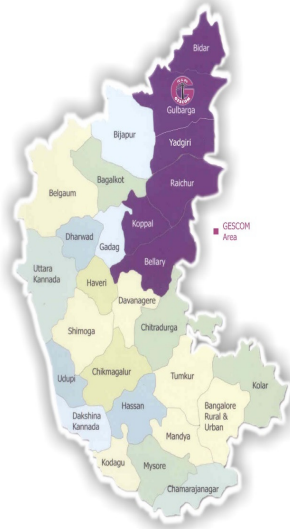


GULBARGA ELECTRICITY SUPPLY COMPANY LIMITED



“WORKSHOP FOR CONSUMERS”

Organized by GESCOM



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Essentials of Electricity Act 2003 and KERC Regulations

THE ELECTRICITY ACT, 2003

An Act to consolidate the laws relating to generation, transmission, distribution, trading and use of electricity and generally for taking measures conducive to development of electricity industry, promoting competition therein, protecting interest of consumers and supply of electricity to all areas, rationalization of electricity tariff, ensuring transparent policies regarding subsidies, promotion of efficient and environmentally benign policies, constitution of Central Electricity Authority, Regulatory Commissions and establishment of Appellate Tribunal and for matters connected therewith or incidental thereto.

- It extends to the whole of India except the State of Jammu and Kashmir.
- "**consumer**" means 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 this Act 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;
- "Electrical Inspector" means a person appointed as such by the Appropriate Government under sub-section (1) of section 162 and also includes Chief Electrical Inspector; "Electrical Inspector" means a person appointed as such by the Appropriate Government under sub-section (1) of section 162 and also includes Chief Electrical Inspector.
- "Electricity Supply Code" means the Electricity Supply Code specified under section 50
- "licence" means a licence granted under section 14;
- " licensee" means a person who has been granted a licence under section 14;
- "notification" means notification published in the Official Gazette and the expression "notify" shall be construed accordingly;
- "premises" includes any land, building or structure;
- "regulations" means regulations made under this Act;
- "rules " means rules made under this Act;
- "specified" means specified by regulations made by the Appropriate Commission or the Authority, as the case may be, under this Act;

➤ **Section 14. (Grant of licence):**

The Appropriate Commission may, on an application made to it under section 15, grant a licence to any person –

(a) to transmit electricity as a transmission licensee; or

(b) to distribute electricity as a distribution licensee; or

(c) to undertake trading in electricity as an electricity trader, in any area as may be specified in the licence

➤ **Section 42. (Duties of distribution licensee and open access): ---**

➤ (1) It shall be the duty of a distribution licensee to develop and maintain an efficient, co-ordinated and economical distribution system in his area of supply and to supply electricity in accordance with the provisions contained in this Act.

➤ (5) Every distribution licensee shall, within six months from the appointed date or date of grant of licence, whichever is earlier, establish a forum for redressal of grievances of the consumers in accordance with the guidelines as may be specified by the State Commission.

➤ (6) Any consumer, who is aggrieved by non-redressal of his grievances under sub-section (5), may make a representation for the redressal of his grievance to an authority to be known as Ombudsman to be appointed or designated by the State Commission.

➤ (7) The Ombudsman shall settle the grievance of the consumer within such time and in such manner as may be specified by the State Commission.

➤ (8) The provisions of sub-sections (5), (6) and (7) shall be without prejudice to right which the consumer may have apart from the rights conferred upon him by those sub-sections.

➤ **Section 43. (Duty to supply on request): ---**

(1) Save as otherwise provided in this Act, every distribution licensee, shall, on an application by the owner or occupier of any premises, give supply of electricity to such premises, within one month after receipt of the application requiring such supply: Provided that where such supply requires extension of distribution mains, or commissioning of new sub-stations, the distribution licensee shall supply the electricity to such premises immediately after such extension or commissioning or within such period as may be specified by the Appropriate Commission: Provided further that in case of a village or hamlet or area wherein no provision for supply of electricity exists, the Appropriate Commission may extend the

said period as it may consider necessary for electrification of such village or hamlet or area.

[Explanation.- For the purposes of this sub-section, "application" means the application complete in all respects in the appropriate form, as required by the distribution licensee, along with documents showing payment of necessary charges and other compliances.]

(2) 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 specified in sub-section

(1) Provided that no person shall be entitled to demand, or to continue to receive, from a licensee a supply of electricity for any premises having a separate supply unless he has agreed with the licensee to pay to him such price as determined by the Appropriate Commission.

(3) If a distribution licensee fails to supply the electricity within the period specified in sub-section (1), he shall be liable to a penalty which may extend to one thousand rupees for each day of default.

➤ **Section 45. (Power to recover charges): ---**

(1) Subject to the provisions of this section, the prices to be charged by a distribution licensee for the supply of electricity by him in pursuance of section 43 shall be in accordance with such tariffs fixed from time to time and conditions of his licence.

(2) The charges for electricity supplied by a distribution licensee shall be –

(a) fixed in accordance with the methods and the principles as may be specified by the concerned State Commission ;

(b) published in such manner so as to give adequate publicity for such charges and prices.

(3) The charges for electricity supplied by a distribution licensee may include

(a) a fixed charge in addition to the charge for the actual electricity supplied;

(b) a rent or other charges in respect of any electric meter or electrical plant provided by the distribution licensee.

(4) Subject to the provisions of section 62, in fixing charges under this section a distribution licensee shall not show undue preference to any person or class of persons or discrimination against any person or class of persons.

(5) The charges fixed by the distribution licensee shall be in accordance with the provisions of this Act and the regulations made in this behalf by the concerned State Commission.

➤ **Section 46. (Power to recover expenditure):**

The State Commission may, by regulations, authorize a distribution licensee to charge from a person requiring a supply of electricity in pursuance of section 43 any expenses reasonably incurred in providing any electric line or electrical plant used for the purpose of giving that supply.

➤ **Section 47. (Power to require security): ---**

(1) Subject to the provisions of this section, a distribution licensee may require any person, who requires a supply of electricity in pursuance of section 43, to give him reasonable security, as may be determined by regulations, for the payment to him of all monies which may become due to him –

(a) in respect of the electricity supplied to such persons; or

(b) where any electric line or electrical plant or electric meter is to be provided for supplying electricity to person, in respect of the provision of such line or plant or meter, and if that person fails to give such security, the distribution licensee may, if he thinks fit, refuse to give the supply of electricity or to provide the line or plant or meter for the period during which the failure continues.

(2) Where any person has not given such security as is mentioned in subsection (1) or the security given by any person has become **invalid or insufficient**, the distribution licensee may, by notice, require that person, within thirty days after the service of the notice, to give him reasonable security for the payment of all monies which may become due to him in respect of the supply of electricity or provision of such line or plant or meter.

(3) If the person referred to in sub-section (2) fails to give such security, the distribution licensee may, if he thinks fit, discontinue the supply of electricity for the period during which the failure continues.

