum from 1st October of the year.

11. Clause 20. Security for electric meter :-

The security amount in respect of a meter, when provided by the licensee, shall be as mentioned in the Schedule.

12. Clause 21. Payment of Interest :-

The licensee shall pay the interest at the Bank rate as on April 1 of the year, on the security deposit. The interest accrued during a financial year shall be paid to the consumer at an early date by adjustment through bills issued or otherwise, latest by September

end of the next year, failing which interest at the bank rate on the unpaid amount of interest shall also be payable from 1st October of the year. The interest on security deposit will be admissible until it gets adjusted against the dues. The LPS/DPS shall accrue only on the unadjusted balance amount, if any. However, where the security amount still remains in balance, interest will be payable on it, even during the disconnected period.

13. Clause 29. Assessment in case of stopped, lost or stolen meter-Sub-clause (1) (iv) - a new addition :-

(iv) Temporary connection:- In case of a Temporary connection the consumption shall be assessed by considering 100% load factor on 12 hours use per day, unless it is for a continuous running process where it shall be 24 hours use per day.

14. Clause 30. Defective Meter- Sub-clause (1) :-

In case the consumer or the licensee suspect a meter not functioning properly, a notice can be given to the other party. The accuracy of the meter shall be tested by the licensee on site or in its testing laboratory. In case the consumer so desires, the testing shall be arranged at laboratories designated for the purpose by the Commission.

15. Clause 30. Defective Meter- Sub-clause (2) :-

In the event of the meter being found inaccurate, the consumption assessment be intimated to the consumer within 6 months of the removal of meter for testing and the excess amount recovered from the consumer be adjusted in the subsequent two bills. Where additional amount is to be recovered from the consumer, it may also be recovered in the subsequent two bills.

16. Clause 39. Recovery of old dues -Sub-clause (1) :-

Notwithstanding anything contained in any other law for the time being in force, no sum due from any consumer on account of electricity charges or any sum other than electricity charges shall be recoverable after a period of two years from the date when such sum became first due, unless it has been shown continuously as arrears and the licensee shall not cut off the electricity supply.

17. Clause 39. Recovery of old dues - New sub-clause (3) :-

For recovery of outstanding dues, the licensee will prepare a Scheme for the consumers lying connected/disconnected wherein reduction/ waiver of interest/LPS/DPS may be allowed as a special case as per guidelines issued by the Commission from time to time.

However, this will not be a regular feature and would be introduced for a limited period under prior intimation to the Commission and shall exclude the cases of theft/malpractices and the consumers already benefited from such schemes during the last 3 years.

18. Clause 40. Restoration of Supply - Sub-clause (1) (1) :-

A person whose power supply has been cut off for non-payment of dues or due to any other reasons, may apply for restoration of supply in such form as the licensee may prescribe with approval of the Commission.

19. Clause 40. Restoration of Supply - Sub-clause (1) (2) :-

An application for restoration of supply shall be considered: (a) For Agriculture : As prescribed in the State consumers Agriculture Policy (b) For others : Within two years from the date of disconnection A person applying after the aforesaid period will be treated as a new applicant.

20. Clause 41 (A). Measures to Control Theft - Sub clause 2(a) (iii) :-

for the purpose other than for which the usage of electricity was authorized; or for the premises or areas other than those for which the electricity supply was authorized.

21. xxx :-

22. Clause 41 (A) - Measures to Control Theft - Sub clause 2(g) :-

The assessment shall be made at twice the tariff applicable for the relevant category of service as under: i. For 2(a) (i) - Higher tariff category. ii. For 2(a) (ii), (iv) to (vii) - Applicable tariff for service connection. iii. For 2(a) (iii) - Applicable tariff for service connection or extended load, whichever is higher.

23. Clause 41(A) Measures to Control Theft Sub clause 2(h) :-

Example:-

Particular	Load/demand (kw/kva)	Units for the period (f)	Rate of charge
Authorized load	a		
Meter recording		p	
Un-authorized load (2 types) (i) same category extended (ii) higher tariff category load			

Assessment per month for (i) same category extended (ii) higher tariff category load		$\frac{pxb}{a+b+c}$ $\frac{pxc}{a+b+c}$	$\frac{2 \times \text{tariff for b}}{2 \times \text{tariff for c}}$
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24. Clause 41(A) - Measures to Control Theft - Sub clause 2(j) (i) :-

The assessed amount shall be reduced by the amount already charged under the normal tariff. The Assessing Officer will issue the provisional assessment order within 3 days of inspection or receipt of inspection memo, in case of unauthorized use of electricity, a copy of the provisional assessment order will be provided to the consumer through a separate bill with clear 7 days notice to either file an appeal or make payment thereof. The manner of serving the provisional assessment order as prescribed by the State Government under section 126(2) of the Act will be followed.

25. Clause 41(A) :-

Measures to Control Theft - Sub clause 2(k)(ii):- No appeal against the assessment order under sub-clause (i) will be entertained unless an amount equal to half the assessed amount is deposited in cash or through bank draft, supplemented with the documentary evidence thereof. Clause 41(A) - Measures to Control Theft - Sub clause 3(a) (i):- taps the line or makes or causes any connection to be made with overhead, underground or under-water lines or cables, or service wires, or service facilities of a licensee as the case may be; or

26. Addition of new proviso after sub-clause 3(a)(iii) :-

(iv) uses electricity through a tampered meter; or (v) uses electricity for the purpose other than for which the use of electricity is authorized.

