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PART IV-C

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

Gujarat Electricity Regulatory Commission (GERC)

Electricity Supply Code and Related Matters Regulations

Notification No. 11 of 2005

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In exercise of powers conferred under Section 181 (2) (x) read with Section 50 of the Electricity Act, 2003 (Act 36 of 2003) and under Section 42 (1) (b) of the Gujarat Electricity Industry (Reorganisation and Regulation) Act, 2003 (Gujarat Act 24 of 2003), and all powers enabling it in that behalf, the Gujarat Electricity Regulatory Commission hereby makes this "Electricity Supply Code and Related Matters" Regulations herein after called Supply Code.

SECTION - I

1. PRELIMINARY

1.1 SHORT TITLE EXTENT AND COMMENCEMENT

- a) These Regulations may be called the Gujarat Electricity Regulatory Commission (Electricity Supply Code and Related Matters) Regulations, 2005
- b) These Regulations shall be applicable to all Licensees engaged in distribution of electricity and electricity consumers in the State of Gujarat.
- c) These Regulations shall come into force on the date of their publication in the Gazette.

1.2 STRUCTURE OF THE SUPPLY CODE

The Supply Code consists of 8 Sections as follows:

Section-1: Preliminary

Section-2: Definitions

Section-3: System of Supply and Classification of Consumers

Section-4: Procedures for Grant of Supply

Section-5: Apparatus within Consumer's Premises

Section-6: Metering and Power Supply Charges (Bills)

Section-7: Restrictions

Section- 8: General Provisions

1.3 ELECTRICITY SUPPLY CODE REVIEW PANEL

- 1.3.1 The review panel shall consist of the following members with adequate knowledge of technical matters related to electricity supply by Distribution Licensees. GERC will nominate the representative of the STU as Chairperson of the Review Panel. The Member-Secretary of the Supply Code Review Panel will be nominated by the Commission from among the representatives of Distribution Licensees. The Distribution Licensee whose representative is Member-Secretary shall provide the

required administrative and other logistic support to the Review panel. The Member-Secretary shall be fully responsible for rendering needed secretarial assistance to the Review panel.

Besides the Chairperson, the Review panel shall consist of:

- (a) One member from each of the Distribution Licensees;
 - (b) One member to represent all the Generating Companies directly connected to each of the Distribution Licensee's Distribution System. On completion of tenure, the member shall be replaced by a person from other Generating Companies by rotation as decided by GERC.
 - (c) Chief Electrical Inspector, Government of Gujarat, shall be an ex-officio member of the Supply Code Review Panel.
 - (d) Four representatives of the Industrial Consumers to be nominated by GERC. They shall be from a duly registered organisation or association of industries/ chambers of commerce. Of these, two representatives shall be from LT Industrial Consumers and two from HT/EHT Consumers.
 - (e) Two member from the registered Consumer bodies to represent the categories of the domestic and commercial Consumers.
 - (f) One member shall be from the registered bodies representing agriculture Consumers.
- 1.3.2 GERC may further add members to the review panel from any sector/ profession, as may be deemed necessary.
- 1.3.3 All the members of the review panel shall normally have tenure of two years unless they cease to be the member for any reason. The new member in replacement shall be from the same category and for the unexpired period of term.
- 1.3.4 The Review Panel can decide the procedure for transaction of its business.

1.4 FUNCTIONS OF REVIEW PANEL

The functions of the Review Panel shall be as follows:-

- (a) Review of the Supply Code as and when necessary.
- (b) Consideration of requests for review and making recommendations along with reasons to the Commission.
- (c) Issue of guidelines on interpretation and implementation of the Supply Code.
- (d) Review of causes of electrical accidents and recommendations about required remedial measures in the light of reports of the Electrical Inspector under Section-161 of the Electricity Act, 2003 to avoid recurrence of such accidents.
- (e) Ensuring the consistency of the changes/modifications proposed in the Supply Code with other Codes, Laws, Acts, Rules and Regulations in force at that point of time.
- (f) Undertaking detailed studies of matters concerning Supply Code and circulate findings and recommendations of such studies among the members of the Review Panel and other concerned entities.
- (g) Holding of regular meetings as required and at least once in six months.
- (h) Holding of meetings by any sub-committee of the Review Panel for discussing specific issues raised by any group of stake holders.

1.5 REVIEW AND REVISIONS

1.5.1 Persons / Users seeking any amendment to the Supply Code shall send written requests to the Secretary of the review panel with a copy to GERC. If the request is sent to GERC directly, it shall be forwarded to the Secretary of review panel who shall, in consultation with the concerned entities and such other persons as the GERC may direct, review the provisions of Supply Code. The Secretary shall circulate the proposed changes/modifications to all the panel members for their

written comments within a reasonable time. If considered necessary, the Chairperson may convene meeting of the Review Panel for discussing the proposed amendments. Where the Review Panel considers necessary, it shall forward its recommendations to GERC for proposed amendments.

1.5.2 The Member-secretary shall send the following reports to GERC after each review meeting of the panel:

- (a) Reports on the outcome of such review.
- (b) Any proposed revision to the Supply Code.
- (c) All written representations and objections submitted by the Users/ Persons at the time of review.

1.5.3 The Member-secretary shall also forward a copy of agenda notes and proceedings of Review Panel meeting to the Commission.

1.5.4 All changes made in the Supply Code shall be duly incorporated in a standard copy to be kept with the Secretary of the Commission. The standard copy shall also contain a sheet showing chronology of all the changes made in the Supply Code. Copies of the relevant Gazette Notifications incorporating the changes in chronological sequence shall also maintained.

1.5.5 An updated version of supply code shall be placed on Commission's website. All Distribution Licensees shall maintain updated copies of the Supply Code in their offices and shall make it available for sale at a reasonable cost.

1.6 LIMITATIONS OF THE SUPPLY CODE

1.6.1 Where in any unforeseen circumstances or operational contingencies, the Distribution Licensee is required to act decisively to discharge his obligations under the Distribution Licence. Users shall provide such reasonable co-operation and assistance as the Distribution Licensee may require in such circumstances. A report of such actions shall be

submitted by the Distribution Licensee to the Review Panel and GERC within 72 hours.

1.7 CONFIDENTIALITY

1.7.1 The Distribution Licensee shall not furnish information about any consumers unless required to be furnished under any law by Central/ State Government departments or by any official agency.

1.8 PROCEDURES TO SETTLE DISPUTES

1.8.1 In the event of dispute regarding any provisions in the Supply Code between any User and the Distribution Licensee, the matter shall be referred to Gujarat Electricity Regulatory Commission and its decision shall be final.

1.9 OTHER REGULATIONS

1.9.1 The provisions of the Supply Code shall be read in conjunction with regulations made under “Standard of Performance of Licensee”, “Recovery of Expenditure for providing Electricity Supply”, “Recovery of Security Deposits” and other relevant regulations and codes notified by GERC.

1.10 The Distribution Licensee may make an application to GERC and seek suitable orders to remove any difficulty that may arise in implementation of these Regulations.

SECTION-2

2.1 DEFINITIONS

2.1.1 In the Supply Code the following words and expressions shall, unless the subject matter or context otherwise requires or is inconsistent therewith, bear the following meanings:

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| Acts | The Electricity Act, 2003 and Gujarat Electricity Industry (Reorganisation and Regulation) Act, 2003, read together. |
| Agreement | An Agreement entered into by the Distribution Licensee and the consumer. |
| Applicant | A person/ consumer, who has submitted an application for new connection of power Supply or extension or reduction or reconnection or shifting of the existing connection or change of name. |
| Area of Supply | The area within which a Distribution Licensee is authorised by his Licensee to supply electricity. |
| Assessing Officer | An officer of State Government or Board or licensee, as the case may be, designated as such by the State Government |
| Billing Period | The nominal period between two consecutive meter reading dates. It may be monthly or any other period as may be adopted by the Distribution Licensee. However, this shall not be less than one calendar month and more than two calendar months. |
| Connected Load | Sum of the rated capacity of all the consuming apparatus installed at the consumer premises and actually connected to the system of the Distribution Licensee at the time of inspection once the connection has been released initially. This shall be expressed in KW or KVA. If rating is 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 other Apparatus is rated by the manufacturer in HP, the HP rating shall be converted to kW by multiplying it by 0.746. |

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| Consumer | Any person who is supplied with electricity for his own use by a Licensee or the Government or by any other person engaged in the business of supplying electricity to the public under the Electricity Act, 2003 or any other law for the time being in force and includes any person whose Premises are for the time being connected for the purpose of receiving electricity with the works of a Licensee, the Government or such other person, as the case may be. |
| Contract Demand | Maximum KW or KVA agreed to be supplied by the Licensee and indicated in the Agreement executed between the parties. Wherever the Agreement stipulates supply in KVA, the quantum in terms of KW may be obtained by multiplying by the Power Factor of 0.9. |
| Contracted load/ Sanctioned Load | Load, which the Consumer requires and is so specified in the Agreement or the demand so specified in the Agreement with the Distribution Licensee. |
| Disconnection | The physical separation of User or Consumer from the system. |
| Distribution Licensee | A Licensee authorised to operate and maintain a Distribution System for supplying electricity to the Consumers in his Area of Supply. |
| Distribution System | The system of wires and associated facilities between the delivery points on the transmission lines or the generating station connection and the point of connection to the installation of the Consumers. |
| Electrical Inspector | A person appointed as such by the appropriate Government under sub section (1) of section 157 of |

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| | Electricity Act, 2003 and also includes Chief Electrical Inspector. |
| Extra High Voltage | Extra High Voltage equal to and greater than 66 kV |
| Generating Companies | Any company or body corporate or association or body of individuals, whether incorporated or not, or artificial juridical person, which owns or operates or maintains a generating station. |
| GERC | Gujarat Electricity Regulatory Commission. |
| High Tension or HT/ High Voltage | Voltage greater than 440 V and lesser than 66 kV |
| Indian Standards ("IS") | Standards and specifications approved by the Bureau of Indian Standards. |
| Installation | Any composite Electrical unit used for the purpose of Generating, Transforming, Transmitting, Converting, Distributing or utilising energy. |
| Licence | Any licence granted under the provisions of the Acts. |
| Low Tension or LT/ Low Voltage | Voltage not exceeding 440 volts. |
| Main | Any electric supply line through which electricity is or is intended to be supplied. |
| Maximum Demand | The Maximum Demand in KW or KVA, as the case may be, shall mean an average KW/KVA supplied during consecutive 30 / 15 minutes (depending upon the type of meter being used) period of maximum use where such meter with the features of reading the maximum |

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| | demand in KW/KVA directly, has been provided, |
| Meter | The meter that records the active and/or reactive energy and demand and any other specified parameters of electricity. In the event any CT/PT or any such devices constituting an integral part of the measuring, are located externally, they too shall be deemed to be meter. |
| Month | The calendar month unless the context otherwise requires. A time lasting from a specified date in one calendar month until the same date in the next calendar month (a period of time equivalent to about 30 days) |
| Person | Any individual or company or body corporate or association or body of individuals whether incorporated or not, or artificial juridical person. |
| Point of Supply | <p>Unless otherwise agreed to, the point of supply shall be the incoming terminal of the cut-out installed by the consumer, i.e.</p> <p>Meters/switches installed at the Consumer's Premises in case of LT Consumers;</p> <p>Distribution box installed on transformer centre / substation established on Consumer's premises, when meter is installed on such a transformer centre/ substation.</p> <p>Control switchgears that may be installed in the Consumer's Premises as provided subject to provision of this code in case of HT and EHT Consumers.</p> |
| Premises | Includes any land, building or structure. |

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| Service Line | Any electric supply line through which electricity is or is intended to be supplied:- a) to a single Consumer either from a distributing main or immediately from the Distribution Licensee's Premises, or b) from a distributing main to a group of Consumers on the same Premises or contiguous premises supplied from the same point of the distributing mains. |
| Street | Any way, road, lane, square, court, alley, passage or open space, whether a thoroughfare or not, over which the public have a right of way, and also the roadway and footway over any public bridge or causeway |
| Sub-station | Station for transforming or converting electricity for the transmission or distribution thereof and includes transformers, converters, switchgears, capacitors, synchronous condensers, structures cable and other appurtenant equipment and any buildings used for that purpose and the site thereof. |
| Supply | In relation of electricity, means the sale of electricity to a licensee or consumer. |
| Supply Code Review Panel | The Panel constituted under Regulation No. 1.3 |
| Transmission Licensee | Licensee authorised to establish or operate transmission lines. |
| User | Any person having electrical interface with, or using the Distribution System of the Distribution Licensee to whom this Code is applicable. Any other Distribution Licensee, Transmission Licensee and generating units connected to the Distribution system are also included |

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| | in this term. |
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2.1.2 **Technical Terms**

Following technical terms used in this code shall have the meanings assigned to them as is generally assigned in the various technical standards applicable to electricity industry.