(4) The distribution licensee shall pay interest equivalent to the bank rate or more, as may be specified by the concerned State Commission, on the security referred to in sub section (1) and refund such security on the request of the person who gave such security.

(5) A distribution licensee shall not be entitled to require security in pursuance of clause (a) of sub-section (1) if the person requiring the supply is prepared to take the supply through a **pre-payment meter**.

➤ **Section 50. (The Electricity Supply Code):**

The State Commission shall specify an electricity supply code to provide for recovery of electricity charges, intervals for billing of electricity charges, disconnection of supply of electricity for non-payment thereof, restoration of supply of electricity; measures for preventing tampering, distress or damage to electrical plant, or electrical line or meter, entry of distribution licensee or any person acting on his behalf for disconnecting supply and removing the meter; entry for replacing, altering or maintaining electric lines or electrical plants or meter and such other matters.

- **Section 55. (Use, etc., of meters): ---** (1) No licensee shall supply electricity, after the expiry of two years from the appointed date, except through installation of a correct meter in accordance with the regulations to be made in this behalf by the Authority: Provided that the 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 elects to purchase a meter: Provided further that the State Commission 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.

(2) For proper accounting and audit in the generation, transmission and distribution or trading of electricity, the Authority may direct the installation of meters by a generating company or licensee at such stages of generation, transmission or distribution or trading of electricity and at such locations of generation, transmission or distribution or trading, as it may deem necessary.

(3) If a person makes default in complying with the provisions contained in this section or the regulations made under sub-section (1), the Appropriate Commission may make such order as it thinks fit for requiring the default to be made good by the generating company or licensee or by any officers of a company or other association or any other person who is responsible for its default.

➤ **Section 56. (Disconnection of supply in default of payment): --**

(1) Where any person neglects to pay any charge for electricity or any sum other than a charge for electricity due from him to a licensee or the generating company 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.

(2) Notwithstanding anything contained in any other law for the time being in force, no sum due from any consumer, under this section shall be recoverable after the period of two years from the date when such sum became first due unless such sum has been shown continuously as recoverable as arrear of charges for electricity supplied and the licensee shall not cut off the supply of the electricity.

➤ **Section 57. (Consumer Protection: Standards of performance of licensee):**

1. The Appropriate Commission may, after consultation with the licensees and persons likely to be affected, specify standards of performance of a licensee or a class of licensees.
2. If a licensee fails to meet the standards specified under sub-section (1), without prejudice to any penalty which may be imposed or prosecution be initiated, he shall be liable to pay such compensation to the person affected as may be determined by the Appropriate Commission: Provided that before determination of compensation, the concerned licensee shall be given a reasonable opportunity of being heard.
3. The compensation determined under sub-section (2) shall be paid by the concerned licensee within ninety days of such determination.

➤ **Section 62. (Determination of tariff): ---**

(1) The Appropriate Commission shall determine the tariff in accordance with the provisions of this Act for –

(a) supply of electricity by a generating company to a distribution licensee: Provided that the Appropriate Commission may, in case of shortage of supply of electricity, fix the minimum and maximum ceiling of tariff for sale or purchase of electricity in pursuance of an agreement, entered into between a generating company and a licensee or between licensees, for a period not exceeding one year to ensure reasonable prices of electricity;

- (b) transmission of electricity ;
- (c) wheeling of electricity;
- (d) retail sale of electricity:

Provided that in case of distribution of electricity in the same area by two or more distribution licensees, the Appropriate Commission may, for promoting competition among distribution licensees, fix only maximum ceiling of tariff for retail sale of electricity.

(2) The Appropriate Commission may require a licensee or a generating company to furnish separate details, as may be specified in respect of generation, transmission and distribution for determination of tariff.

(3) The Appropriate Commission shall not, while determining the tariff under this Act, show undue preference to any consumer of electricity but may differentiate according to the consumer's load factor, power factor, voltage, total consumption of electricity during any specified period or the time at which the supply is required or the geographical position of any area, the nature of supply and the purpose for which the supply is required.

(4) No tariff or part of any tariff may ordinarily be amended, more frequently than once in any financial year, except in respect of any changes expressly permitted under the terms of any fuel surcharge formula as may be specified.

(5) The Commission may require a licensee or a generating company to comply with such procedures as may be specified for calculating the expected revenues from the tariff and charges which he or it is permitted to recover.

(6) If any licensee or a generating company recovers a price or charge **exceeding the tariff** determined under this section, the excess amount shall be recoverable by the person who has paid such price or charge **along with interest** equivalent to the bank rate without prejudice to any other liability incurred by the licensee.

➤ **Section 126: (Assessment): ---**

(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.

(2) The order of provisional assessment shall be served upon their occupation or possession or in charge of the place or premises in such manner as may be prescribed.

(3) The person, on whom an order has been served under sub-section (2) shall be entitled to file objections, if any, against the provisional assessment before the assessing officer, who shall, after affording a reasonable opportunity of hearing to such person, pass a final order of assessment within thirty days from the date of service of such order of provisional assessment of the electricity charges payable by such person.

(4) 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:

(5) If the assessing officer reaches to the conclusion that un-authorised use of electricity has taken place, the assessment shall be made for the entire period during which such unauthorized use of electricity has taken place and if, however, the period during which such unauthorised use of electricity has taken place cannot be ascertained, such period shall be limited to a period of twelve months immediately preceding the date of inspection.

(6) The assessment under this section shall be made at a rate equal to twice the tariff rates applicable for the relevant category of services specified in sub-section (5).

Explanation.- For the purposes of this section,-

(a) "assessing officer" means an officer of a State Government or Board or licensee, as the case may be, designated as such by the State Government;

(b) "unauthorised use of electricity" means the usage of electricity –

- (i) by any artificial means; or
- (ii) by a means not authorized 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 authorized ; or
- (v) for the premises or areas other than those for which the supply of electricity was authorized.

➤ **Section 127 (Appeal to Appellate Authority): ---**

(1) Any person aggrieved by the final order made under section 126 may, within thirty days of the said order, prefer an appeal in such form, verified in such manner and be accompanied by such fee as may be

specified by the State Commission, to an appellate authority as may be prescribed.

(2) No appeal against an order of assessment under sub-section (1) shall be entertained unless an amount equal to 3[half 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.

(3) The appellate authority referred to in sub-section (1) 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 appellant.

(4) The order of the appellate authority referred to in sub-section (1) passed under sub-section (3) shall be final.

(5) No appeal shall lie to the appellate authority referred to in sub-section (1) against the final order made with the consent of the parties.

(6) When a person defaults 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.