27. Clause 41(A) - Measures to Control Theft - Sub clause 3(b) - Disconnection :-

The Authorized officer will serve a copy of inspection memo with the seizure memo, and cause the licensee to immediately disconnect the supply. With the help of concerned billing officer of the licensee, the Authorized officer will assess the civil liability based on the assessed quantum, period of assessment and rate of charge as specified hereunder. The sub-divisional or divisional officers or officers higher in rank to them shall be the authorized officer to disconnect the electricity supply of LT & HT consumers as follows: 1. LT supply connections Concerned Sub-divisional officer/Asstt. Engineer of respective distribution licensee. 2. HT

supply connections Concerned Divisional Officer/Executive Engineer of respective distribution licensee.

28. Clause 41 (A) - Measures to Control Theft - Sub clause 3(c) (i) :-

If the Authorized Officer reaches the conclusion that the electricity theft has taken place, he will lodge a complaint with the Special Court constituted under section 153 of the Electricity Act 2003 or with the police under Rule 12 of the Electricity Rules, 2005, as per guidelines issued by the licensee, within 24 hours from the time of such disconnection. If the case is fit for compounding, it can be compounded on request as per Sub Clause (4) by the officer empowered to compound it.

29. Clause 41 (A) - Measures to Control Theft - Sub clause 3(h) :-

The connection as per sanctioned load will be restored on receipt of a written undertaking from the consumer about discontinuance of such use, to the satisfaction of the licensee and on deposition of the provisionally assessed liability as above, subject to adjustment towards final liability as may be determined by the Special Court constituted for the purpose: Provided that the licensee or supplier, as the case may be, on payment of the assessed amount or electricity charges in accordance with the provisions of these Regulations, shall, without prejudice to the obligation to lodge the complaint as referred above will restore the electricity supply within forty-eight hours of making the payment: Provided further that in the event of second and subsequent conviction of a person where the load abstracted, consumed, or used or attempted abstraction or attempted consumption or attempted use exceeds 10 kilowatt, such person will be debarred from getting the electricity supply for a period as may be directed by the court which shall not be less than three months but may extend to two years and will also be debarred from getting the electricity supply for that period from any other source.

30. Clause 43 - Increase in Connected Load/Demand -Sub clause (2) :-

While recovering expenses under sub clause (1) above, the licensee shall pass on the credit to the consumer for the amount the consumer has already paid for the electric line or plant.

31. Addition of a new clause: 45. Removal of Difficulties :-

In case any difficulty arises in giving effect to the provisions of

these regulations or in the matter of interpretation of the clauses of these regulations or related matters, the Commission may, by general or special order, direct to take such action as may be necessary or expedient for the purpose of removing the difficulties.

32. Deletion of clauses/provisos :-

Following clauses, sub-clauses, Note, provisos appearing in the existing regulations, are deleted:

i.	Note (ii) below clause 4	v.	Clause 40(1) (3)
ii.	proviso to clause 6(2)	vi.	Clause 40(A)
iii.	proviso to clause 6(7)	vii.	41 (A) 2 (j)(iii)
iv.	proviso to clause 12	ix.	Sub-Clause "Theft of Electricity in case of Agriculture Service" as appearing at the end of clause 41 (A)
v.	Clause 30(4)	x.	clause 43(3)

33. Item 2 (1) of the Schedule - Amount to be deposited with the application- S.No.1&3 :-

S.No.	Consumer Category	Amount to be deposited (Rs.)
1.	Domestic	Tribal sub plan - 750/- Rural -1500/- in Abadi area Kachhi Basti - 2000/- Urban (Developed - 3000/- or Undeveloped)
3.	Public Street Lighting	Rs.5000/- per connection. This does not include line/network cost

34. Item 2 (2) of the schedule - Additional amount to be deposited for extension of distribution mains/supply lines :-

(a) S.No.2 for LT Supply:

S.No.	Consumer Category	Amount to be deposited in addition to sum payable under (2)(1)(2) above
2	Public Street Lighting	Actual material cost + 50% towards overhead charges.

(b) Para (i) relating to line cost for HT Supply: (i) Line Cost: Cost of extension of transmission lines, distribution mains and associated substation bay based on standard estimated cost shall be as here under:

Voltage	Line Particulars	Span	Cost of line/km
1	2	3	4
11 kV	S/C on 8m PCC poles with ACSR - Weasel	60 m	Rs.2.161ac
11 kV	S/C on 9m PCC poles with ACSR - Dog	60 m	Rs.4.02 lac
	S/C on 12.8m		

11 kV	Lattice Tower with ACSR-Dog	50 m	Rs. 12.72 lac
11 kV	S/C on 12.8m Lattice Tower with ACSR-Panthe	50 m	Rs. 15.78 lac
33 kV	S/C on 9m PCC poles with ACSR - Dog	60 m	Rs.4.43 lac
33 kV	S/C on 12.8m Lattice Tower with ACSR-Dog	50 m	Rs.12.75 lac
33 kV	S/C on 12.8m Lattice Tower with ACSR-Panther	50 m	Rs. 15.86 lac
33 kV	XLPE Cable - 300 Sq.mm x 3 core	-	Rs.25.35 lac
132 kV	S/C with ACSR - Panther	335 m	Rs.12.96 lac
132W	D/C with ACSR - Panther	335 m	Rs.22.35 lac
220 kV	S/C with ACSR - Zebra	335 m	Rs.23.83 lac
220 kV	D/C with ACSR - Zebra	335 m	Rs.41.47 lac
132 kV	Bay	-	Rs.63.00 lac
220 kV	Bay	-	Rs. 107.59 lac

Note:- Besides above specifications, laying of line may involve other specifications also. In all such cases cost of line will be charged on material cost including civil works plus 50% thereon towards overhead charges.

35. xxx :-

Consequent to Commission Order dated 31-8-07 issued in the matter of Rationalization of Retail Tariffs, the term minimum charges or minimum billing wherever applicable is replaced by fixed charges. R.K. Sharma Secretary.