- Alternating Current (A.C.)
- Ampere
- Average Power Factor
- Circuit
- Conductor
- Current Transformer (CT)
- Earthing
- Frequency
- Potential Transformer (PT)
- Power Factor

2.1.3 Words and expressions used and not defined in the Regulations but defined in the Acts shall have the meanings assigned to them in the Acts. Expressions used herein but not specifically defined in the Regulations or in the Acts but defined under any law passed by a competent legislature and applicable to the electricity industry in the state shall have the meaning assigned to them in such law. Subject to the above, expressions used herein but not specifically defined in these Regulations or in the Acts or any law passed by a competent legislature shall have the meaning as is generally assigned in the electricity industry. The Bombay General Clauses Act, 1904, shall apply for the purpose of the present Regulations.

2.2 INTERPRETATION

2.2.1 In the interpretation of this Code, unless the context otherwise requires:

- I. words in the singular or plural term, as the case may be, shall also be deemed to include the plural or the singular term, respectively;
- II. the terms "include" or "including" shall be deemed to be followed by "without limitation" or "but not limited to" regardless of whether such terms are followed by such phrases or words of like import;
- III. references herein to the "Code" shall be construed as a reference to this Code as amended or modified by the GERC from time to time in accordance with the applicable laws in force.
- IV. the headings are inserted for convenience and may not be taken into account for the purpose of interpretation of this Code.
- V. references to any statutes, regulations or guidelines shall be construed as including all statutory provisions consolidating, amending or replacing such statutes, regulations or guidelines, as the case may be, referred to.
- VI. disconnection is to be done by first suggesting required measures and in the case of noncompliance of these measures by the consumer by taking recourse under section 56 of the Electricity Act, 2003.

SECTION-3

3. SYSTEM OF SUPPLY AND CLASSIFICATION OF CONSUMERS

3.1 SYSTEM OF SUPPLY

3.1.1 The Distribution Licensee shall supply power at a frequency of 50Hz and at a voltage variation presently permissible under the Indian Electricity Rules, 1956, which are currently in force or in accordance with new Rules that may be prescribed under the Electricity Act 2003.

3.1.2 The rated voltage of the AC supply should be as follows:

(a) 230 V - Single Phase

- For all installations (other than motive power) upto & inclusive of 6 KW of Contracted Load.
- For motive power installations other than agriculture not exceeding 2 HP in the aggregate.

(b) 400V - Three Phase

- For all installations (other than motive power) exceeding 6 KW
 - upto 100 KVA of Contracted Demand for GEB and TPSL
 - upto 100 kW of Contracted Demand for TPAL
- For motive power installations exceeding 2 HP
 - upto 125 HP in the aggregate subject to maximum demand not exceeding 100 KVA for GEB and TPSL
 - upto 150 HP in the aggregate subject to maximum demand not exceeding 100 KW for TPAL
- 11 kV, 22kV and 33 kV Three Phase
 - For all installations with Contract Demand exceeding 100 KVA and upto 2500 KVA for GEB and TPSL
 - For all installations with Contract Demand exceeding 100 KW and upto 4000 KVA for TPAL
- At 66 kV and above Three Phase
 - All installations with Contracted Load and Contract Demand exceeding 2500 KVA for GEB and TPSL
 - All installations with Contracted Load and Contract Demand exceeding 4000 KVA for TPAL

The Consumer may opt for higher profile of supply even though the contracted load is less than the specified limit under higher profile of supply, if he so desires.

In case of existing consumers drawing power at lower voltage, if due to the additional requirement they cross the threshold limit of load, in such cases the licensee may, as far as possible, make commercially viable offer to the consumers so that he opt for the next higher voltage of supply. The commercial offer may be framed taking in to consideration the following-

- (a) Likely reduction in Transmission and Distribution Losses;
- (b) Load reduction on transformers of licensee's system and their availability for meeting new requirements.

However supply to existing consumers at lower voltage than the limit specified above, should continue and in case their load requirement increases, the above specified load limit will be applicable.

3.2 POWER FACTOR

3.2.1 It shall be incumbent upon all consumers obtaining three phase supply to maintain an average power factor of not less than 90% in respect of their installation. The Distribution Licensee shall not commence power supply to any applicant requiring motive power load of 2 KW or more unless his installation is provided with a suitable and adequate power factor corrective equipment like the shunt capacitor.

3.2.2 The Consumer requiring supply for motive power shall procure his own shunt capacitor (according to IS standard) of adequate rating at his cost. He shall install it after it is tested by the Distribution Licensee on payment of the testing fee. The Consumer may also alternatively request the Distribution Licensee to install the shunt capacitor for his installation subject to necessary payment and the Distribution Licensee shall install shunt capacitor of adequate rating if available with him. The Distribution Licensee may provide, upon request from consumers, guidance for suitable rating of the shunt

capacitors and name of the suppliers short-listed by the Distribution Licensee.

3.2.3 Discontinuation of power supply due to non-provision of the capacitor for his installation shall not absolve the consumer from his liability for the payment of the minimum charges, if the Distribution Licensee is otherwise ready to give power supply and has served a notice to that effect upon the consumer.

3.2.4 The shunt capacitor installed by the Distribution Licensee at the cost of the Applicant / Consumer shall be the property of the Applicant / Consumer by whom it shall be maintained. In case the capacitor installed is damaged or found missing, it shall be replaced by the consumer at his cost or the Distribution Licensee may replace it at the cost of the consumer if the capacitors of the adequate ratings are available with him. This will also apply to the Consumer requisitioning for additional power supply where the total motive load including the motive load requisitioned for, become 2 KW or more.

3.2.5 In case of existing three phase installations including motive power installations of 2 kW or more, where the average power factor is found or noticed less than 90%, the Distribution Licensee may refuse or disconnect power supply after giving 10 days notice to rectify the capacitor(s) subject to the provisions of the Acts, Rules and Regulations for the time being in force.

3.3 PARALLEL OPERATION WITH DISTRIBUTION LICENSEE'S SYSTEM:

3.3.1 The Consumer shall submit necessary technical and operational details as may be needed to co-ordinate with the Distribution Licensee before installing any generating set in any Premises, in case it is to be connected with the Distribution System. Further the consumer shall take approval of concerned agencies including Chief Electrical Inspector in accordance with the Rules (presently the Indian

Electricity Rules, 1956) in force from time to time before energisation of such generating sets.

3.4 CLASSIFICATION OF CONSUMERS

3.4.1 Distribution Licensee may classify and reclassify consumers into various Tariff Categories from time to time as may be approved by the GERC and announce the different Tariffs for different classes of Consumers with the approval of GERC. No additional category other than those approved by GERC shall be created by the Distribution Licensee.

3.5 RECLASSIFICATION OF CONSUMER

3.5.1 If it is found that a Consumer has been classified in a particular category erroneously, or the purpose of supply as mentioned in the distribution service 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 Distribution Licensee may reclassify him under appropriate category after issuing notice (with minimum notice period of 30 days) 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 a fresh Agreement, the Distribution Licensee may, subject to the provisions of the Acts, Rules and Regulations for the time being in force, after issuing a clear 21 days show cause notice and after considering his explanation, if any, disconnect the supply of power. Further, the Distribution Licensee shall dispose of all such applications for change of tariff class by a Consumer within maximum period of seven days after receipt of such application regarding the change of tariff class or communicate the reasons for not changing the tariff class, as applicable. In case of any dispute, the matter shall be referred to Forum for redressal of consumer grievances.

SECTION-4

Procedure for grant of supply

4.1 APPLICATION

- 4.1.1 Application for initial supply or subsequent additional supply of power shall be made in the form attached hereto as Annexure A – I and Annexure A - II. Copies of the format of application shall be made available from the local office of the Distribution Licensee free of cost. Further, the Distribution Licensee may also make these application forms available on their web site.
- 4.1.2 The local offices of the Distribution Licensee shall provide any assistance or information required by the applicant for filling the form.
- 4.1.3 An Applicant, who is not owner of the Premises he occupies, shall, produce proof of his being in lawful occupation of the Premises. He shall, if so required by the Distribution Licensee, execute an indemnity bond prescribed by the Distribution Licensee to indemnify the Distribution Licensee against losses on account of disputes that may arise out of effecting service connection to him.
- 4.1.4 The Distribution Licensee shall obtain the necessary way leaves and permissions for laying down the service lines for the supply of power. The applicant shall fully co-operate with the Distribution Licensee in obtaining such necessary way leaves and permissions. However, where the consumer has no frontage abutting a public street and where the service line has necessarily to cross over or go under other property, the consumer shall obtain the necessary way leave and permission at his own expense and continue them as long as supply is to be maintained. Should, however, the way leaves or permissions be withdrawn, the Supply may be cut off forthwith, subject to the provisions of Acts, rules and regulations for the time being in force. Any extra expense incurred in laying the service line and maintaining

the same in accordance with the way leaves shall be recovered from the Consumer in accordance with the Regulations for recovery of expenditure incurred for providing electricity supply. The Applicant shall provide necessary undertaking to the Distribution Licensee if required.

- 4.1.5 Wherever the rated capacity of the Consumer's equipment is in KVA or KW, the equivalent HP shall be determined as under:

$$\text{Equivalent HP} = \text{KW} \div 0.746$$

The KW shall be computed by multiplying KVA with the power factor of 0.90 for all equipment, except welding equipment. For welding equipment, which is rated in KVA, equivalent HP for the purpose of billing shall be taken as one KVA, equal to one HP and wherever it is fraction of one, it shall be rounded off to the next multiple of ½ HP, as the case may be.

- 4.1.6 The requisition for supply of electrical energy shall be accompanied by registration charges as prescribed in relevant GERC Regulations. The registration charges so deposited shall be non-refundable for all purposes except in cases where the application of the applicant is not sanctioned by the Distribution Licensee, either due to technical impracticability or for any other reasons. If the applicant fails to pay all the necessary charges as advised by the Distribution Licensee within the specified time limit, or subsequent extension allowed at the discretion of the Distribution Licensee, his application shall stand cancelled. If that Applicant again desires to have the Supply of electricity from the Distribution Licensee, he will have to apply afresh with fresh registration charges at the prevailing rate at such time.

- 4.1.7 Any application for change of name of existing service and transfer of benefits of Agreement executed by the Consumer with the Distribution Licensee for power Supply shall be accompanied by non-refundable registration charges as prescribed in relevant GERC Regulations.

provided that where registration charges have been paid by a Consumer, if the Distribution Licensee is replaced by a successor entity for any reason whatsoever, the Consumer would not be required to pay any further registration fee due to such successor entity coming into being.

4.1.8 After receipt of application for LT supply, three clear days notice shall be given by the Distribution Licensee to the applicant or to his representative to be present for the purpose of inspection of the Premises. The fixation of the point of entry of supply mains and the position of mains, cut outs or circuit breakers and meters may be decided in consultation with the consumer. In no case the Distribution Licensee shall fix its apparatus, meter or any of its property in a place which entails entry by its employee into private quarters of parda nasheen ladies or of religious personages. The Distribution Licensee shall inform consumer of probable date of Supply after inspecting the Premises and satisfying himself of the Consumer's compliance with all the applicable rules/ standards/ code which are in force.

4.1.9 The Distribution Licensee shall intimate voltage at which supply will be given and point of commencement of Supply and probable time frame for commencement of Supply. However, the Distribution Licensee shall release the new connection within the time frame as mentioned in Standard of Performance of Licensee issued separately by GERC.

