



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

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GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
ASSAM ELECTRICITY REGULATORY COMMISSION

NOTIFICATION

The 3rd January, 2019

**Assam Electricity Regulatory Commission (Electricity Supply Code)
Regulations, 2017 (First Amendment), Regulations, 2018**

No. AERC.280/2017/36.- In exercise of powers conferred by Section 181(2) (x) read with Section 50 of the Electricity Act, 2003 and all other powers enabling in this behalf and after previous publication, the Assam Electricity Regulatory Commission, hereby makes the following regulations, to amend the AERC (Electricity Supply Code) Regulations, 2017 (hereinafter referred to as the “Principal Regulations”) namely:-

1. Short Title and Comments

- 1.1 These regulations shall be called “The Assam Electricity Regulatory Commission (Electricity Supply Code) Regulations, 2017 (First Amendment), Regulations, 2018.
- 1.2 These regulations shall come into force on the date of their publication in the Assam Gazette.

2. The regulations 5.3.1 (a) (i) is replaced as below:-

“The new consumers shall pay an initial security deposit based on the estimated consumption as per prevailing tariff applicable to the category of consumer.

The norm of computing consumption for the load security per KW connected load per month for all consumer categories is incorporated in **Appendix I**”.

3. Regulation 5.9 of the Principal Regulations (Annual review of Contract Demand) shall be substituted as under:-

5.9 Review of contract demand:-

- (a) The Distribution Licensee shall issue a 30 days' notice to the consumer for submitting an application for the enhancement of Contract demand /connected load, if it is detected that,
 - (i) In case of HT and EHT connections, if the maximum demand recorded is in excess of Contract Demand in a month
 - (ii) In case of LT connections equipped with an MDI meter, if the maximum demand is recorded to be in excess of Connected Load in a month
 - (iii) In case of detection of unauthorized extension over and above the connected load as per agreement on physical inspection of the premises.
- (b) The Distribution Licensee and applicant shall follow the procedure and timelines with respect to acceptance of application form, site inspection and issuance & payment of demand note as specified in this Code. Enhanced supply shall be released on receipt of the required payment and completion of other formalities.
- (c) If there is no response from the consumer by the end of the notice period, the Contract demand/ Connected load of the Consumer, as the case may be shall be considered as enhanced from the successive billing cycle and the Distribution Licensee shall start billing accordingly.
- (d) If the MDI meter is tampered with, then the connected load as per agreement shall be taken as the contract demand.
- (e) Assessment on account of unauthorized extension of load in addition to action under sub-clause (a), (b), (c) & (d) above will be governed by Regulation 7.4.2 of this Regulations.

4. The Regulation 7.4.2 (iii) of the Principal Regulations shall be substituted as under :-

(iii) Methodology for assessment of demand charge and energy charge:

Assessment of demand charge and energy charge for unauthorized use of electricity shall be as below –

A) Demand charge in case of excess/unauthorized load

- (a) **In case of connections without MDI meter/ meter is tampered or bypassed.**

$$\text{Assessed Demand charge} = 2 [(C \times B \times N) - D]$$

Where,

- 'B'- denotes the total connected load detected at the time of inspection.
- 'C' – denotes demand charge applicable on the detected load as per tariff in force.
- 'N' - Number of months, duly taking account of fraction of a month.
- 'D' - Demand charge claimed for the disputed period.

(b) In case of connections with MDI meter

In case of connections equipped with MDI meter, no assessment shall be made for unauthorized extension over and above the connected load as per agreement. Penalty for drawal in excess of contract demand shall be levied at three times the normal tariff for the portion of demand exceeding the contract demand.

(c) Action to be taken against unauthorized extension of load:-

- (i) The load in excess of connected load as per the agreement shall be removed from supplier's mains, if the consumer does not apply for the regularization of the Load within 30 days from date of inspection.
- (ii) In case any damage of transformer or any other appliances of the licensee due to this unauthorized extension of load, the cost shall be realized from the consumer.
- (iii) The power supply to the consumer shall be disconnected if excess load is not reduced or regularized within the notice period.

B) Assessment in case of unauthorized use of Electricity (change of category) /resale of electricity

- a) In case, the meter is working satisfactorily, the licensee shall make an assessment at a rate equal to twice the applicable tariff for the entire consumption. Energy charge if any paid for the disputed period will be deducted from the bill.
- b) In case, the meter is found to be incorrect and tampering of meter is suspected, unauthorized energy consumption will be assessed using the Table at **Annexure I** as applicable to the consumer and the total charge will be as follow-

Assessed Energy charge = C x 2e x N – E (in rupees)

Where,

‘C’= Energy consumption per month assessed (from Annexure I)

‘e’ = Tariff rate applicable

‘E’ = Energy charge if any paid for the disputed period

‘N’ –No. of Month and fraction thereof

C. Theft of Electricity (Hooking, Tampering of meter, Meter bypass unauthorized use of electricity in disconnected premises)

The assessment shall be made as follows:-

Assessed Energy charge = 2 (C x e x N)

Where,

$$C = B - A$$

‘B’- Assessed consumption per month using the table at **Appendix I**

‘A’- Average monthly energy bill during the disputed period

‘e’- Tariff rate applicable

‘N’- Number of months, duly taking account of fraction of a month.

Note : In case it is found that the assessed consumption per month (using the Table at **Appendix I**) is less than the monthly average consumption of the disputed period, the assessing officer may consider average of highest three months consumption in the previous year when the meter was in order.

5. Amendments to Regulation 7.5.2 (g) : The following sentence shall be added to the existing provision :-

“A Copy of the inspection report prepared by the authorized officer shall be served to the assessing officer”

6. Regulation 7.5.4 (a) shall be substituted as under:-

“The assessing officer shall assess the amount payable by the person on the basis of the inspection report and a bill shall be raised immediately. The method of assessment of the electricity charges payable in case of theft of electricity pending adjudication by the appropriate court shall be same as in the case of assessment for unauthorized use of energy specified under 7.4.2.”

(By order of the Commission)

S. K. ROY,
Secretary,
Assam Electricity Regulatory Commission.