➤ **Section 135. (Theft of Electricity): ---**

(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 supplier as the case may be; 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,

(d) uses electricity through a tampered meter; or

(e) uses electricity for the purpose other than for which the usage of electricity was authorised, 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;

(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 in the event of second and subsequent conviction of a person where the load abstracted, consumed, or used or attempted abstraction or attempted consumption or attempted use exceeds 10 kilowatt, such person shall also be debarred from getting any supply of electricity for a period which shall not be less than three months but may extend to two years and shall also be debarred from getting supply of electricity for that period from any other source or generating station: Provided also that if it is proved that any artificial means or means not authorized by the Board or licensee or supplier, as the case may be, 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.

(1A) Without prejudice to the provisions of this Act, the licensee or supplier, as the case may be, may, upon detection of such theft of electricity, immediately disconnect the supply of electricity: Provided that only such officer of the licensee or supplier, as authorized for the purpose by the Appropriate Commission or any other officer of the licensee or supplier, as the case may be, of the rank higher than the rank so authorized shall disconnect the supply line of electricity: Provided further that such officer of the licensee or supplier, as the case may be, **shall lodge a complaint in writing relating to the commission of such offence in police station having jurisdiction within twenty four hours from the time such disconnection:** Provided also that the licensee or supplier, as the case may be, on deposit or payment of the assessed amount or electricity charges in accordance with the provisions of this Act, shall, without prejudice to the obligation to lodge the complaint as referred to in the second proviso to this clause, restore the supply line of electricity within forty-eight hours of such deposit or payment.

(2) Any officer of the licensee or supplier as the case may be, 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 there from in his presence.

(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.

(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 this Act.

➤ **Section 142 (Punishment for non-compliance of directions by Appropriate Commission)**

In case any complaint is filed before the Appropriate Commission by any person or if that Commission is satisfied that any person has contravened any of the provisions of this Act or the rules or regulations made there under, or any direction issued by the Commission, the Appropriate Commission may after giving such person an opportunity of being heard in the matter, by order in writing, direct that, without prejudice to any other penalty to which he may be liable under this Act, such person shall pay, by way of penalty, which shall not exceed **one lakh** rupees for each contravention and in case of a continuing failure with an additional penalty which may extend to **six thousand rupees for every day** during which the failure continues after contravention of the first such direction.

➤ **Section 146. (Punishment for non-compliance of orders or directions):**

Whoever, fails to comply with any order or direction given under this Act, within such time as may be specified in the said order or direction or contravenes or attempts or abets the contravention of any of the provisions of this Act or any rules or regulations made there under, shall be punishable with imprisonment for a term which may extend to three months or with fine, which may extend to **one lakh rupees**, or with both in respect of each offence and in the case of a continuing failure, with an additional fine which may extend to **five thousand rupees** for every day during which the failure continues after conviction of the first such offence: Provided that nothing contained in this section shall apply to the orders, instructions or directions issued under section 121.

➤ **Section 161. (Notice of accidents and injuries): --- (1)** If any accident occurs in connection with the generation, transmission, distribution, supply or use of electricity in or in connection with, any part of the electric lines or electrical plant of any person and the accident results

or is likely to have resulted in loss of human or animal life or in any injury to a human being or an animal, such person shall give notice of the occurrence and of any such loss or injury actually caused by the accident, in such form and within such time as may be prescribed, to the

Electrical Inspector or such other person as aforesaid and to such other authorities as the Appropriate Government may by general or special order, direct.

(2) The Appropriate Government may, if it thinks fit, require any Electrical Inspector, or any other person appointed by it in this behalf, to inquire and report-

(a) as to the cause of any accident affecting the safety of the public, which may have been occasioned by or in connection with, the generation, transmission, distribution, supply or use of electricity,

or

(b) as to the manner in, and extent to, which the provisions of this Act or rules and regulations made there under or of any licence, so far as those provisions affect the safety of any person, have been complied with.

(1) Every Electrical Inspector or other person holding an inquiry under subsection (2) shall have all the powers of a civil court under the Code of Civil Procedure, 1908 for the purpose of enforcing the attendance of witnesses and compelling the production of documents and material objects, and every person required by an Electrical Inspector be legally bound to do so within the meaning of section 176 of the Indian Penal Code.

➤ **Section 171. (Services of notices, orders or documents): ---**

(1) Every notice, order or document by or under this Act required, or authorised to be addressed to any person may be served on him by delivering the same after obtaining signed acknowledgement receipt therefor or by registered post or such means of delivery as may be prescribed

(a) where the Appropriate Government is the addressee, at the office of such officer as the Appropriate Government may prescribe in this behalf;

(b) where the Appropriate Commission is the addressee, at the office of the Appropriate Commission;

(b) where a company is the addressee, at the registered office of the company or, in the event of the registered office of the company not being in India, at the head office of the company in India;

➤ **Section 173. (Inconsistency in laws):**

Nothing contained in this Act or any rule or regulation made there under or any instrument having effect by virtue of this Act, rule or regulation shall have effect in so far as it is inconsistent with any other provisions of the Consumer Protection Act, 1986 or the Atomic Energy Act, 1962 or the Railways Act, 1989.

➤ **Section 175. (Provisions of this Act to be in addition to and not in derogation of other laws):**

The provisions of this Act are in addition to and not in derogation of any other law for the time being in force.

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**Conditions of
Supply of Electricity
Of
Distribution Licensees
in
The State of Karnataka
Notified in Karnataka Gazette dated: 17.6.2006**

DEFINITIONS

- 'APPLICANT' means a person who is the owner or occupier of any premises who has registered his application with the Distribution Licensee for supply of electricity.
- 'ASSESSING OFFICER' means an officer of the State Government or Licensee, as the case may be, designated as such by the State Government under Section No. 126 of the Electricity Act 2003.
- 'AUTHORIZED OFFICER' means an officer authorised by the State Government under Section No. 135 of the Electricity Act 2003
- 'BUILT-UP AREA' means the sum of the building areas of each of the floors of the building including the cellar, measured between the external walls as per the actual construction or as per the sanctioned plan whichever is higher.
- 'CONNECTED LOAD' means the sum total of the installed (connected) capacities in Kilowatts (KW) of all the energy consuming devices on the Consumer's premises, which can be used simultaneously. This shall be expressed in KW or KVA. If the ratings are in KVA, the same may be converted to KW by multiplying the KVA by 0.85. If the same or any apparatus is rated by the manufacturer in HP, the HP rating shall be converted into KW by multiplying it by 0.746.
 - 'CONSUMER' means 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 Act 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.
 - 'DESIGNATED AUTHORITY OF THE LICENSEE' means an authority who has been notified as such by the Licensee.