4.1.10 The Distribution 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 Transmission Licensee within 7 days of receipt of the application from distribution licensee, shall intimate the distribution licensee regarding feasibility or otherwise of the application. The Distribution Licensee shall thereafter within three days send

communication intimating the applicant of the requirements that he has to meet before the release of the connection. However, it must be ensured that the Distribution Licensee shall release the new connection within the time frame as stated in Standard of Performance of Licensee issued separately by GERC.

In those cases, where prima facie at the stage of registration or letter at the time of inspection, it appears that, the proposed connections may not be in compliance with applicable rules or standards or codes, the connection should be provided after securing necessary compliance. The distribution licensee shall make all possible endeavours help the consumer to the extent practicable in securing the necessary compliance.

4.1.11 An application for new connection, reconnection, addition or reduction of load, change of name or shifting of Service Line need not be entertained unless any dues of the Applicant to the Distribution Licensee in respect of any other service connection held in his name anywhere in the jurisdiction of the Distribution Licensee have been cleared.

4.1.12 No additional power shall be supplied by Distribution Licensee unless all arrears for the existing Supply have either been paid in full or part in accordance with an instalment facility granted by the Distribution Licensee for unconditionally paying the arrears within the stipulated time.

4.1.13 It shall be the duty of every distribution licensee to provide, if required, electric plant or electric line for giving electric supply to the premises.

4.1.14 Where new industrial connection or addition to the load of existing connection need clearance from the pollution or environmental angle, the applicant shall submit "NO OBJECTION

CERTIFICATE” from the competent authority to the Distribution Licensee.

4.1.15 If a consumer so request, the Distribution licensee shall test the meter at his premises subject to payment of testing charges and issue him a test report.

4.1.16 The Distribution Licensee shall give no dues certificate to consumer on his request to avoid any possibilities of pending dues of previous owner while purchasing new house/premises.

4.1.17 The Distribution Licensee will not provide more than one connection/ meter for one premises. The consumers opting for second meter will have to produce separate legal entity such as documents of separate Income Tax No/ Sales Tax No. ration card and rent or lease agreement.

4.2 ESTIMATE

4.2.1 After the position for the Service Line is decided, the Distribution Licensee shall furnish an estimate of cost to be borne by the applicant in accordance with relevant Regulations. The licensee shall inform the applicant of other conditions including payment of security deposit and charges for providing electric line or electric plant, to be complied with. The applicant shall be required to deposit the amount of the estimate with the Distribution Licensee before the service line is laid. After the applicant pays the estimates and meets the other necessary conditions, the work shall be carried out. The deposit amount shall be suitably adjusted based on the final cost of the providing connection.

4.2.2 The work shall be completed within the time frame mentioned in Standard of Performance of Distribution Licensee issued separately by GERC.

4.2.3 Other conditions being equal, Service Lines shall, as far as possible, be laid in the order of the dates of receipt of the deposit money.

4.3 AGREEMENT

- 4.3.1 An applicant shall enter into an Agreement either separately or in application itself with the Distribution Licensee before commencement of work accepting the terms relating to tariff and other conditions of Supply Code. The period of validity of Agreement shall be included in the agreement. The agreement may have the provision either for its automatic extension at the discretion of consumer or for a fresh agreement on its expiry.
- 4.3.2 If there is no separate written agreement between the Distribution Licensee and the Consumer; the latter, after the supply of electricity has commenced, shall be deemed to be bound by terms and conditions of Supply Code. The Consumer shall not refuse to tender an Agreement if so required by the Distribution Licensee within thirty days of commencement of the Supply. In such an event the date of commencement of Agreement shall be the date of commencement of Supply to the Consumer. Upon failure of the consumer to sign the Agreement; it shall be open to the Distribution Licensee after giving due notice and opportunity of representation to disconnect the Supply to such Premises. However, the Distribution Licensee shall restore the supply immediately upon execution of the agreement by such consumer.
- 4.3.3 If any Consumer terminates his Agreement within the period of the Agreement (or where no formal Agreement is tendered, if the Supply is not utilised for the stipulated period which would have been applicable if an Agreement has been tendered), he shall be liable to pay the minimum charges for each month short of the period specified in the Agreement or the stipulated period in absence of any formal Agreement.

4.4 RECORDS OF DISCONNECTION AND RECONNECTION

4.4.1 A record of disconnections and reconnections shall be maintained by the Distribution Licensee.

4.5 POINT OF SUPPLY

4.5.1 Unless otherwise agreed to, the point of supply shall be the incoming terminal of the cut-out installed by the consumer, i.e.

(a) Meters/switches installed at the Consumer's Premises in case of LT Consumers;

(b) Distribution box installed on transformer centre / substation established on Consumer's premises, when meter is installed on such a transformer centre/ substation.

(c) Control switchgears that may be installed in the Consumer's Premises as provided subject to provision of this code in case of HT and EHT Consumers.

4.6 WIRING ON CONSUMER'S PREMISES

4.6.1 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 for the time being in force, or as may be prescribed under the relevant provisions of the Electricity Act, 2003, and the rules of the fire insurance company with which the building may have been insured and the specifications/ directions issued by the Electrical Inspector. The material used for wiring shall comply with the standards laid down in that behalf by the Bureau of Indian Standards or other relevant standards. The work shall be carried out under the supervision of a person holding a certificate of competency issued by the Government.

4.6.2 As soon as the Consumer's installation is completed in all respects and tested by the supervisor, holding a certificate of competency issued or recognised by the Government, or Consumer's licensed

electrical contractor, Consumer should sign and submit to the Distribution Licensee, completion and test report of the installation alongwith necessary registration fees. A form for this purpose shall be supplied by the Distribution Licensee at nominal cost. However, it is desirable that the Distribution Licensee should upload this form in their web site to enable the Consumer to download it free of cost.

4.6.3 As required by rule 45 of the I. E. Rules, 1956 for the time being in force, or as may be prescribed through Rules under the Electricity Act, 2003, no work on any electrical installation, including addition, alteration, repairs and adjustments to existing installations, except such replacement of lamps, fans, fuses, switches, low voltage domestic appliances and fittings as in no way alters the capacity and the character of the installation, shall be carried out upon the premises of or on behalf of any consumer, owner, occupier for the purpose of supply of energy to such consumer, owner or occupier except by a contractor licensed in this behalf by the State Government and under the direct supervision of a person holding a certificate of competency issued or recognised by the state government. Any Person committing a breach of this clause shall render himself liable to penalty and/or punishment under the relevant provisions of the Electricity Act, 2003.

4.7 GENERAL WIRING CONDITIONS

4.7.1 Switches & Fuses:

(a) In case of Low Voltage Consumers: The Consumer shall provide linked quick break main switch of requisite capacity at the point of supply to carry and break current in each conductor. All the Consumer switches should be on the live wire and the letter 'N' should be painted on the wooden board directly underneath the

neutral conductor where it leaves the Consumer's main switch for connecting to the meter.

(b) In case of High Voltage and Extra High Voltage Consumers: The Consumers shall provide and connect between the Distribution Licensee's point of Supply and the transformer a dust and vermin proof switch or circuit breaker of adequate current carrying capacity together with suitable protective gear as required under the I. E. Rules, 1956 for the time being in force, or as prescribed under the relevant provisions of the Electricity Act, 2003.

4.7.2 Balancing of Load On Three Phase Installation:

(a) If the installation is required to be wired on three phase loads, wiring shall be done on the group system, separate neutral wires being brought back in each case to the Distribution Licensee's point of Supply. A double brake linked switch shall control each main circuit. The lamps, fans or any other apparatus of which the installation consists shall be so grouped that under normal working conditions, the current in the three phases will be balanced and no current will be flowing in the neutral wire.

(b) Earthing: Gas / Water pipes shall on no account be used for earthing purposes. All wiring shall be kept as far as possible away from gas and water pipes.

4.7.3 Domestic Appliances: A special Circuit solely for the use of domestic appliances may be run separately. Wall plugs used on these Circuits shall be of the three-pin type, the third pin being an earth connection. Two pin plugs or lighting sockets shall not be allowed. All appliances used must be effectively earthed. The minimum size of earth wire permitted is 3.0 sq.mm (or 14 S.W.G.) copper or equivalent. All equipment or Apparatus installed shall preferably have a nameplate indicating wattage.

4.7.4 Plugs: Single pole switches controlling plugs shall be inserted in the live wire and not in the neutral wire.

4.7.5 Wiring shall be done as per relevant standards and codes of practices.

4.8 TRANSFER OF SERVICE CONNECTION

4.8.1 The Consumer shall not without prior consent in writing of the Distribution Licensee assign, transfer or part with the benefit of the Agreement executed with the Distribution Licensee nor shall part with or create any partial or separate interest there under in any manner. Transfer of service connection will be effected on application in case the registered Consumer is dead or if the ownership or occupation of the property has changed or transferred. In all cases of such transfers, the arrears of every description shall be paid in full together with transfer fee as prescribed in relevant GERC Regulations.

4.8.2 A transfer due to death of the holder of the service connection to the legal heir applying for transfer will be effected if the Applicant produces the following documents to the Distribution Licensee.

(a) Application in the prescribed form

(b) Death certificate

(c) Affidavit declaring that the Applicant is the sole successor of interest in the Premises, or NOC of other legal heir(s).

4.8.3 The transfer on the grounds other than those specified in 4.8.2 above will be affected if the Applicant produces the following

(a) Application in the prescribed form.

(b) Document to support the transfer like registered sale/transfer deed, any order from government/ court or certificate of Registrar of Companies (ROC). If the Applicant is unable to submit the documents, he will submit the following

➤ Unregistered sale/transfer deed.

- Consent in writing of the previous holder of the service for the transfer of service.

(c) Indemnity bond indemnifying the Distribution Licensee from any litigation and undertaking to compensate the Licensee in the event of a litigation involving a Distribution Licensee but where the licensee is not an interested party.

4.8.4 Where Premises to which electricity is supplied by Licensee is transferred to transferee and the transferee does not get service connection in the Premises transferred to his name, and continues to use the service connection in previous name, the transferee shall be responsible for payment of running energy bills as well as unpaid dues of energy bills and other amounts relating to the service connection. The dues to the Distribution Licensee shall be payable on demand, in default of which the supply to the Premises may be disconnected, subject to the provisions of the Acts, rules and regulations for the time being in force.

4.8.5 In all cases of transfer of service connection, specified above, security deposit as applicable may be required to be paid.

SECTION-5

Apparatus within consumer's premises

5.1 INSTALLATION OF EQUIPMENT AND APPARATUS OF CONSUMER

5.1.1 The consumer shall furnish, as far as possible and practicable, to the Distribution Licensee full particulars of all electrical plant and consuming apparatus to be installed by him. The design and operation of all plant and apparatus shall be such that it shall not interfere with the safety or efficient working of the Distribution Licensee's electric supply lines or other works or the supply of energy by the Distribution Licensee to any other consumer.

- 5.1.2 All transformers, switchgear and other electrical equipment's belonging to the Consumer and connected to the mains of the Distribution Licensee shall be maintained in accordance with the Indian Electricity Rules, 1956 or any Rules that may be framed under the Electricity Act, 2003 and regulations that may be issued under section 53 (g) of Electricity Act, 2003.
- 5.1.3 Low Tension Consumer must, in all cases and at their cost, provide a safety device in form of linked quick break main switches and a main fuse on each phase other than an earth or earthed neutral, which must be erected within one feet of the Distribution Licensee's meter board, or in such other position as shall be approved by the Distribution Licensee.
- 5.1.4 In the case of High Tension or Extra High Tension Consumers, suitable protective devices approved by the Distribution Licensee shall be used so as to afford full protection to the Distribution 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.
- 5.1.5 An earth leakage protective device so as to disconnect the supply instantly on the occurrence of earth fault or leakage of current shall be connected as provided under Rule-61A of the Indian Electricity Rules, 1956 for the time being in force, or any other Rules as may be prescribed under the Electricity Act, 2003. In the event of removal of earth leakage protective device of the Consumer after initial installation of it, Distribution Licensee may disconnect the supply, subject to the provisions of the Acts, rules and regulations for the time being in force, after giving seven days notice and shall not reconnect the same till earth leakage protective device is installed by the Consumer.

5.1.6 Notwithstanding the provisions in any agreement, an earth leakage circuit breaker of sufficient rating shall be provided, in accordance with Rules - 71(ee) and 73(ee) of the Indian Electricity Rules, 1956 for the time being in force, or any other Rules as may be prescribed under the Electricity Act, 2003, on the Low Voltage side to detect the leakage in all luminous sign installations and X-ray installations.

