

GUJARAT ELECTRICITY REGULATORY COMMISSION GANDHINAGAR

Draft Gujarat Electricity Regulatory Commission (Electricity Supply Code and Related Matters)
(First Amendment) Regulations, 2016

The Gujarat Electricity Regulatory Commission 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 notified the Gujarat Electricity Regulatory Commission (Electricity Supply Code and Related Matters) Regulations, 2015 vide notification dated 24th September 2015 taking reference of the Model Supply Code of the Forum of Regulators.

The Supply Code Review Panel was also formulated in accordance with Clause 1.1 of the principal regulations. The role of the Supply Code Review Panel is also to consider and deliberate on the requests received for amendments in the Supply Code Regulations and recommend the conclusion of the deliberations to the Gujarat Electricity Regulatory Commission. The Electricity Supply Code Review Panel deliberated on the proposals received from distribution utilities, various consumers and consumers' organizations for amendments in the Supply Code Regulations and sent the final recommendations to the Commission. The Commission deliberated on the proposed amendments and now intends to amend the principal regulations. Brief information about the proposed amendment in the Gujarat Electricity Regulatory Commission (Electricity Supply Code and Related Matters) Regulations, 2015 is as under;

1. Looking to the insufficient details available in the Municipal tax receipt, the Commission now decides to consider Municipal Demand Notice as acceptable proof of residence.
2. Considering requests of the Supply Code Review Panel, in the instances of dishonor of cheque, the Commission has decided to give chance to consumers to pay the dues through RTGF/NEFT also along with the option of cash payment.
3. After deliberation on recommendation of the Electricity Supply Code Review Panel about replacing word 'direct theft' with 'theft', the Commission found it appropriate to do so considering various means of the electricity theft, the relevant clause of the Code.

4. Looking at the difficulties arising in practical implementation of pasting the inspection report at the conspicuous place in/outside the premises and photograph it in case of theft of electricity, the Commission proposes to consider to use 'may be pasted' word in place of 'must be pasted', in the relevant clause of the Code.
5. It was brought to the notice of the Commission that there is a typographical error in clause 8.5 of the principle regulations, the Commission decides to correct the same.
6. The existing provisions of considering 40% load factor in assessing energy in case of theft/unauthorized use of electricity for the agriculture metered consumers leads to irrational consideration of number of hours for which electricity is supplied in agriculture dominant feeder. The Commission finds it appropriate to revise the load factor from 40% to 25% in case of theft/unauthorized use of electricity from agriculture dominant feeder. For the assessment of energy in case of theft/unauthorized use of electricity by agriculture metered consumers from the feeder other than agriculture dominant feeder the Commission decides to consider load factor as 50%.
7. The existing provision of considering 100% load factor for assessment of energy in case of theft/unauthorized use of electricity through direct theft leads to exorbitant amount of assessment for even low-end/ middle class users causing hardship to them. The distribution utilities are also experiencing difficulties in effecting recovery from such users. The Supply Code Review Panel has recommended rationalization in existing load factor of 100% in the interest of realistic assessment and quick recoveries. The Commission has tried to balance the interest of such users as well as distribution utilities and also to curb theft of electricity in reasonable and result oriented manner by rationalizing load factor as 1.5 times the load factor for respective consumer categories subject to maximum of 100%.
8. The Supply Code Review Panel suggested to provide a separate priority window at collection centre for senior citizens, physically challenged persons and women instead of creating a separate collection centre for them. The Commission finds it appropriate to accept the suggestion of the Supply Code Review Panel.
9. The Supply Code Review Panel suggested to empower the licensees to take action as per the provisions of the Electricity Act in case of default in payment of the assessed amount by the consumers assessed under Section 135 of the Act instead of existing provision of approaching designated Special Courts only.