- 'ELECTRICAL INSPECTOR' means an Electrical Inspector appointed under Section 162 of the Electricity Act, 2003 by the Appropriate Government and includes the Chief Electrical Inspector.
- 'ENGINEER' means a qualified Engineer, by whatever name he may be designated, who is employed by the Licensee and who is in charge of the local area having direct jurisdiction over the area of supply or any part thereof in which the premises to be served are located and who is notified as such for the purposes of these Conditions by the Licensee in the manner prescribed by the Commission and includes any other employee with engineering qualification duly authorized by him or his superior officer to exercise any power, jurisdiction or authority under these "Model Conditions of Supply".
- 'FACTORY' means any premises including the precincts thereof wherein ten or more persons are working and in any part of which a manufacturing process is being carried on with the aid of electrical power, as defined in the Factories Act.
- 'FACTORY PREMISES' means the premises in which laboratories, repair shops, stores, offices, reading rooms, libraries, yards, watch and ward, canteen and first aid centres belonging to the factory are housed, as defined in the Factories Act.
- 'FAULTY METER' means a Meter which does not record or which records with an error beyond the permissible limits prescribed by the appropriate Authority under the Electricity Act, 2003.
- 'METER' means an equipment used for measuring electrical quantities like Energy in kilowatt hours, maximum demand in kilowatts or kilovolt amperes, reactive energy in kilovolt ampere hours, etc., including accessories like current transformers and potential transformers where used in conjunction with such Meter and any enclosure used for housing or fixing such Meter or its accessories and any devices like switches or fuses used for protection and testing purposes. Further, 'METER' includes meters where more than one meter has been installed.
- 'OCCUPIER' means the owner or person in occupation of the premises where energy is used or proposed to be used.
- 'O&M OFFICE' means the local office of the Licensee in charge of supply and distribution of electricity.
- 'PERSON' shall include any company or body corporate or association or body of individuals, whether incorporated or not, or artificial juridical person.

- 'PREMISES' includes any land, building or structure;
- 'TARIFF' means a schedule of standard prices or charges for specified services, which are applicable to all such specified services provided to the type of Consumers specified in the Tariff Published.
- "UNAUTHORIZED USE OF ELECTRICITY" means the usage of electricity –
 - (i) by any artificial means; or
 - (ii) by a means not authorized 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 authorized.
- **3.03 CLASSIFICATION OF CONSUMERS FOR THE PURPOSE OF TARIFF CATEGORIES**

Licensee may classify or reclassify a Consumer into various Tariff categories from time to time as may be approved by the Commission.
No additional category other than those approved by the Commission shall be created by the Licensee.

➤ **3.04 RECLASSIFICATION OF CONSUMER**

If it is found that a Consumer has been classified under a particular Tariff category erroneously, the Engineer of the Licensee may reclassify such Consumer under the appropriate category after issuing notice of 15 clear days to him to execute a fresh Agreement duly observing other Conditions, if required, on the basis of the altered classification.

If the Consumer does not take steps within the time indicated in the notice to execute the fresh Agreement duly observing the required conditions, the Engineer, may disconnect the supply of power, after issuing a clear fifteen days notice and after considering his explanation, if any. **In case of disconnection of Power Supply, reconnection shall be effected as soon as the fresh agreement is executed.**

4.01 DUTY OF THE LICENSEE TO SUPPLY ELECTRICITY ON REQUEST.

Every distribution licensee, shall, on an application by the owner or occupier of any premises, give supply of electricity as specified under K.E.R.C. (Duty of the Licensee to supply Electricity on request) Regulations, 2004

4.08 COMMENCEMENT OF SUPPLY

- i) Where power sanction letter is issued by the Distribution Licensee on receipt of Application for supply of electricity and after execution of the required agreement by the Applicant, and after approval of the Applicant's installation, the Engineer shall commence supply of power to the Applicant under intimation to him. If the Applicant fails to avail power supply within the time specified under clause 3 of K.E.R.C. (Duty of the Licensee to supply Electricity on request) Regulations, 2004 (Annex-1), the installation shall be deemed to have been serviced on the date of completion of the period specified in the said clause and the Consumer shall be liable to pay Demand charges/ Fixed charges as per the Electric power Tariff in force during the initial agreement period.
- ii) If the installation satisfies the Conditions specified above, the Engineer concerned shall service the installation, seal the meter and load limiters, meter housing box / cubicle / panel, etc.
- iii) The Consumer or his representative and the Supervisor of the LEC shall be present at the time of servicing of the installation.
- iv) The original License / permit or any other certificate or any other document issued as may be applicable in respect of industrial / commercial installations shall be produced at the time of service for verification and immediate return.
- v) Immediately after the installation is serviced, an R.R. No. shall be assigned to the installation and this number shall be painted on the meter board.

Note: The R.R. No. shall invariably be quoted by the Consumer in all subsequent correspondence with the Licensee.

- vi). The Engineer of the Licensee servicing the installation shall give a service certificate to the Consumer for having serviced the installation specifying the following: -
 - (a) Name & address of the Consumer
 - (b) R.R. No.
 - (c) Date of service
 - (d) Sanctioned load / Contract Demand
 - (e) Connected load
 - (f) Meter details such as C.T./P.T. ratio (multiplying constant), meter reading at the time of service, etc.
 - (g) Condition of seals / seal number, if any
 - (h) Size of service main cable
 - (i) Fuse rating
 - (j) I.S.D. and M.S.D. collected with details of receipt nos.
 - (k) Name and address of the L.E.C & Valid License number.

A copy of the Agreement shall also be given to the Consumer and necessary acknowledgement from the Consumer shall be obtained on the test report.

- vii) The Consumer or his representative is required to sign in the sealing register and on the completion report that his installation has been serviced and the meter, load limiters, meter housing box / cubicle / panel, etc are sealed.

Arrears in any particular installation, which is under disconnection for nonpayment, shall be collected as arrears of any other installation **except residential installation** standing in the name of the same Consumer. However arrears of any other installation shall not be included to a residential installation. Further the Licensee shall issue a separate notice clearly explaining the circumstances before recovery is pursued by claiming the arrears of any installation as arrears of another installation of the same Consumer

- xii) In the case of demolition & reconstruction of Building, the existing installation shall be surrendered and Agreement terminated and Meter and service mains shall be removed. Only fresh service shall be arranged for the reconstructed building treating it as a new building. Temporary power supply from the existing R.R. No. shall not be arranged for construction purposes in such cases. However, this Clause shall not be applied in case of addition / alteration to the existing building.

6.00 APPLICABLE TO IRRIGATION PUMP SETS

All new I.P. Sets irrespective of capacity shall be serviced **WITH** energy meter.

- If the Applicant is not desirous of availing himself of the power supply and in case where the agreement is not yet executed, the amounts paid by him shall be refunded on application, after deducting 10% of the total amount.
- After servicing of the installation, the entire service line along with other accessories shall be taken over by the Licensee and the ownership would thereafter vest with Licensee for the purpose of maintenance. Guarantee shall be obtained by the Licensee from the Applicant for a period of 12 months from the date of servicing the installation for the materials used in the work as well as the quality of work executed.
- In case of HT / EHT installations, the Licensee shall provide HT Electronic type Trivector metering equipment for registering the average Power factor, demand as well as energy consumed.
- T.O.D. Tariff facility shall be extended to any Applicant / Consumer at his option for eligible categories.