5.2 A. C. MOTOR INSTALLATION

5.2.1 Motors shall be provided with control gear fitted with a no-volt release and overload release (triple pole fuses) so as to reduce the maximum starting current from the Consumer's installation not exceeding the limits specified in the relevant standards and codes of practices at any time under all possible conditions. However, the Distribution Licensee may advise the Consumer to improve the performance of AC installation in case the aggregate starting current AC installation is adversely affecting the system voltage. The relays should be maintained in good working order. Failure to comply with these conditions shall render the Consumer liable to disconnection on account of likely disturbance to the power supply to other Consumers, subject to the provisions of the Acts, rules and regulations for the time being in force.

| Nature of Supply | Size of Installation | Limit of Maximum Current Demand |
|------------------|--|---------------------------------|
| Single Phase | Upto and including 1 BHP | 6 x full load current |
| Three Phase | Above 1 BHP and upto and including 10 BHP | 3 x full load current |
| | Above 10 BHP and upto and including 15 BHP | 2 x full load current |

| | | |
|--|--------------|------------------------|
| | Above 15 BHP | 1½ x full load current |
|--|--------------|------------------------|

Motors of above 2 BHP shall be wound for 3 phase 400 volts between phases.

5.2.2 Each three phase motor circuit shall be protected by an iron clad triple pole linked switch, which might have a ganged operation. Wiring for motors shall be run with all three phase wires bunched in a single metallic or rigid PVC conduit, which shall be effectively earthed or provided with wire throughout and connected to the frame of the motor from which two separate earth wires of adequate size shall be run. The minimum size of the earth wire permitted is 3.0 sq.mm (or 14 SWG). All motor wiring shall comply in every respect with the I. E. Rules, 1956 for the time being in force, or with the new Rules as may be framed under the Electricity Act, 2003.

5.2.3 All the Consumers, using electricity for motive power purposes, shall ensure balanced loading on all three phases of Distribution Licensee's system at the incoming terminals of the Consumer's Premises.

5.2.4 Consumers intending to use Apparatus other than motors in their power installation may, prior to its procurement, seek advice from the Distribution Licensee about technical particulars so that they can be informed about any special conditions that may be applicable for connecting such type of Apparatus to the mains. The Distribution Licensee shall immediately respond with appropriate suggestions to such queries. In case, the Distribution Licensee requires time to collect the details on the performance characteristics of such Apparatus, the response shall be made as soon as may be practicable.

5.3 DISTRIBUTION LICENSEE'S SUPPLY MAINS AND APPARATUS

- 5.3.1 In case of LT consumers, the Distribution Licensee shall provide meter, meter enclosures, cut-outs and other equipments depending upon the requirement, at a place mutually agreed upon so as to have unobstructed access at all times.
- 5.3.2 In case of HT / EHT consumers, the supplier shall provide suitable meter including CTs and PTs, Circuit Breaker or Air Break Switch (Isolator) or High Voltage Fuse or other suitable device as the case may be. Consumer should also provide similar control devices on his side.
- 5.3.3 A Consumer requiring High Voltage Supply must provide and maintain at his expense a locked and weatherproof enclosure of a design to be approved by the Distribution Licensee for purposes of housing the Distribution Licensee's HT switchgears and metering equipment. Such enclosure may also be used by the Consumer for housing his own HT switchgears, transformer and other Apparatus including capacitors with the written permission of the Distribution Licensee but such enclosure shall not be used for any other purpose. The Distribution Licensee shall have access to the enclosure at all times without notice for the purpose of inspecting, testing and maintenance of the Distribution Licensee's Apparatus.
- 5.3.4 To meet the load requirement of Consumers who requires HT & EHT voltage supply, as well as to keep the voltage drop within the permissible limits, technically, if the Distribution Licensee finds it necessary and expedient to establish a substation, then the Consumer/s shall provide adequate space/suitable built up area for the substation as per furnished drawing or a built up substation according to technical specification given by the Distribution Licensee as may be mutually decided.
- 5.3.5 In case of High Voltage and Extra High Voltage Consumers, switchgears of adequate capacity together with suitable protective

devices in accordance with the I. E. Rules, 1956 for the time being in force, or new Rules as may be framed under the Electricity Act, 2003 shall be used so as to afford full protection to the Distribution Licensee's Apparatus placed on the Consumer's Premises.

5.3.6 The equipments in case of supply upto 33 kV and air break switch in case of supply at 66 kV and above, shall remain the property of the Distribution Licensee and on no account be operated, handled or removed by any one who is not in the employment of the Distribution Licensee. Likewise the seals, name plates and distinguishing numbers of the marks of the Distribution Licensee affixed on the said property shall not be interfered with on any account or broken, removed or erased except by employees of the Distribution Licensee duly authorised for the purpose.

5.3.7 The Distribution Licensee may in the case of HT Consumer grant permission in writing on application by the Consumer permitting him to operate the Distribution Licensee's terminal switches, fuses or circuit breakers for purpose of isolating Consumer's HT apparatus in case of emergency, provided such operation by the Consumer does not affect continuity of supply to other Consumers.

5.3.8 Every Consumer shall compensate the Distribution Licensee for any damage and cost of making good any damage caused to the mains, apparatus or instrument or any other property of the Distribution Licensee in the Consumer's premises occasioned by reason of any act, neglect or default of Consumer, his servants or persons employed by him, and in addition, shall pay such penalties prescribed or lawfully due to the Distribution Licensee for continued unauthorized interference with the Distribution Licensee's property or seals.

5.4 INSPECTION AND TESTING AND APPROVAL FOR NEW CONNECTION:

5.4.1 Upon receipt of the completion and Test Report of LT installations or /and Test Certificate of the concerned Electrical Inspector for HT/EHT

installation in accordance with Rule - 63 of the Indian Electricity Rules, 1956, the Distribution Licensee shall notify to the Consumer or to his authorised representative the date and the time when the Distribution Licensee's representative proposes to inspect and test the installation. It will then be the duty of the Consumer to arrange and ensure that electrical supervisor or his electrical contractor is present at the time of inspection to give the Distribution Licensee's representative any information required by him concerning the installation. The above provisions shall also apply to any installation that remains disconnected/ unconnected for a period exceeding 6 months if it is LT and 12 months if it is HT/EHT.

5.4.2 No LT connection shall be made until the Consumer's installation has been inspected and tested by the Distribution Licensee and found satisfactory. No charge shall be levied for the first test carried out by the Distribution Licensee. Charges, as given in the relevant regulations accompanied with a fresh test report, for the subsequent tests shall be recovered if such tests are required to be carried out due to reasons not attributable to the Distribution Licensee.

5.4.3 No HT connection shall be made unless the installation has been inspected, tested and certified by Electrical Inspector. Distribution Licensee shall not be responsible for maintenance or testing or wiring on Consumers Premises.

5.4.4 Before taking the insulation test of the installation, wiring must be complete in all respects. All fittings or Apparatus must be connected to the conductors, and all fuses must be in place and all switches placed in the 'on' position before the tests are carried out. Temporary wires or fitting or dead ends should not be included in the installation and no part of the work should be left incomplete.

5.4.5 The insulation resistance shall be measured as under:

(a) High Tension/ Extra High Tension- Apparatus / Installations: The insulation resistance of HT installations at a pressure of 1000 V

applied between each live conductor and earth for a period of one minute shall be at least 1 megaohm or as specified by the Indian Standards Specifications from time to time.

(b) Low Tension Apparatus / Installations: The insulation resistance of low voltage installations at a pressure of 500 V applied between each live conductor and earth for a period of one minute shall be at least 1 Megaohm or as specified by the Indian Standards Specification from time to time.

5.4.6 Manufacturer's test certificates in respect of all High Tension Apparatus shall be produced, if required by the Distribution Licensee.

5.4.7 Before any wiring or Apparatus of the Applicants, including transformers, switch gear, etc. are connected to the Distribution Licensee's Distribution System, the same shall be subject to the inspection and testing by the Distribution Licensee's authorized Person. No connection shall be made without such testing. All EHT or HT installation shall 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 for the time being in force, or new Rules as may be framed under the Electricity Act, 2003.

5.4.8 Power supply shall commence when the Distribution Licensee's authorized Person is satisfied that installation is in accordance with the completion and test report as approved by the Distribution Licensee's engineer, and installation complies with other conditions of this Code, and installation complies with the relevant provisions of the rules which are in force at that moment of time.

5.4.9 The Distribution Licensee's authorized Person shall notify the Applicant in writing of any defect rectifiable noticed by him within three days of inspection. In such a case the Distribution Licensee's authorized Person may allow commencement of supply only after the defects in the installation are rectified to his satisfaction within stipulated time. If no intimation is received by the Applicant within

seven days of inspection, the installation will be deemed to have been approved.

5.4.10 If the Distribution Licensee denies to make a connection, he shall serve upon the Applicant a notice in writing stating the reasons for the same.

5.6 COMMENCEMENT OF SUPPLY

5.6.1 Within seven days of approval of the applicant's installation, the Distribution Licensee's authorized person shall commence Supply of power to the applicant under intimation to him. However, the overall time frame for release of new connection, mentioned in Standard of Performance of Licensee issued by GERC separately, shall be complied with by the Distribution Licensee. If the applicant fails to avail of the power within the period of sixty days from such intimation, he shall be liable to pay the demand charges and minimum monthly charges as applicable. The designated authority of the Distribution Licensee may, in special circumstances, extend the above period of sixty days.

5.7 FAILURE OF SUPPLY

5.7.1 Should at any time the Distribution Licensee's service fuse or fuses fail, notice thereof should be sent to the Distribution Licensee's local office or if there are sub-stations, to the nearest sub-station. Only authorised employees bearing the badge of the Distribution Licensee are permitted to replace these fuses in the licensee's cut-outs. Consumers are not allowed to replace these fuses and they will render themselves liable to penalty if the Distribution Licensee's seals placed to protect his apparatus are broken. The Distribution Licensee should not allow his employees to carry out any repair or replacement of fuses in the consumer's installation.

5.7.2 The Distribution Licensee shall not be liable for any claims 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, lock-out, fire, tempest lightning, earthquake or other force, accident or cause beyond his control.

5.8 ACCESS TO CONSUMER'S PREMISES

5.8.1 The Distribution Licensee or any person duly authorised by Distribution Licensee may, at any reasonable time, and on informing the occupier of his intention, enter any premises to which electricity is, or has been, supplied by him, or any premises or land, under, over, along, across, in or upon which the electric supply-lines or other works have been lawfully placed by him for the purpose of –

- (a) Inspecting, testing, repairing or altering the electric supply lines, meters, fittings, works and apparatus for the supply of electricity belonging to the Distribution Licensee; or
- (b) Ascertaining the amount of electricity supplied or the electrical quantity contained in the supply; or
- (c) Removing where a supply of electricity is no longer required, or where the Distribution Licensee is authorised to take away and cut off such supply, any electric supply-lines, meters, fittings, works or apparatus belonging to the licensee.

5.8.2 A Distribution Licensee or any person authorised as aforesaid may also, in pursuance of a special order in this behalf made by an Executive Magistrate and after giving not less than twenty-four hours notice in writing to the occupier, -

- (a) enter any premises or land referred to in sub-section (1) for any of the purposes mentioned therein;
- (b) enter any premises to which electricity is to be supplied by him, for the purpose of examining and testing the electric wires, fittings, works and apparatus for the use of electricity belonging to the consumer.

5.8.3 Where a Consumer refuses to allow the Distribution Licensee or any person authorised as aforesaid to enter his Premises or land in

pursuance of the provisions of Clause 5.8.1 or 5.8.2, when such Distribution Licensee or any person has so entered, refuses to allow him to perform any act which he is authorised by those clauses to perform, or fails to give reasonable facilities for such entry or performance, the Distribution Licensee may, after the expiry of twenty-four hours from the service of a notice in writing on the Consumer, cut off the Supply to the Consumer for so long as such refusal or failure continues, but for no longer.

