

BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION GANDHINAGAR

In the matter of:

GERC (Electricity Supply Code and Related Matters) (Third Amendment) Regulations, 2023.

CORAM:

**Anil Mukim, Chairman
Mehul M. Gandhi, Member
S.R. Pandey, Member**

STATEMENT OF REASONS

1. BACKGROUND:

In exercise of powers conferred by sub-section (1) read with clause (z) of sub-section (2) of section 176 of the Electricity Act, 2003, the Ministry of Power, Government of India, has notified the Electricity (Rights of Consumers) Rules, 2020 (referred onwards as the GoI Rules) vide Notification dated 31.12.2020. Subsequent Amendment in these Rules has also been notified vide Notification dated 28.06.2021.

It is mandated upon the State Electricity Regulators, vide Ministry of Power Letter dated 18.01.2021, to either make new Regulations or amend existing Regulations to align the Regulations with the said Rules notified by the Ministry of Power, Government of India.

Accordingly, following due process i.e. inviting comments/ suggestions from the Stakeholders, conducting public hearing on the comments/ suggestions and detailed deliberations on the comments/ suggestions, the Commission notified the GERC (Electricity Supply Code and Related Matters) (Third Amendment) Regulations, 2023 vide Notification No. 1 of 2023 dated 05.12.2023 and Statement of Reasons were also published on the same.

However, it is observed that certain corrections, which have been approved by the Hon'ble Commission in the Statement of Reasons after considering comments/ suggestions of the stakeholders are not reflected in the Notified copy of the GERC (Electricity Supply Code and Related Matters) (Third Amendment) Regulations, 2023, Notification No. 1 of 2023. Hence, the Commission decided to publish a Corrigendum to Notification No. 1 of 2023 incorporating the corrected clauses of the said Regulations, as provided below.

1. Clause 2.3 (3)

Notification No. 1 of 2023:

'Applicant' refers to an owner or occupier of any land/premises who files an application form with a distribution licensee for supply of electricity, increase or reduction in sanctioned load/contract demand, change in title, mutation of name, change in consumer category, disconnection or restoration of supply, or termination of agreement, shifting of connection or other services as the case may be, in accordance with the **provisions of the Act and the Supply Code, rules and regulations** made thereunder or other services;

Statement of Reasons approved by the Hon'ble Commission:

Applicant' means an owner or occupier of any land/premises who files an application form with a distribution licensee for supply of electricity, increase or reduction in sanctioned load/contract demand, change in title, mutation of name, change in consumer category, disconnection or restoration of supply, or termination of agreement, shifting of connection or other services as the case may be, in accordance with the **provisions of the Act, rules and regulations** made thereunder.

2. Clause 4.32

Notification No. 1 of 2023:

In case of application for HT/EHT supply the licensee shall forward the application 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 5 working days of receipt of the application from distribution licensee, shall intimate the distribution licensee regarding feasibility or otherwise of the application. Comments of the Transmission Licensee shall be communicated to the applicant **within three days thereafter**.

In case the application is found feasible and subject to compliance as provided in Clause 4.29 above, the Distribution Licensee shall issue a demand note in writing, under acknowledgement, within the timeline specified in GERC (Standard of Performance of Distribution Licensee) Regulations, 2005 and amendments thereof.

Provided that the time taken by applicant in securing the compliance as provided in Clause 4.29 above shall not be included in the timeline specified in GERC (Standard of Performance of Distribution Licensee) Regulations, 2005 and amendments thereof.

Statement of Reasons approved by the Hon'ble Commission:

In case of application for HT/EHT supply the licensee shall forward the application to the Transmission Licensee within **2 working days** of its receipt for its further processing in terms of provisions in the Grid Code. The Transmission Licensee within 5 working days of receipt of the application from distribution licensee, shall intimate the distribution licensee regarding

feasibility or otherwise of the application. Comments of the Transmission Licensee shall be communicated to the applicant **on the same day**.

In case the application is found feasible and subject to compliance as provided in Clause 4.29 above, the Distribution Licensee shall issue a demand note in writing, under acknowledgement, within the timeline specified in GERC (Standard of Performance of Distribution Licensee) Regulations, 2005 and amendments thereof.

Provided that the time taken by applicant in securing the compliance as provided in Clause 4.29 above shall not be included in the timeline specified in GERC (Standard of Performance of Distribution Licensee) Regulations, 2005 and amendments thereof.”

3. Clause 4.110

Notification No. 1 of 2023:

All payments shall be made by way of Cash (**up to Rs 20,000**), Banker’s Cheque or Demand Draft. Banker’s Cheques and demand drafts shall be payable at any branch of a scheduled commercial bank. The licensee shall also create facility for e-payment of demand note.

Statement of Reasons approved by the Hon’ble Commission:

All payments shall be made by way of Cash (**up to Rs 10,000**), Banker’s Cheque or Demand Draft. Banker’s Cheques and demand drafts shall be payable at any branch of a scheduled commercial bank. The licensee shall also create facility for e-payment of demand note.

4. Clause 6.49

Notification No. 1 of 2023:

The distribution licensee shall prepare the bill for every billing cycle based on actual meter reading, except where pre-payment meters are installed. In case of pre-payment metering, the distribution licensee shall issue the bill to the consumer, on his or her request. **Such intimation shall consist of the details of bill amount and the due date for payment.** The licensee shall intimate the consumer of bill dispatch through SMS and/or email immediately, if the consumer has furnished requisite details. The distribution licensee shall also upload the bill on its website on the day of bill generation. The billing details of last one year (including the latest bill) for all consumers shall also be made available on the licensee’s website along with payment receipt details. The consumer who registers himself with licensee for this facility can access his details.

Statement of Reasons approved by the Hon’ble Commission:

The distribution licensee shall prepare the bill for every billing cycle based on actual meter reading, except where pre-payment meters are installed. In case of pre-payment metering, the distribution licensee shall issue the bill to the consumer, on his or her request. The licensee shall intimate the consumer of bill dispatch through SMS and/or email immediately,

if the consumer has furnished requisite details. **Such intimation shall consist of the details of bill amount and the due date for payment.** The distribution licensee shall also upload the bill on its website on the day of bill generation. The billing details of last one year (including the latest bill) for all consumers shall also be made available on the licensee's website along with payment receipt details. The consumer who registers himself with licensee for this facility can access his details.

To align the aforementioned Clauses with the approved Statement of Reasons, CORRIGENDUM in Notification No. 1 of 2023 is issued and notified covering the aforementioned Clauses.

Sd/-

(S. R. PANDEY)
MEMBER

Sd/-

(MEHUL M. GANDHI)
MEMBER

Sd/-

(ANIL MUKIM)
CHAIRMAN

Place: Gandhinagar

Date: 01/01/2024