- The H.T. / E.H.T. Consumer is permitted to use power within his premises for any bonafide purpose including construction works without exceeding the contract demand or permitted maximum demand / energy entitlement, as the case may be. Such usage does not amount to prejudicial use.

9.02 SPACE FOR TRANSFORMER

Space for Transformer shall be provided as specified in K.E.R.C. (Recovery of Expenditure for Supply of Electricity) Regulations 2004 and its amendments from time to time.

- In the case of demolition & reconstruction of Building, the existing installation shall be surrendered and Agreement terminated and Meter and service mains shall be removed. Only fresh service shall be arranged for the reconstructed building treating it as a new building. Temporary power supply from the existing R.R. No. shall not be arranged for construction purposes in such cases.

Suitable and easily accessible space near the main entrance shall be provided at a height of 0.6 Mt to 1.6 Mt above the ground level for energy metering at the ground floor only for housing the Licensee's metering equipments. However, this is not applicable to the existing installations where power supply has already been provided.

- (j) The installation shall be serviced by the Engineer of the Licensee by providing a suitable meter and assigning an R.R. No.

The Engineer of the Licensee servicing the installation shall give a service certificate to the Applicant / Consumer for having serviced the installation specifying the following: -

(1) R.R. No. (2) Date of service (3) Sanctioned load (4) Connected load (5) Meter details (6) Condition of seals (7) Details of amount of advance estimated power consumption charges collected (8) Name of L.E.C. & Licence No. (9) Period of sanction of temporary power supply, (10) Periodicity of reading of meter and issue of bill i.e., weekly/fortnightly etc.

Necessary acknowledgement for the same shall be obtained on the test report.

12.02 TEMPORARY USAGE IN THE PREMISES ALREADY HAVING PERMANENT SUPPLY

- a) Use of power within the Consumer's premises for Temporary purposes for bonafide domestic use is permitted subject to the condition that the total load of the installation on the system does not exceed the sanctioned load.
- b) Where it is intended to use floor polishing equipment and such other portable equipment temporarily in a premises having permanent supply, such equipment shall be provided with an earth leakage circuit breaker of adequate capacity.

19.00 PERIODICAL TESTING AND INSPECTION

- **19.01** The periodical inspection and testing of the Consumer's installation may be carried out by the Licensee or Electrical Inspectorate in accordance with applicable Rules.
- **19.02** Any defects observed during the inspection shall be intimated to the Consumer and he shall get them rectified through a qualified Licensed electrical contractor within the time stipulated therein. The installation shall be liable for disconnection if the defects are not rectified since the Consumer is responsible for any defects in the internal wiring.
- **22.02 (a)** If during any monthly reading or periodical or other testing / rating by the Licensee, the power factor of the installation is found to be less than 0.90 lag, the Consumer shall install additional power factor correction apparatus as may be necessary to bring the power factor to not less than 0.90 lag within three months from the date of intimation and inform the same, in writing, to the office of issue, failing which power factor surcharge shall be leviable as specified under Tariff schedule from time to time, from the billing month following the date of expiry of the said three months, till the P.F. is brought up to 0.90. This shall also be applicable for H.T. installations provided with LT trivector meter.
 - (c) In respect of HT installations with LT metering without LT trivector meter, if during any periodical or other testing / rating by the Licensee, the power factor of the installation is found to be less than 0.90, the Consumer shall install additional power factor correction apparatus as may be necessary to bring the power factor to not less than 0.90 within three months from the date of intimation and inform the same, in writing, to the office of issue, failing which power factor surcharge shall be leviable as specified under Tariff schedule
 - (d) from time to time, from the billing month following the date of expiry of the said three months, till the P.F. is brought up to 0.90.
- **23.04 (a)** Even after capacitors, as recommended in Clause 23.01 and 23.03 above are provided, if during any periodical or other testing / rating by the Licensee, the power factor of the installation is found to be less than 0.85, the Consumer shall install additional capacitors of rating as

required within three months from the date of intimation and inform the same, in writing, to the office of issue, failing which power factor surcharge shall be leviable as specified from the billing month following the expiry of the said three months.

25.02 In case of HT installations, the Licensee shall provide HT Electronic type Trivector metering equipment for registering the Power factor, demand as well as energy consumed and with the facility of "Time of the day "Metering with memory capacity of one month.

➤ **26.02** Periodicity of testing of meters by the Licensee,

Periodicity of testing of meters shall be as follows:-

Sl.No.	Nature of installation	Periodicity of testing
i	HT installations	Every six months
ii	LT Power installations	
	a) More than 40 HP	Once in a year
	b) 40 HP and below	Once in 2 years.
iii	Other installations	Once in 5 years

➤ Note: All installations whose average consumption is less than 20 units per KW per month or more than 300 units per KW per month shall be mandatorily tested every year.

27.00 CORRECTNESS OF METER

➤ **27.01** In the event the Consumer disputes the accuracy of the meter, he shall give notice to the Licensee. The Licensee shall refer the matter for inspection / testing of the meter to a "Third Party Agency" approved by the Commission under information to the Consumer. The Consumer shall pay the specified testing fee directly to such Agency. The Agency shall test the accuracy of the meter using an electronic type testing equipment with facility of a printer attached to it which shall provide an automatic printout of test readings, percentage error with date / time / R.R. No., etc. The Agency shall provide printout of test readings, percentage error with date / time / R.R. No., etc to the Consumer under a copy to the Licensee. In the event of the meter being incorrect beyond the limits of accuracy prescribed under relevant Regulations framed by the Central Electricity Authority / relevant I. S., the amount of the bill shall be adjusted by the Licensee in accordance with the result of test with respect to the meter readings of the 6 billing months prior to the month in which the Consumer has disputed the accuracy of the Meter and upto the date of testing, due regard being paid to the conditions of working, occupancy, etc., during the said 6 months. In such cases, the prescribed fee paid for testing the meter shall be refunded to the Consumer

- **27.03** In the event of test being undertaken by the Licensee periodically as per clause 26.07 of these Conditions using an electronic type testing equipment preferably with a facility of a printer attached to it, the following procedure shall be adopted.
- (i) When the meter is found to be slow beyond the permissible limits, the Consumer shall be liable to pay the difference at normal rates based on the percentage error, for a period of not more than 6 months prior to the test, due regard being paid to the conditions of working, occupancy etc., during this period and up to the date of replacement or rectification of the meter.
 - (ii) When the meter is found to be fast beyond the permissible limits, the Licensee shall adjust the excess amount collected based on the percentage error for a period not more than 6 months prior to the date of test, within one month of the date of test by giving credit to the account of the Consumer. In case of delay in adjustment of the excess amount, the Licensee shall pay interest at **1% per month** on actual number of days of delay on the amount due for adjustment.
 - (iii) The testing staff of the Licensee shall draw **a mahazar** and obtain the signature of the Consumer or his representative for **witnessing the test and**
 - (iv) **also agreeing to pay the back billing charges** in case of slow recording of the meter.
 - (v) If the Consumer or his representative refuses to sign the mahazar, the error in the meter need not be adjusted or meter removed and referred to the "Third Party Agency" by the Licensee for testing the meter on the spot who shall test the meter within a period of one week.