5.9 EXTENSION AND ALTERATIONS

5.9.1 After the Supply of energy has commenced, should the consumer desire to have addition /reduction /alteration / modification of equipments / apparatus connected on his Premises, he shall submit the details of requisite supply in the application form attached hereto (Annexure A-I or Annexure A-II, as may be applicable), where after the Distribution Licensee shall submit to the consumer an estimate of the cost to be borne by the consumer for such alterations in the service line, service apparatus, meters, etc. as may be estimated by the Distribution Licensee.

5.9.2 After the Consumer has deposited the amount of the estimated cost of alterations and has complied with such other conditions as may have been notified to him, the Distribution Licensee shall carry out the necessary work of alteration to the service line etc. In the meantime, the Consumer, on completion of such additions in the installation as may be necessary, shall arrange for the submission of his licensed electrical contractor's completion and test report of the installation added to or altered in accordance with clause 5.4 above, and on receipt of this report, the Distribution Licensee shall inspect and test the extension in the Consumer's installation prior to switching on power Supply to such extension.

5.9.3 For the duration of the period in which alterations, addition or repairs are being executed, as required under clause 5.9.1 above supply to the Circuit which is being altered, added to or repaired, must be entirely disconnected and it shall remain disconnected until the alterations, additions or repairs have been tested and passed by the Distribution Licensee.

5.9.4 The Consumer shall not carry out any construction around the existing service position so as to hinder the access as already agreed. Should the construction become necessary due to remodelling of the structure or for any other reason, the Consumer shall immediately notify the Distribution Licensee and get the service position shifted at his cost to a mutually agreed position. Non-compliance shall be liable for disconnection after serving a notice of not less than seven days, subject to the provisions of the Acts, Rules and Regulations for the time being in force.

SECTION-6

Metering and power supply charges (bills) meters:

6.1.1 The Distribution Licensee shall comply with the regulations as may be formulated by Central Electricity Authority under the Electricity Act, 2003 with regard to metering of supply. In such a case, the Distribution Licensee may require the consumer to give him security for the price of a meter and enter into an agreement for the hire thereof, unless the Consumer opts to purchase a meter. In case of any difficulty in immediately complying with such Regulations formulated by Central Electricity Authority, the GERC may, by notification extend the said period of two years for a class or classes of persons or for such area as may be specified in that notification

6.1.2 Meter and Metering Apparatus and enclosures installed at Consumer's Premises shall be properly sealed, at all important points. Intimation regarding all seals affixed on the meter and metering

Apparatus shall be given in duplicate (one copy signed by the Consumer shall be retained by Distribution Licensee) to the Consumer at the time of release of connection as well as subsequent replacement. The Consumer shall ensure that all seals affixed on the meter and metering Apparatus shall remain intact and are not damaged or tampered with. Further the meter reader shall check the meter, meter seals and cut out during the meter reading at each billing cycle. Information about any visible abnormalities or irregularities in meter or meter seals or cut outs shall be given to Consumer as well as to designated personal of Distribution Licensee for taking corrective actions. One copy of such intimation shall be signed by the Consumer, which shall be retained by the Distribution Licensee and another copy shall be given to the Consumer.

6.1.3 In case of LT Consumers, the Distribution Licensee shall provide meter, meter enclosures, cut-outs and other equipments depending upon the requirement, at a place mutually agreed upon so as to have unobstructed access at all times.

6.1.4 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 Distribution Licensee for the purpose of housing the Distribution Licensee's metering equipment. Additionally with due permission of Distribution Licensee the same enclosure may be used by the Applicant for his own metering equipment, in case provided by Applicant as check meter at his own cost and risk.

6.1.5 In case of HT / EHT Consumers, the Distribution Licensee shall provide suitable meter including CTs and PTs, circuit breaker or air break switch (isolator) or high voltage fuse or other suitable device as the case may be. The Consumer should also provide similar controls on his side with due approval of Distribution Licensee and Electrical Inspector.

- 6.1.6 In case of a HT or EHT feeder directly taken to the Consumer's Premises for his exclusive use from the Distribution Licensee's sub-station or from the Transmission Licensee, the metering arrangement shall be done at the Consumer's Premises or, if mutually agreed between the Distribution Licensee and the Consumer, at the Distribution 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 Distribution Licensee at any time.
- 6.1.7 Should the Consumer dispute the accuracy of any meter, he may upon giving notice and paying the prescribed fees, have the meter tested by the Distribution Licensee. The correctness of the meter shall, where feasible, be ascertained at site in the presence of the consumer or his representative, without removing it from the installation. Whenever it is found necessary to further test the meter in the laboratory, consumer shall be informed and the meter shall be removed, duly wrapped and properly sealed, in his presence.
- 6.1.8 In the event of the meter being tested by the Distribution Licensee, either on his own or upon a request by a consumer and being found to be beyond the limits of accuracy as prescribed in the Rules in force, the amount of the bill for a period of three months immediately preceding the date of inspection of the meter in case of domestic and agricultural services and for a period of six months immediately preceding the date of inspection of the meter for all other categories of services, shall be estimated in accordance with the result of the test. Any evidence provided by consumer about conditions of working and / or occupancy of the concerned premises during the said period(s), which might have had a bearing on energy consumption, may be considered.

- 6.1.9 Any dispute in relation to the testing of the meter shall be dealt with in the manner provided in the Standards of Performance of the Distribution Licensee Regulations read with the Regulations for the Establishment of Forum for redressal of grievances of consumers and the Regulations for the Establishment of Ombudsman.
- 6.1.10 If the dispute is referred to the Forum/ Ombudsman, the Distribution Licensee shall not remove the meter from the installation. If the meter is already in a testing laboratory, it should be preserved in the same condition to the extent possible as it was in at the time of testing. In the event of the test being undertaken by the authorised person as directed by Forum/Ombudsman and the meter being found to be incorrect, the amount of the bill shall be estimated as specified in the clause 6.1.8 above.
- 6.1.11 Where the meter ceases to register consumption (stop meter) or is otherwise defective (and the degree of inaccuracy in its measurement is unknown), the amount of the bill shall be estimated as specified in the clause 6.1.8 above, on the basis of average consumption. The average consumption shall be calculated based on the figures for the preceding two or three billing cycles, when the meter was correctly/properly registering.
- 6.1.12 The Distribution Licensee shall not charge rent for the meter for the period it is found inaccurate or has stopped registering the energy consumption.
- 6.1.13 In case of the meter purchased by the consumer, the Distribution Licensee shall be entitled to assess the accuracy of such meter at the time of installation and at any time thereafter. Whenever such a meter is found erroneous or non-working, the Distribution Licensee is entitled to replace it. Thereafter, the consumer is allowed to replace the same with repaired meter or new meter after due testing by Distribution Licensee or consumer may also opt to continue with Distribution Licensee's meter.

6.1.14 In case of any doubt about the accuracy of meter, the Distribution Licensee may provide a check meter for a temporary period and if the consumer does not allow to provide a check meter, his power supply shall be liable for disconnection, subject to the provisions of the Acts, Rules and Regulations for the time being in force.

6.1.15 The time frame for resolution of complaints with regard to metering shall be in line with the relevant provision as mentioned in Standard of Performance of Licensee issued separately.

6.1.16 In the case of high tension consumer taking supply, up to and including 33 kV the Distribution Licensee shall normally provide the HT metering equipment for registering the demand as well as the energy consumed.

For those Consumers taking supply at 66 kV and above the Distribution Licensee shall only provide at own cost Trivector meter and the consumer shall at his own cost provide a suitable Current Transformer and Potential Transformer.

6.1.17 **READING OF METER:-**

(i) Readings of meters will be taken by the employees of the Distribution Licensee once in each billing period or at such other intervals or times as the licensee deems expedient. Such meter readers shall have access to the Consumers' Premises at all reasonable times for the purpose of such reading. The readings of each meter shall be entered by reader in the meter card and the consumer, if present and so desires shall be shown the reading.

(ii) When a Consumer leaves his Installation connected to the mains of the Distribution Licensee but locks up the meter or otherwise makes it inaccessible for reading by the Distribution Licensee's employee, then, for the first billing period of such inaccessibility, the Consumer shall be charged on the basis of the consumption recorded in respect of the

immediately preceding billing period subject to the minimum bill therefor under the provisions of the appropriate tariff and the consumption so billed shall be subject to adjustment as explained under sub-clause (iii) below.

(iii) When the meter is made accessible by the Consumer for the purpose of reading by the Distribution Licensee's employee and settling the account therefor the Consumer shall be charged an amount on the basis of the meter reading less the consumption recorded in the bills issued in respect of the preceding billing period when the meter remained inaccessible subject to minimum bill for the billing period in question.

(iv) If the meter remains inaccessible during the subsequent billing period (s) as well, the Consumer shall be charged on the basis of the consumption actually recorded in the latest preceding billing Period Subject to minimum bill and the consumption so billed shall be subject to adjustment as explained under sub-clause (iii) above. A consumer, who wilfully denies or creates condition of inaccessibility to the meter, shall be served a notice of not less than 7 days to give facilities for reading the meter by the Distribution Licensee's employee at a fixed time and date. If the Consumer fails to comply with the notice as aforesaid, the supply to the Consumer's Premises shall be disconnected.

6.1.18 Consumers about to vacate their Premises or intending to keep the Premises temporarily locked for period of a month or more or during the billing period, should give to the Distribution Licensee seven working days' notice in writing and arrange for facilities to enable the Distribution Licensee to record meter reading and to disconnect Supply to the Premises in accordance with such notice. In the absence of such a notice, the Distribution Licensee shall not be required to guarantee that the meter reading will be taken on the required date to enable the accounts to be submitted to the Consumers. Failing such notice and

facilities for meter reading and/or disconnection of the supply to the Premises from the mains, the Consumer shall be held responsible for all energy consumed at the Premises till such time, as the Distribution Licensee is able to disconnect the supply. Non reading of the meters shall not absolve the Consumer from his liability to pay minimum/maximum demand charges as may be applicable in accordance with the tariff schedule in force from time to time during period the Consumer has undertaken to take supply.

6.1.19 Where a consumer normally resides out station and requests in writing that supply to his premises should not be disconnected even-though the meter may not be made accessible for reading, his request will be complied with, provided he is agreeable to pay the minimum charges regularly during each billing period and to inform the local office immediately on his return to the station and to make the meter available for reading. In such cases, the consumption, if any, recorded by the meter will be taken as the consumption during the last billing period and not the total consumption spread over the preceding billing periods when the meter was inaccessible. These consumers will not be entitled to any adjustment of the units consumed towards the minimum charges paid by them during the period of inaccessibility of the meter. In the event of their failure to pay the minimum charges regularly during each billing period, the supply will be liable to be disconnected after due notice. Further, they should make the meter available for reading once in six months after giving reasonably adequate prior intimation in case of failure to do so the supply may be liable to be disconnected.

6.1.20 The Distribution Licensee is authorised to review the status of the meters already installed in the context of upgraded technology becoming available and suitability of the site where meter is placed in the consumer's premises. The Distribution Licensee may install remote metering device in the Consumer Premises as per the technical

requirements of the specific device. The Distribution License may also install maximum demand (MD) meter having MD recording feature or such additional features.

6.2 POWER SUPPLY CHARGES

6.2.1 Tariffs and charges for supply of electricity shall be as determined by GERC from time to time and shall cover as follows:

6.3 CONSUMER NOT TO INTERFERE WITH THE SUPPLY MAINS AND APPARATUS INCLUDING METER

6.3.1 The meter, cut-outs, MCB, service mains and other equipments belonging to the Distribution Licensee installed at consumers' premises must on no account be handled or removed by any one who is not authorised by the Distribution Licensee. The seals, fixed on meter, metering equipment, cut-outs, MCB and the Distributions Licensee's equipments shall not be tampered or damaged or destroyed or broken.

6.3.2 Whoever, -

(a) unauthorisedly connects any meter, indicator or apparatus with any electric line through which electricity is supplied by a licensee or disconnects the same from any such electric line; or

(b) unauthorisedly reconnects any meter, indicator or apparatus with any electric line or other works being the property of a licensee when the said electric line or other works has or have been cut or disconnected; or

(c) lays or causes to be laid, or connects up any works for the purpose of communicating with any other works belonging to a licensee; or

(d) maliciously injures any meter, indicator, or apparatus belonging to a licensee or willfully or fraudulently alters the index of any such

meter, indicator or apparatus or prevents any such meter, indicator or apparatus from duly registering,

shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to ten thousand rupees, or with both, and, in the case of a continuing offence, with a daily fine which may extend to five hundred rupees; and if it is proved that any means exist for making such connection as is referred to in clause (a) or such re-connection as is referred to in clause (b), or such communication as is referred to in clause (c), for causing such alteration or prevention as is referred to in clause (d), and that the meter, indicator or apparatus is under the custody or control of the consumer, whether it is his property or not, it shall be presumed, until the contrary is proved, that such connection, reconnection, communication, alteration, prevention or improper use, as the case may be, has been knowingly and willfully caused by such consumer.

6.3.3 The Consumer shall, as far as circumstances permit, take precautions for the safe custody of the Distribution Licensee's equipment on his premises and shall not interfere with or allow any one to interfere with the Distribution Licensee's meters or other apparatus in any way.

6.3.4 Complaints regarding lost meters will be entertained by the Distribution Licensee only if such complaints are accompanied by a copy of FIR lodged by the consumer with police station. In all such cases, the assessment shall be done after proper enquiry.

6.4 PAYMENT OF BILLS

6.4.1 The energy bills shall be paid by the consumer at any of the Distribution Licensee's specified payment centres within 10 days from the date of billing or on the date as specifically provided in the agreements for supply or the due date mentioned in the energy bill, failing which the consumer may be liable to pay the delayed payment

charges and / or may not be allowed the prompt payment discount as may be in force in respect of the rate applicable to the consumer or in the agreement executed by the consumer with the Distribution Licensee.

6.4.2 In case of complaints regarding electricity bills, the consumer shall follow the procedure laid in Standard of Performance of Licensee Regulations issued separately by GERC.

6.4.3 If the payment of energy bills is made by a cheque, the date of tendering the cheque at the Distribution Licensee's office or collection centre shall be considered as the date of payment except in the case of post dated cheque. No payment will be accepted through outstation cheque.

6.4.4 Cheque once dishonoured shall not be presented again to the bank and it shall be returned to the Consumer and the intimation of such cheque returning shall be sent to Consumer immediately. Such a Consumer shall then be required to make full payment as per billing procedures in cash/ demand draft or pay order only at his cost irrespective of the amount of the bill.

6.4.5 Any payment made by the Consumer shall be adjusted towards the arrears including delayed payment interest charges, if any outstanding against his account and no prompt payment discount shall be admissible in respect of the current monthly bill so long as any amounts against past dues remain outstanding against the consumer. The notice for payment of arrears may be incorporated in the bill itself or may be served separately.

In case the consumer who has been served the notice as aforesaid requiring him to pay the outstanding dues and the arrears shown in the notice within the period specified thereof in order to avoid the disconnection of power supply to his installation, pays an amount less than that in the notice, the same shall be accepted as part payment against his account and supply continued.

6.4.6 Bill shall normally be sent by hand delivery or by post. The Consumer shall notify the office of the Distribution Licensee if no bill is received within 10 days from the date of reading. Otherwise it will be deemed that bills have reached the Consumer in due time. In case the consumer approaches the Distribution Licensee for non-receipt of the bill, the Distribution Licensee shall respond promptly and issue him a duplicate bill.

6.4.7 Where any person neglects to pay any charge for electricity or any sum other than a charge for electricity due from him to a Distribution Licensee in respect of supply, transmission or distribution or wheeling of electricity to him, the licensee or the generating company may, after giving not less than fifteen clear days notice in writing, to such person and without prejudice to his rights to recover such charge or other sum by suit, cut off the supply of electricity and for that purpose cut or disconnect any electric supply line or other works being the property of such licensee or the generating company through which electricity may have been supplied, transmitted, distributed or wheeled and may discontinue the supply until such charge or other sum, together with any expenses incurred by him in cutting off and reconnecting the supply, are paid, but no longer:

Provided that the supply of electricity shall not be cut off if such person deposits, under protest, -

- (a) an amount equal to the sum claimed from him, or
- (b) the electricity charges due from him for each month calculated on the basis of average charge for electricity paid by him during the preceding six months,

whichever is less, pending disposal of any dispute between him and the licensee.

6.4.8 The Distribution Licensee shall not be eligible for recovery of the dues from the consumer after a period of two years from the date when such amount becomes first due, if such dues are not shown as arrears

continuously for a period of two years from the due date. The failure on the part of the Distribution Licensee to show such arrears continuously for a period of two years as arrears shall not entitle the Distribution Licensee to effect the disconnection of supply to the concerned consumer.

6.4.9 If the due date of the payment of the bill falls on public holidays, the next working day shall be treated as the due date.

6.4.10 When the Distribution Licensee proceeds to disconnect the supply of a Consumer for the non-payment of the Consumer's energy bill inclusive of past arrears, if the Consumer claims to have paid the said bill (on the same day or earlier), he must, to avoid disconnection, show the receipt to the representative of the Distribution Licensee who visits the installation for disconnection of supply. The date and amount of the receipt of payment of the relevant bill issued by or on behalf of the authorised representative of the Distribution Licensee only, shall be treated as conclusive proof of the date and amount of such payment.

SECTION-7

Restrictions

7.1 UNAUTHORISED USE OF ELECTRICITY

7.1.1 “ unauthorised use of electricity” means the usage of electricity –

(i) by any artificial means; or

(ii) by a means not authorised by the concerned person or authority or licensee; or

(iii) through a tampered meter; or

(iv) for the purpose other than for which the usage of electricity was authorised.

7.2 INVESTIGATION AND PROVISIONAL ASSESSMENT

- 7.2.1 If on an inspection of any place or premises or after inspection of the equipments, gadgets, machines, devices found connected or used, or after inspection of records maintained by any person, the assessing officer comes to the conclusion that such person is indulging in unauthorized use of electricity, he shall provisionally assess to the best of his judgement the electricity charges payable by such person or by any other person benefited by such use.
- 7.2.2 If the assessing officer reaches to the conclusion that unauthorised use of electricity has taken place, it shall be presumed that such unauthorized use of electricity was continuing for a period of three months immediately preceding the date of inspection in case of domestic and agricultural services and for a period of six months immediately preceding the date of inspection for all other categories of services, unless the onus is rebutted by the person, occupier or possessor of such premises or place.
- 7.2.3 The assessment under this section shall be made at a rate equal to one-and-half times the tariff rates applicable for the relevant category of services.
- 7.2.4 The assessment under this section shall be worked out in the manner prescribed in the **Annexure-B**.

7.3 MANNER OF SERVICE OF PROVISIONAL ASSESSMENT

- 7.3.1 The order of provisional assessment shall be served upon the person in occupation or possession or in charge of the place or premises in such manner as prescribed in Gujarat Electricity (Manner of Service of Provisional Assessment Order) Rules, 2004.
- 7.3.2 Any person served with the order of provisional assessment, may, accept such assessment and deposit the assessed amount with the licensee within seven days of service of such provisional assessment order upon him:

Provided that in case the person deposits the assessed amount he shall not be subjected to any further liability or any action by any authority whatsoever.

7.4 OBJECTION AGAINST PROVISIONAL ASSESSMENT

7.4.1 The person, on whom a notice has been served under sub clause 7.3.1, shall be entitled to file objections, if any, against the provisional assessment before the assessing officer, who may, after affording a reasonable opportunity of hearing to such person, pass a final order of assessment of the electricity charges payable by such person.

7.5 APPEAL AGAINST FINAL ASSESSMENT ORDER TO APPELLATE AUTHORITY

7.5.1 Any person aggrieved by a final order made under sub clause 7.4.1 (Section 126 of the Electricity Act, 2003) may, within thirty days of the said order, prefer an appeal in such form, verified in such manner and accompanied by such fee in accordance with the GERC regulations for the "Procedure For Filing Appeal Before the Appellate Authority".

7.5.2 No appeal shall lie to the appellate authority against the final order made with the consent of the parties.

7.5.3 No appeal against an order of assessment under sub clause 7.5.1 shall be entertained unless an amount equal to one third of the assessed amount is deposited in cash or by way of bank draft with the licensee and documentary evidence of such deposit has been enclosed along with the appeal.

7.5.4 The appellate authority shall dispose of the appeal after hearing the parties and pass appropriate order and send copy of the order to the assessing officer and the applicant.

7.5.5 The order of the appellate authority shall be final.

7.5.6 When a person default in making payment of assessed amount, he, in addition to the assessed amount shall be liable to pay, on the expiry of thirty days from the date of order of assessment, an amount of

interest at the rate of sixteen per cent per annum compounded every six months.

7.6 THEFT OF ELECTRICITY

7.6.1 Whoever, dishonestly, --

(a) taps, makes or causes to be made any connection with overhead, underground or under water lines or cables, or service wires, or service facilities of a licensee; or

(b) tampers a meter, installs or uses a tampered meter, current reversing transformer, loop connection or any other device or method which interferes with accurate or proper registration, calibration or metering of electric current or otherwise results in a manner whereby electricity is stolen or wasted; or

(c) damages or destroys an electric meter, apparatus, equipment, or wire or causes or allows any of them to be so damaged or destroyed as to interfere with the proper or accurate metering of electricity, so as to abstract or consume or use electricity shall be punishable with imprisonment for a term which may extend to three years or with fine or with both:

Provided that in a case where the load abstracted, consumed, or used or attempted abstraction or attempted consumption or attempted use-

(i) does not exceed 10 kilowatt, the fine imposed on first conviction shall not be less than three times the financial gain on account of such theft of electricity and in the event of second or subsequent conviction the fine imposed shall not be less than six times the financial gain on account of such theft of electricity; than three times the financial gain on account of such theft of electricity and in the event of second or subsequent conviction, the sentence shall be imprisonment for a term not less than six months but which may extend to five years and with fine not less than six times the financial gain on account of such theft of electricity:

(ii) exceeds 10 kilowatt, the fine imposed on first conviction shall not be less than three times the financial gain on account of such theft of electricity and in the event of second or subsequent conviction, the sentence shall be imprisonment for a term not less than six months but which may extend to five years and with fine not less than six times the financial gain on account of such theft of electricity:

Provided further that if it is proved that any artificial means or means not authorized by the Board or licensee exist for the abstraction, consumption or use of electricity by the consumer, it shall be presumed, until the contrary is proved, that any abstraction, consumption or use of electricity has been dishonestly caused by such consumer.

7.6.2 Any officer authorized in this behalf by the State Government may -

(a) enter, inspect, break open and search any place or premises in which he has reason to believe that electricity has been or is being used unauthorisedly;

(b) search, seize and remove all such devices, instruments, wires and any other facilitator or article which has been or is being used for unauthorized use of electricity;

(c) examine or seize any books of account or documents which in his opinion shall be useful for or relevant to, any proceedings in respect of the offence under sub-section (1) and allow the person from whose custody such books of account or documents are seized to make copies thereof or take extracts therefrom in his presence.

7.6.3 The occupant of the place of search or any person on his behalf shall remain present during the search and a list of all things seized in the course of such search shall be prepared and delivered to such occupant or person who shall sign the list:

Provided that no inspection, search and seizure of any domestic places or domestic premises shall be carried out between sunset and

sunrise except in the presence of an adult male member occupying such premises.

7.6.4 The provisions of the Code of Criminal Procedure, 1973, relating to search and seizure shall apply, as far as may be, to searches and seizure under the Electricity Act, 2003.

7.6.5 The assessment for the theft of electricity shall be made in accordance with section 7.2.

7.6.6 In case of prima-facie clear evidence of theft of electricity as specified in the sub-sections (a), (b) and (c) of the section 135 of the Electricity Act, 2003, the installation will be liable for disconnection.

If the consumer pays the amount of assessment for the theft of electricity, the licensee shall forthwith restore the connection.

7.6.7 In case of any dispute including any dispute about assessment, the matter should be submitted forthwith by licensee for cognizance in the Court (within whose jurisdiction it has arisen) as specified under section 151 of the Act. Any direction needed in connection with such matters shall be obtained from the Court.

7.6.8 If any clarifications regarding these matters covered in this Code are issued by Government of India or by higher judicial fora, they will be treated as part of the Supply Code.