Note

- 1) A check meter can be installed **for billing purposes** till the error in the original meter is rectified.
- 2) The Consumer shall not be liable to pay any penal charges if the revised consumption / demand exceeds the entitlement fixed for the installation.

28.00 REPLACEMENT OF BURNT OUT METERS

- (i) The cost of burnt out meter shall be collected from the Consumer either in cash or by crossed cheque and the burnt out meter shall be replaced by a good meter immediately without any lapse of time.
- (ii) If the meter of required capacity is not readily available, the installation shall be connected on "DIRECT CONNECTION BASIS" and immediate action taken to fix a good meter to the installation with in 3 days.
- (iii) The consumption during the direct connection period shall be computed on prorata basis based on the recorded consumption of

the previous month or in the month in which the new meter was fixed.

- (iii) The released burnt meter shall be sent to the approved Meter testing laboratory. If the meter is burnt out due to mistake of Consumer or fault in the Consumer premises, there shall be no refund of the cost of meter collected by the Licensee and if it is due to technical reasons like voltage fluctuation etc., attributable to the system constraints, the cost of meter collected by the Licensee shall be adjusted against the future energy charges of the Consumer commencing from the immediate succeeding month after receipt of the test report under intimation to the Consumer.
- (v) The Meter testing laboratory shall send a report to the Consumer and subdivision office duly recording the test results with in 7 days and remarks regarding refund of cost of the meter collected to the Consumer.
- (vi) Test results and the remarks of the Meter testing laboratory shall be recorded in the revenue ledger maintained at the subdivision office.

Note: However, if more than one Meter are burnt in the same area due to system constraints, such Meters shall be replaced by the Licensee immediately without collecting the cost of the Meter from the Consumer.

- **29.03 Supplemental claims:** For preferring the supplemental claims, the Licensee shall serve a provisional Assessment order with **15 days' notice** to the Consumer to file his objections, if any, against the provisional Assessment order on account of faulty meter or short claims caused due to erroneous billing and obtain his reply. After considering the objections of the Consumer, the Licensee shall issue the final order. The Consumer shall be intimated to make the payment within 15 days of the date of intimation, failing which, the power supply to the installation shall be disconnected and such amount shall be deemed to be arrears of electricity charges. **The Licensee shall indicate in the final order, the provisions of K.E.R.C. (Consumer Grievance Redressal Form and Ombudsman) Regulations, 2004.**

Note: 1) If the due date happens to be a holiday for the office of issue, the next working day shall be deemed to be the due date.

2) Any complaint with regard to errors in the bill shall be made either in person or in writing to the office of issue and the amount of such bill shall be paid under protest within the due date. **The Licensee shall accept the cash / cheque / D.D. at the cash counter, if the payment is made under protest.**

29.06 DISCONNECTION / RECONNECTION OF POWER SUPPLY BY LICENSEE.

The procedure as specified in K.E.R.C. (Electricity Supply) Code, 2004 (Annex-4) shall be followed.

- a) Disconnection of power supply shall not be effected on General Holidays and Sundays.
- b) Disconnection of power supply shall be effected as far as **possible before 1.30 P.M.** and re-connection shall be effected on the same day of payment.
- c) Disconnection shall be normally effected at the Licensee's **cutouts** in the Consumer's premises. If it is not **possible or effective**, it shall be effected at the pole / distribution box.
- d) If the Consumer produces clear proof of payment at the time of disconnection, the installation shall not be disconnected.
- e) If the arrears is Rs.10/- or less, the installation shall not be disconnected.

➤ **ADJUSTMENT OF ERRONEOUS BILLS**

- a) At any time during verification of the Consumer's account, if any short claims caused by erroneous billing are noticed, the Consumer is liable to pay the difference. The Licensee shall follow the procedure laid down under Clause 29. 03 in such cases for preferring the supplemental claims.

However, the Licensee shall not recover any arrears after a **period of 2 years from the date when such sum became first due, unless such sum has been shown continuously in the bill as recoverable as arrears of the charges of electricity supplied.**

In case the verification of the Consumer's account shows excess claims made in the past, the excess amount shall be credited to the Consumer's account along with the interest at Bank Rate from the date of payment up to the date of credit. This shall be done within one month from the date of pointing out the excess claims. If for any reason there is delay in crediting the amount to the Consumer's account, Interest at 2 % per month shall be paid to the Consumer for the period beyond two months.

- **When the difference is payable by the Consumer, claims shall be made by a separate supplemental bill furnishing all the relevant details with a 15 days' notice as indicated in Clause 29.03.**

➤ **30.12 CHARGES FOR INSPECTION / TESTING OF INSTALLATION**

Charges for Inspection / Testing of Installation per installation shall be as follows:

a)	Inspection / Testing for servicing a new installation (or for extension or alteration)	For the First Test No CHARGE
b)	Subsequent Inspection / testing warranted due to absence of contractor or his representative or due to defects in wiring of Consumer's premises: i) Domestic/Non-Commercial Lighting / Non-Commercial combined lighting & heating (AEH) / Commercial lighting installation / IP installation and Other LT installations ii) HT installations	Rs.100.00 Rs.200.00
c)	Charges for service necessitated due to conversion of an installation or additions and/or alterations to an installation i) LT ii) HT	Rs.100.00 Rs.200.00
d)	Charges for temporary disconnection at Consumer's request	Rs. 50.00

➤ **30.13 TESTING OF METERS**

Charges per Meter for testing of meter at the instance of the Consumer (Either belonging to the Licensee or to the Consumer) shall be as follows:

a) Domestic/Non-Commercial Lighting / Non-Commercial combined lighting & heating (AEH) / Commercial lighting installations	Rs. 100.00
b) Any Other LT installations	Rs.200.00
c) All HT installations	Rs.500.00

➤ **30.15 FURNISHING CERTIFIED COPIES**

(To be issued to the Consumer only)

a)	Contractor's completion-cum-test report	Rs.10.00
b)	Ledger Extract per Calendar year or part thereof	Rs.10.00
c)	Agreement (other than at the time of service)	Rs.20.00
d)	Details of Security Deposits held	Rs.50.00
	Estimate	Rs.50.00
f)	Any other correspondence relating to LT/HT installation	Rs.10.00 per sheet

- **30.19** Reading of Meter on request as per clause 4.15 of K.E.R.C. (Supply) code,2004

CHARGES FOR ISSUE OF BILLS BY READING OF METER ON REQUEST SHALL BE AS NOTED BELOW:

Category	Charges per installation
a) LT installation	Rs. 100.00
b) HT installation	Rs. 250.00

- **32.06** During the Agreement period (initial or extended) the Licensee or Consumer is at liberty to terminate the Agreement by giving at least three months' advance notice. However, the Consumer shall clear the outstanding arrears before terminating the Agreement.