7.7 COMPOUNDING OF OFFENCE

7.7.1 Notwithstanding anything contained in the Code of Criminal Procedure 1973, the State Government or any officer authorized by it through the Notification No. ELA-2004-(38)-110309539-K dated 5-6-2004 as amended time to time in this behalf may accept from any consumer or person who committed or who is reasonably suspected of having committed an offence of theft of electricity punishable under this Act, a sum of money by way of compounding of the offence as specified in the Table below:

TABLE

| Nature of Service | Rate at which the sum of money for compounding to be collected -per Kilowatt (KW)/Horse Power (HP) or part thereof for Low Tension (LT) supply and -per Kilo Volt Ampere (KVA) of contracted demand for High Tension (HT) |
|-------------------------|---|
| 1. Industrial Service | Rs. 20,000 |
| 2. Commercial Service | Rs. 10,000 |
| 3. Agricultural Service | Rs. 2,000 |
| 4. Other Services | Rs. 4,000 |

Provided that the State Government may, by notification in the Official Gazette, amend the rates specified in the Table above.

7.7.2 On payment of the sum of money in accordance with sub-section, any person in custody in connection with that offence shall be set at liberty and no proceedings shall be instituted or continued against such consumer or person in any criminal court.

7.7.3 The acceptance of the sum of money for compounding an offence in accordance with sub-section 7.7.1 by the State Government or an officer authorised in this behalf empowered in this behalf shall be deemed to amount to an acquittal within the meaning of section 300 of the Code of Criminal Procedure, 1973.

7.7.4 The Compounding of an offence under sub-section 7.7.1 shall be allowed only once for any person or consumer.

7.8 NEGLIGENCE BREAKING OR DAMAGING WORKS

7.8.1 Whoever, negligently breaks, injures, throws down or damages any material connected with the supply of electricity, shall be punishable with fine which may extend to ten thousand rupees.

7.9 POWER OF SPECIAL COURT

7.9.1 Notwithstanding anything contained in the Code of Criminal Procedure, 1973, every offence punishable under clauses 7.6 and 7.8 (sections 135 to 139 of the Electricity Act, 2003) shall be triable only

by the Special Court within whose jurisdiction such offence has been committed.

7.10 PENALTY FOR INTENTIONALLY INJURING WORKS

7.10.1 Whoever, with intent to cut off the supply of electricity, cuts or injures, or attempts to cut or injure, any electric supply line or works, shall be punishable with fine which may extend to ten thousand rupees.

SECTION- 8

GENERAL PROVISIONS

8.1 FAILURE AND INTERRUPTION OF SUPPLY

8.1.1 The Distribution Licensee shall take all reasonable precautions to ensure continuity of power to the consumer. However except, subject to a contract to the contrary, the Distribution Licensee shall not be responsible for any loss to Consumer or damage to Consumer's plant and equipment due to interruptions / fluctuations in supply of power. Such damage to the Distribution Licensee's plant and equipment may arise from the reasons including but not limited to war, mutiny, riot, earthquake, cyclone, tempest, strike, civil commotion, lock-out, lightning, fire, flood, accident or breakdown of plant and machinery, load shedding as suggested by SLDC or causes beyond control of the Distribution Licensee. The Distribution Licensee shall communicate through convenient media as early as possible of the probable duration of such interruptions in supply of power to the consumers.

8.1.2 The Distribution Licensee may curtail, stagger or cut off, for such period as may be necessary, the supply of electricity if the power position or any other technical emergency warrants such action.

8.1.3 The Distribution Licensee shall always be entitled for reasons of testing or outages or maintenance or any other cause for efficient working of the undertaking to temporarily discontinue the supply for such period as may be necessary. The Distribution Licensee shall however, endeavour wherever possible to give advance notice in this behalf with the object of causing minimum inconvenience to the Consumer.

8.2 PROVISIONS FOR LOAD SHEDDING

8.2.1 Notwithstanding anything contained in any agreement or undertaking executed by a Consumer with Distribution Licensee or in the tariff applicable to him, the Consumer shall restrict the use of electricity in terms of his maximum demand and/or stagger energy consumption in the manner and for the period as maybe specified in any order that may be made by the state load despatch centre or the state government or the Distribution Licensee to maintain orderly grid operation. The Distribution Licensee shall inform the bulk/ HT Consumers about such restrictions as early as possible by any convenient communication mode for minimising inconvenience.

8.3 PREJUDICIAL USE OF SUPPLY

8.3.1 Harmonics: In any installations the Total Harmonic Distortion (THD) shall not exceed the limit as specified by the Central Electricity Authority in the Grid Connectivity Standards applicable to the Distribution Systems. The Consumer will take appropriate measures to restrict the THD to the stipulated limit.

8.3.2 All the users operating the power generating plant in parallel with the grid shall comply with the terms and conditions of the agreement for such connectivity laid down by the Distribution Licensee. Such units shall also promptly comply with any direction that may be issued by the SLDC or the Distribution Licensee in the interest of orderly operation of the grid.

8.3.3 The Consumer shall not keep connected to the Distribution Licensee's supply system any apparatus including phase splitters (*known as tetas in Gujarati*) which in the Distribution Licensee's opinion may interfere with or effect injuriously the Distribution Licensee's supply to other Consumers.

8.3.4 The Consumer shall not exceed the contracted load beyond 10% limit without the specific permission of the Distribution Licensee. The

Consumer shall not add, alter, and / or extend the electrical installation beyond the agreed contract demand without the permission of the Distribution Licensee.

8.4 DEMAND SIDE MANAGEMENT

8.4.1 Every consumer shall endeavour to minimise wastage and inefficient use of electricity and extend necessary co-operation to the Distribution Licensee in implementation of the programmes for demand side management.

8.5 STANDARDS OF PERFORMANCE AND PROCEDURE FOR REDRESSAL OF CONSUMER GRIEVANCES

8.5.1 The Consumers, who have any complaints, may approach the “Complaint Redressal Committee” of the Distribution Licensee. In case they are not satisfied, then they may approach the Forum / Ombudsman for resolution of their complaints as laid down in GERC’s regulations establishing such Forums/Ombudsman.

8.6 SERVICE OF NOTICE

8.6.1 Any notice by the Distribution Licensee to a Consumer shall be deemed to be duly given, if served in writing addressed to the Consumer and hand delivered or left at, or sent by post or any other mode permitted under law to the address specified in the Consumer's application or as subsequently notified to the Distribution Licensee.

8.6.2 Any notice by the Consumer to the Distribution Licensee shall be deemed to be duly given, if served in writing addressed to the Distribution Licensee and hand delivered or sent by post or by any other mode permitted under law to the office from where the bill is served upon the Consumer.

8.7 DISCONTINUANCE OF SUPPLY

8.7.1 If any Consumer adopts any electrical appliance which is likely to affect injuriously the supply to other Consumers or uses the energy supplied or deals with it in any manner so as unduly or improperly to interfere with the efficient supply of energy to any other person by the Distribution Licensee, or fails to keep in proper order any meter and/or installation belonging to him by which the supply is registered, the Distribution Licensee may discontinue the Supply after giving seven clear days notice, subject to provisions of the Acts, rules and regulations for the time being in force, for so long as such an appliance is so adopted or the energy is so used or dealt with or the meter and/or installation is not kept in proper order. The Distribution Licensee may indicate a list of such appliances in general along with the remedial measures considered necessary for adopting the same.

8.7.2 The Distribution Licensee shall not be bound to give or continue the Supply if the Electrical Inspector is not satisfied that the electric supply lines, fittings, works or any other Apparatus within the said premises are in proper condition and are likely to affect injuriously the use of energy by the Distribution Licensee or by other persons.

8.7.3 In the event of the supply being disconnected for any reasons detailed above, all the money then payable by the consumer shall become recoverable forthwith. The consumer shall also continue to pay the monthly minimum charges, if any, for the un-expired period of the Agreement or where there is no written Agreement for the period, which would have been applicable, if an Agreement had been executed.

8.7.4 If power supply to any consumer remains disconnected for a period of six months for non-payment of electricity charges or any other charges or non compliance of any direction under this code and effective steps have not been taken by the consumer to remove the

cause of disconnection, the Agreement of the licensee with the consumer for supply of electricity shall be deemed to have been terminated with consequential effect on expiry of the such period of six months. On termination of the Agreement, the Distribution Licensee have right to remove the service line and other installation through which the supply of electricity was commenced and the consumer has no right regarding refund of the service line charges paid initially while taking the service. The supply of electricity to the consumer once disconnected for theft or unauthorised use and if no reconnection order has been given by the assessing authority or by Special Court then the licensee has right to remove the service and the apparatus.

8.7.5 In case of disconnection of supply for non payment of any charge for electricity or any sum other than a charge for electricity dues from the consumer to the Distribution Licensee in respect of supply or wheeling of electricity to the consumer, he will not be permitted to have electricity connection from any other Distribution Licensee.

8.7.6 Distribution Licensee may, in the event of any consumer's non-compliance even after due notice, of any specific condition or direction and if such non-compliance can reasonably be expected to effect system operations and safety, disconnect supply to such consumer. In cases of emergency, disconnection may be effected immediately in the interest of system operations and safety. The connection should be immediately restored as soon as the originating causes leading to the disconnection are removed or rectified.

8.8 MULTIPLE VIOLATIONS

8.8.1 If any consumer commits more than one violation in the same service connection, each violation shall be dealt with separately. The penalty shall be levied separately for each such violation, as applicable.

8.9 INTERPRETATION

8.9.1 The provisions under this code shall be read and construed as being subject in all respects to the provisions of the Electricity Act, 2003 and the Rules made there under, besides any restrictions and control orders that may be in force. Nothing herein above contained in these Regulations shall abridge or prejudice the rights or remedies of the Distribution Licensee and the Consumer under any Act or Laws in force.

8.10 POWER TO REMOVE DIFFICULTIES

8.10.1 If any difficulty arises in giving effect to any of the provisions of this Code, the matter may be referred to the Gujarat Electricity Regulatory Commission, who after due process, may pass any general or special order, which appears necessary or expedient, for the purpose of removing the difficulty.

8.11 SAVINGS:

8.11.1 Nothing in this Code shall be deemed to limit or otherwise affect the inherent power of the Gujarat Electricity Regulatory Commission to make such orders as may be necessary for ends of justice to meet or to prevent abuses of the process of the Commission.

8.11.2 Nothing in this Code shall bar the Gujarat Electricity Regulatory Commission from adopting in conformity with the provisions of the Act a procedure, which is at variance with any of the provisions of this Code, if the Commission, in view of the special circumstances of a matter or class of matters and for reasons to be recorded in writing, deems it necessary or expedient for dealing with such a matter or class of matters.

8.11.3 Nothing in this Code shall, expressly or impliedly, bar the Gujarat Electricity Regulatory Commission dealing with any matter or exercising any power under the Act for which no Codes have been

framed, and the Commission may deal with such matters, powers and functions in a manner it thinks fit.

AHMEDABAD
31st March, 2005

P. S. SHAH
SECRETARY

Annexure A – I

(FORM OF REQUISITION FOR L.V SUPPLY OR ADDITIONAL L.V SUPPLY OF ELECTRICAL ENERGY)

| | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Type of premises | | | | | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Residential | Commercial | Industrial | Institution | Others | |
| Agricultural | | | | | |

To, Application
No:

The... Date:

(Note: Applicant is requested to fill his / her name with all the details clearly and to sign)

I/We hereby require you to supply electrical energy for the premise owned/occupied by me/us. Details supported by necessary evidences are furnished hereunder.