Note: The Consumer shall be eligible for refund of deposits as per Clause 30.05 i.e., ISD, ASD & MSD & not the cost paid towards service line under Clause 30.06, 30.07 & 30.08

- **32.07 TERMINATION OF AGREEMENT:** If an installation is under disconnection for non-payment of dues for a continuous period of not less than three months, the Licensee shall serve a three months' notice to the Consumer to get the installation reconnected after payment of dues failing which the power supply Agreement shall be deemed to have been duly terminated on the date of expiry of the said notice, without prejudice to the right of the Licensee to recover forthwith all dues in terms of the Agreement and these Conditions.
- **32.08** Soon after termination of the supply Agreement the supply lines shall be dismantled by the Licensee and action initiated for recovery of dues.
- **32.09** The officers who are empowered to sanction permanent power supply are also empowered to approve permanent surrender of power supply to that extent, subject to fulfillment of the other applicable Conditions. The Registered Consumer shall give an undertaking to the Licensee as per Annex -10 to effect surrender of power supply.
- **34.02** Reduction in contract demand / sanctioned load: / Surrender of RR No. (Installation) (Except IP set Installations under LT category)

During the Agreement period initial or extended, the Consumer is entitled to get his contract demand / sanctioned load reduced by executing a fresh Agreement. The reduction shall be given effect to from the meter reading date following the expiry of **two months** period from the date of registration of his application for reduction of contract demand / sanctioned load along with fresh Agreement for reduced contract demand / sanctioned load duly making payment of registration cum processing fee as prescribed under Clause. 30.01.

The following sub clause has been deleted by Amendment vide Notification No. K.E.R.C./COS/D/07/08 Dated: 14.3.2008 published in Karnataka Gazette dated: 20.3.2008

However, the Consumer shall continue to pay minimum charges if any, till the expiry of the initial Agreement period.

The same Conditions shall also be applicable for requisitions in case of temporary reduction of contract demand / sanctioned load as per provision in power supply Agreements subject to a maximum period of six months only.

Note: The officers who are empowered to sanction permanent power supply are also empowered to approve reduction of CD/sanctioned load to the same extent.

- **34.03** When a Consumer gets his contract demand / sanctioned load reduced, his energy / demand entitlement, if any, shall be reduced on prorata basis with effect from the date of reduction of CD / sanctioned load. This shall be applicable during power cut period only.
- **34.04** Where the Contract demand / Sanctioned load is reduced, the Security Deposit required shall be recalculated for the reduced Contract demand / Sanctioned load on a pro-rata basis on average monthly bill of the preceding calendar year. Any excess Security Deposit held over the recalculated average monthly bill amount of the preceding calendar year shall be refunded to the Consumer by cheque, within 2 months from the date of approval of reduction of Contract demand / Sanctioned load.

If the amount due to the Consumer is not refunded by cheque within two months from the date of approval, the Licensee shall pay interest at 1% per month on actual number of days of delay on the amount due for refund.

36.00 TRANSFER OF INSTALLATION (Change in the name of Consumer)

- **36.01** An installation can be transferred from one Consumer to another person subject to the following Conditions:
 - a) The registered Consumer shall furnish a consent letter for transferring the installation and also the deposits held in his name to the transferee.

Note: In the absence of the consent letter from the registered Consumer, the transferee shall produce any one of the following documents in respect of such installation:

- i. Proof of ownership of the installation in the form of Registered sale deed or partition deed or katha / succession or heirship certificate or deed of last will.
- ii. Proof of occupancy such as valid power of attorney or latest rent paid receipt or valid lease deed in respect of

only non-commercial lighting and non-commercial combined lighting and heating installations.

- b) An indemnity bond as per Annex -9 shall be executed by the transferee indemnifying the Licensee against all disputes that may arise out of such transfer.
- c) There shall be no arrears outstanding against the installation.
- d) The transferee shall:
 - (i) Pay Transfer fee as specified under Clause 30.10
 - (ii) Produce the documents as specified in 36.01 Note: (i) / ii)
 - (iii) Execute a fresh power supply Agreement with the Licensee.
 - (iv) Furnish photocopy of the licence / clearance issued in his favour by local authority if such licence / clearance is required under any statute
- (i) Undertake to pay any dues that may arise due to any short claims detected at a later date even in respect of periods prior to the date of transfer.
- (ii) Pay fresh deposit as if he is a new Consumer in case there is no consent for transfer of deposit from the registered Consumer.
In case consent of the registered Consumer for transfer of deposit is produced, no additional deposit shall be demanded at the time of transfer of installation.

➤ **36.02** The power supply Agreement with the original registered Consumer is deemed to be terminated from the date of order of transfer of installation or from the date of expiry of 7 days from the date of compliance of required formalities by the transferee whichever is earlier.

➤ **36.03** The officers who are empowered to sign the power supply Agreement are also empowered to effect the transfer of such Installation to another person.

38.00 RESALE OF ENERGY

The Consumer shall not resell electricity unless the Consumer holds a sanction or the conditions of Tariff provide for such distribution and sale of energy.

The followingsub-Clause is deleted by an Amendment vide Notification No. K.E.R.C./COS/D/07/10 Dated: 1. 7. 2010 published in Karnataka Gazette dated: 22. 7. 2010

Deleted

- a) Minimum charges, if any, shall be continued to be paid till the expiry of initial guaranteed period.

- b) A fresh Agreement applicable to the new type of use shall be executed.
 - c) Necessary licence that is required from the local authority for the changed category of the installation shall also be furnished.
 - d) Contractor's completion-cum-test report shall be furnished if there is any change in the wiring.
 - e) The Consumer shall pay the charges for conversion as per Clause 30.12 (c) as applicable to the category of installation.
- **39.02** The Licensee shall permit conversion of an existing HT installation to an LT installation if the sanctioned load is less than 50 KW / 67 HP subject to the following Conditions.
- a) An application shall be made.
 - b) A fresh Agreement applicable to the LT class of supply shall be executed and other requirements as may be applicable to this class of supply shall be complied with.
 - c) Arrangement shall be made by the Consumer for installation of the LT metering equipment at a suitable place acceptable to the Licensee
 - d) The LT Tariff shall be applicable from the meter reading date following the date of service on LT and the HT Agreement stands terminated from that date.

The following Clause is deleted by an Amendment vide Notification No. K.E.R.C./COS/D/07/10 Dated: 1. 7. 2010 published in Karnataka Gazette dated: 22. 7. 2010

DELETED

e) This is not permitted within the initial guaranteed period.

- f) Contractor's completion-cum-test report shall be furnished if there is any change in the wiring.
- g) The Consumer shall pay the charges for conversion as per Clause 30.12 (c) as applicable to the category of installation.