Details of Applicants: Full Name of Applicants:

(Begin with
surname)

Legal Status of the
Applicant:

| | | |
|------------|----------|-----------|
| Apartment: | Flat No: | Floor No: |
|------------|----------|-----------|

| | | |
|----------|----------|--------------|
| Society: | Plot No: | Sub Plot No: |
|----------|----------|--------------|

| | | |
|---------|----------|-----------|
| Street: | Mahollo: | House No: |
|---------|----------|-----------|

| |
|---------|
| Others: |
|---------|

| | | |
|-------------------------|-----------------|----------|
| Res. Survey No/Village: | City Survey No: | Ward No: |
|-------------------------|-----------------|----------|

| | | |
|-----------------|----------------|-------|
| T.P. Scheme No: | Final Plot No: | City: |
|-----------------|----------------|-------|

| | | |
|--|--|--------------|
| | | Pin Code No: |
|--|--|--------------|

| | |
|--|--|
| Name of the occupier of the land/premises (evidence to be attached) | |
|--|--|

| | |
|--|--|
| | |
|--|--|

| | |
|------------------------|--------|
| Transfer of Connection | Yes/No |
|------------------------|--------|

| | |
|------------------------------------|--|
| Name of Original Consumer (if yes) | |
|------------------------------------|--|

| | |
|--|--|
| | |
|--|--|

| | |
|--------------------------|--|
| Purpose of the Industry: | |
|--------------------------|--|

| | |
|--|--|
| | |
|--|--|

| | |
|----------------------------|--|
| Details of Load(kilowatts) | This requisition is for the following purpose: |
|----------------------------|--|

| | | | | |
|--|--------------------------|-----------------------|------------------------------------|--|
| | Existing Sanctioned Load | New/Additional Demand | New Connection | |
| | | | Extension in Existing Installation | |
| | | | Reduction in Existing Installation | |

| | | | | |
|--|--|--|---|--|
| | | | Reconnection | |
| Light, Fan & other appliances | | | Consumer Service No: (copy of bill to be attached) | |
| Motive Power | | | Name of the Consumer | |
| Total | | | | |
| Present Postal Address of the applicant: | | | | |
| | | | | |
| Telephone No (Res) : | | | Office / Factory : | |
| Near by consumer No: | | | Fax No: | |

| | | | | |
|----------------------------------|--|--|--|---------------|
| Details of the premises | | Name Change (Necessary evidences to be attached) | | |
| Individual | | Existing Consumer's Service No: | | |
| Industrial Complex | | | | |
| Residential Complex | | Existing Consumer's Name: | | |
| Residential & Commercial Complex | | | | |
| Others | | | | |
| Licensed Electrical Contractor. | | License Number | | Telephone No: |
| | | | | |

Details of Licensed Electrical Contractor shall be furnished alongwith the application form. However, in absence of the same, the Applicant may furnish the details subsequently on request of Distribution Licensee

DECLARATION

I/We hereby declare that I/We desire to have and agree with Distribution Licensee to take a supply of energy for the above mentioned purposes for period of not less than two years from the date of commencement of the electrical energy and to be bound by the Distribution Licensee’s appropriate tariffs, and charges and conditions of supply applicable to me/us as in force from time to time.

| | | |
|---|--|--|
| Applicant’s Signature: | | |
| Name & signature of witness: | | |
| <p>In case of thumb impression, Signature & name of witness is necessary</p> <p>In case of Firm/Association Power of attorney Holder signature must be supported by official seal</p> | | |

Note:

1. It is requested to fill complete and correct information in relevant columns. Applicant will be held responsible for filling incomplete or incorrect information.
2. While submitting test report complete details regarding load and machineries should be mentioned in it, e.g. Name of the Manufacturer of Motor, Kilowatt/Horse power, Ampere, Voltage and purpose of the Motor.

3. In case of application for transfer of name, the Applicant shall comply with the relevant regulations.
4. In the case of application for transfer of name, the lieu of deceased person is required to submit the Death Certificate as well as the succession certificate.
5. As regards to the ownership of the land, copy of the extract of relevant revenue records or property card along with tax bill also required to be submitted.
6. In case the applicant is a partnership firm, necessary partnership deed and registration certificate thereof are required to be submitted.
7. If the occupier is unable to obtain 'no objection certificate' from the owner of the premises, he may visit company's officer personally.
8. In order to obtain necessary statistical data and to provide better service to the consumer the applicant is requested to furnish the required detail properly in this requisition form.

ANNEXURE A – II

(FORM OF APPLICATION FOR HIGH VOLTAGE SUPPLY OF ELECTRICAL ENERGY) (NOT LESS THAN 100 KVA)

- (a) I/We hereby require you to supply electrical energy to the premise owned/occupied by me/us hereafter described.
- (b) I/We hereby agree to take supply and pay for the said energy, service connection and other dues including the deposit of such security as may be demanded in accordance with the rates and conditions of supply in force from time to time and further declare and agree to take supply of energy for the under mentioned purpose for my/our bonafied use for a period of not less than two years from the date of commencement of supply.
- (c) I/We also undertake to receive supply within sixty days from the date the Distribution Licensee intimates that it is ready to give supply to our premises, failing which I/We undertake to pay the minimum charge as may be prescribed.
- (d) Applicants have to furnish following particulars.

1. Name of the applicant:

2. Connection Type: New / Transfer.

2(a) If Yes, Name of Original Consumer:

3(a) Status of the applicant:

(Property concern/partnership firm /Co-operative Society/Public limited Company / Private limited Company/Registered Trust/Government Dept.)

3(b) Registration No: in case of Co-operative Society

3(c) No. given by the registrar of Companies in case of private public limited companies.

- 3(d) In case of partnership firm whether the deed of partnership is registered.
4. Address of the registered office of the applicant.
5. Address where the correspondence is desired to be made.
6. Address of the place where power supply is required.
- 7(a) Existing Contract Demand in KVA (Only applicable for Consumer requiring change in contract Demand).
- 7(b) If Yes, furnish copy of Agreement for existing Contract Demand.
- 7(c) New Contract Demand in KVA and supply voltage required.
8. Quantum of electrical power.....kVA for Permanent Supply required.
9. Tentative date by which power required (or is expected to be utilised)
10. Please give complete details of the process and final product.
11. Name and designation of the person(s) who is/are authorised to execute the Agreement for power supply on behalf of the applicants.
12. Name and /or designation of the person(s) who is /are authorised to correspond with the Distribution Licensee on behalf of the applicant for day to day work. Xerox copy & the letter/ Distribution Licensee's resolution under which authority is given to above person.
13. Name/or designation of the person(s) who is /are authorised to deal with the contractual matter on behalf of the applicant.
14. Whether any low Voltage connection is existing if so, please furnish full details of the same (connection no., connected load, place, purpose for which power is utilised etc.)
15. Whether the supply is asked for (i) expansion or (ii) extension of the existing industry or (iii) for altogether a new industry in the state.

16. Whether power is obtained at present from source other than the Distribution Licensee.

If yes, details of the same to be given.

17. Whether power is generated by own generating set? If yes, details to be given.

18. What is fixed capital investment of the proposed unit. (Certificate from the chartered accountant or from industries Commissioner on the basis of project in respect of its fixed capital investment may be furnished)

(i) Of the existing plant

(ii) Of the expansion if any, proposed.

19. Whether proposed industrial unit is located in any GIDC or private estate. (if so , name of the estate may please be given)

Whether proposed industrial unit is situated within a radius of 5 km of a GIDC industrial Estate.

20. Whether the proposed unit is an industrial undertaking engaged in manufacturing goods or a service industry, please describe in detail furnishing also the following particular.

(i) SSI registration number if is a small scale industry.

(ii) DGTD, New Delhi's registration number or industrial license number if it is a medium and large scale industry.

21. Please enclose 6 copies of the plans of small size with key plan showing clearly location of the premises, boundary of the premises, the public roads (with the name of the road), if any, inside and outside the premises and lands, if any, belonging to outside agency intervening the premises.

Following information in the site plan also be furnished.

(I) Name of village/villages/town in the revenue limit of which the premises of our proposed unit falls.

(II) Name of Taluka/Talukas under the revenue limit of which the above said village falls.

(III) Name of District/Districts in the revenue limit of which the above said village falls.

21. Additional information if any.

| | |
|--------|--|
| Date: | Signature: |
| Place: | Designation: (Authorised Signatory) |

ANNEXURE - B

Guidelines for Assessment (Refer Section- 7.2.4)

1. In case of LT consumers :

The quantity of units consumed per month shall be worked out in the manner prescribed

$$\text{Consumption per month} = \frac{\mathbf{A \times C \times D}}{\mathbf{B}}$$

Where

A is total connected load found at time of inspection.

B is diversity factor.

C is an average load factor.

D is the number of hours in a month.

For the assessment of energy consumed, the diversity factors and the average load factors for the various categories of consumers shall be taken as under.

Load Factor and Diversity Factor:

| Sr. No. | Category | Purpose | Diversity Factor | Load Factor | |
|----------------|---------------------------|--------------------------|-------------------------|---------------------------|--|
| 1 | Residential Consumers | Lighting and Fans | 2.5 | 30% | |
| | | Heating appliances | 1.0 | 15% | |
| | | Cooling appliances | | | |
| | | Feb-Oct | 1.0 | 50% | |
| | | Nov-Jan. | 1.0 | NIL | |
| 2 | Non-Residential Consumers | Lighting and Fans | 1.0 | 35% | |
| | | Heating appliances | 1.0 | 50% | |
| | | Cooling appliances | 1.0 | 40% | |
| 3 | LT (Industrial) Consumers | Engineering Workshop | 1.5 | 30% for one Shift | |
| | | | | 50% for two Shift | |
| | | | | 70% for three Shift | |
| | | | | Each shift of eight hours | |
| | | Powerlooms and Textile | | | |
| | | (i)Looms & Textiles Load | 1.2 | 40% for one Shift | |

| | | |
|-------------------------|-----|-----------------------|
| | | 70% for two Shift |
| | | Each Shift of 12 Hrs. |
| (ii)Twisting M/c. Load | 1.2 | 45% for one Shift |
| | | 90% for two Shift |
| | | Each Shift of 12 Hrs. |
| Ice-cream Manufacturing | | |
| Feb-Oct | 1.0 | 80% |
| Nov-Jan | 1.0 | 60% |
| Ice-Factory | | |
| Feb-Oct | 1.0 | 80% |
| Nov-Jan | 1.0 | 40% |
| Cold Storage | | |
| Feb-Oct | 1.0 | 75% |
| Nov-Jan | 1.0 | 50% |
| Society Water Pumps | 1.0 | 25% |
| Cinema/Theaters | 1.5 | 60% |
| Floor Mills | 1.0 | 30% |
| Ginning & Pressing | 1.2 | 60% |
| Foundry | 1.5 | 50% |
| Plastic | 1.2 | 50% |

| | | | | |
|---|---|---------------------------------|-----|-------------------------------|
| | | Rubber | 1.2 | 50% |
| | | Mining, Quarry & Stone Crushing | 1.2 | 60% |
| | | Chemicals | 1.2 | 60% |
| | | Textile Processing Units | 1.2 | 70% |
| | | Diamond Industry | 1.5 | 50% for one shift of 12 hours |
| | | Others | 1.5 | 30% for one shift |
| | | | | 60% for two shift |
| | | | | 80% for three shift |
| | | | | Each shift of eight hours |
| 4 | Direct connection for any category | Agricultural category | 1.0 | 50% |
| | | Any other category | 1.0 | 100% |
| 5 | Agricultural consumers under Metered tariff | | 1.0 | 40% |
| 6 | Temporary Power Supply | | 1.0 | 50% |

2. In case of HT consumers:

In case of HT consumer, the actual maximum demand shall be considered an equivalent to 75% of the total connected load of the consumer at the time of inspection subject to a minimum of the contracted demand and the energy consumption shall be as assessed as under:

Assessed units per months = M x H x C

Where M = Demand in KW (KVA x PF)

H = Nos. of Hours in month

C = Load Factor

| Category of HT consumers | Load Factor |
|---------------------------------|--------------------|
| Hotels | 65% |
| Large Commercial Complexes | 60% |
| Iron & Steels | 60% |
| Foundry | 60% |
| Steel Rolling Mills | 60% |
| Chemicals Factory | 80% |
| Paper Mills | 85% |
| Textile | 75% |
| Cement | 70% |
| Fertilizers | 70% |
| Oil Mills | 70% |
| Solvents | 70% |
| Ginning and pressing | 60% |
| Engineering Goods | 50% |
| Ice | 75% |
| Cold Storage | 75% |

| | | |
|------------------------------------|-------------------|--------------------|
| Sugar & Khandsari | 60% | |
| Dairy | 75% | |
| Mining, Quarry & Stone Crushing | 50% | |
| Plastic & Rubber | 60% | |
| Cinema | 60% | |
| Oxygen | 80% | |
| Direct Connections | 100% | |
| Others | 8 Hours' Shift | 12 Hours' Shift |
| | 30% - 1 Shift | 45% - 1 Shift |
| | 60% - 2 Shift | 90% - 2 Shift |
| | 90% - 3 Shift | |