The following note has been added by Amendment vide Notification No. K.E.R.C./COS/D/07/08 Dated: 14.3.2008 published in Karnataka Gazette dated: 20.3.2008

Note: However, the maximum load limit in case of commercial or mixed loads and residential apartments / complexes shall be adhered to as stipulated under Note (a) of Clause 3.1.1 (A) of K.E.R.C. (Recovery of Expenditure for Supply of Electricity) Regulations, 2004 as amended from time to time.

- **39.03** Licensee may also permit conversion of an existing LT installation into HT installation subject to compliance with all the requirements applicable for HT supply.

40.00 SERVICE OF NOTICE

Any notice to the Consumer by the Licensee shall be deemed to be duly served by the Licensee if it is: -

- a) Sent by registered post, under certificate of posting, by courier or other similar means or
- b) Delivered by hand to the person residing at the Consumer's address
- c) Affixed at a conspicuous part of such premises in case there is no person to whom the same can, with reasonable diligence, be delivered.

41.00 RECOVERY OF DUES AS PER ACTS AND RULES FRAMED BY THE GOVERNMENT OF KARNATAKA

Notwithstanding disconnection, the Consumers who do not pay arrears due to the Licensee in time are liable for proceedings for recovery of dues under the Land Revenue Act and the Rules made there under.

42.00 PREJUDICIAL USE OF SUPPLY

42.01 Unauthorized increase in load (Applicable to LT Installations)

(i) IN CASE OF INSTALLATIONS WITH ELECTRONIC TRIVECTOR METER AND OPTED FOR DEMAND BASED TARIFF: -

- a) If the Maximum Demand recorded is in excess of the sanctioned load indicated in the power supply Agreement, the Consumer shall on demand pay to the Licensee for such extra-recorded demand, at **two times as per Amendment vide Notification No. K.E.R.C./COS/D/07/08 Dated: 14.3.2008 published in Karnataka Gazette dated: 20.3.2008** Old version: one and half times the Tariff applicable. The penal charges shall be restricted to that particular month only.
- b) If the maximum demand is less than sanctioned load, no penalty is applicable irrespective of the connected load

(ii) IN CASE OF INSTALLATIONS WITH ELECTRONIC TRIVECTOR METER AND NOT OPTED FOR DEMAND BASED TARIFF

Amended version vide Notification No. K.E.R.C./COS/D/07/10 Dated: 1. 7. 2010 published in Karnataka Gazette dated: 22. 7. 2010

In the case of existing installations where an Electro Mechanical Meter is replaced by an Electronic Trivector Meter, if the M.D. recorded is in excess of the sanctioned load that is indicated in the power supply Agreement, during the very first month's meter reading immediately after fixing the Electronic Trivector Meter, then the Consumer shall on demand pay to the Licensee for such extra recorded demand at two

times the Tariff applicable for the entire period during which such unauthorized use of electricity has taken place and if, however, the period during which such unauthorized use of electricity has taken place can not be ascertained, such period shall be limited to a period of 12 months immediately preceding the date of inspection as per the Electricity (Amendment) Act, 2007 (No.26 of 2007) dated: 15.6.2007

OLD VERSION

In the case of existing installations where an Electro Mechanical Meter is replaced by an Electronic Trivector Meter, if the M.D. recorded is in excess of the sanctioned load that is indicated in the power supply Agreement, during the very first month's meter reading immediately after fixing the Electronic Trivector Meter, then the Consumer shall on demand pay to the Licensee for such extra recorded demand **at two times as per Amendment vide Notification No. K.E.R.C./COS/D/07/08 Dated: 14.3.2008 published in Karnataka Gazette dated: 20.3.2008** Old version: one and half times the Tariff applicable for such period as may be deemed justified in the circumstances of any given case subject to a maximum period of six months.

Note: -

- a). In the above case, if the M.D. recorded is more than the sanctioned load during the second and subsequent months immediately after an Electro Mechanical Meter is replaced by an Electronic Trivector Meter, then penal charges for excess connected load based on inventory shall be restricted to that particular month only. Further, action to regularize the excess connected load shall be taken as per Clause 42.01 (v).
- b). If the MD recorded is less than the sanctioned load, but if it is found during inspection that the Consumer has connected excess load over the sanctioned load, the penal charges for such excess connected load shall be payable by the Consumer for that month and up to removal or regularization of excess load.

(iii) IN ALL OTHER CASES

Amended version vide Notification No. K.E.R.C./COS/D/07/10 Dated: 1. 7. 2010 published in Karnataka Gazette dated: 22. 7. 2010

If at any time, the connected load of an installation is un-authorisedly increased in excess of the sanctioned load indicated in the power supply Agreement, or, if the rated load at any time is in excess of the sanctioned load, then, the Consumer shall on demand, pay to the Licensee for such excess connected load / rated load exceeding the load indicated in the Agreement (Unauthorized load) at two times the Tariff applicable **for the entire period during which such unauthorized use of electricity has taken place and if, however, the period during which such unauthorized use of electricity has taken place cannot be ascertained, such period shall be**

limited to a period of 12 months immediately preceding the date of inspection as per the Electricity (Amendment) Act, 2007 (No.26 of 2007) dated: 15.6.2007

NOTE: - If the Assessing officer arrives at the conclusion that unauthorized use of electricity has taken place, the assessment shall be made for the entire period during which such unauthorized use of electricity has taken place and if, however, the period during which such unauthorized use of electricity has taken place can not be ascertained, such period shall be limited to a period of 12 months immediately preceding the date of inspection.

OLD VERSION

If at any time, the connected load of an installation is un-authorisedly increased in excess of the sanctioned load indicated in the power supply Agreement, or, if the rated load at any time is in excess of the sanctioned load, then, the Consumer shall on demand, pay to the Licensee for such excess connected load / rated load exceeding the load indicated in the Agreement (Unauthorized load) at **two times as per Amendment vide Notification No. K.E.R.C./COS/D/07/08 Dated: 14.3.2008 published in Karnataka Gazette dated: 20.3.2008** **Old version:** one and half times the Tariff applicable for such period as may be deemed justified in the circumstances of any given case subject to a maximum period of 6 months.

OLD VERSION

NOTE: -If the Assessing officer arrives at the conclusion that, unauthorized 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.

(iv) The amount so claimed as above in (i), (ii) & (iii), shall be paid within 30 days from the date of claim, failing which, the installation is liable for disconnection and such amount shall be deemed as arrears of the Electricity charges.

(v) If there is unauthorized load as above, the Assessing officer in charge of the area shall serve a notice to the Consumer and continue the power supply for a maximum period of 3 months subject to levy of penal charges as specified above. If the Consumer does not regularize the excess load or remove the excess load and intimate the same to the Licensee within the expiry of 3 months period, the installation shall be disconnected.

42.02 MISUSE OF ELECTRICITY

(Applicable to both HT and LT. Installations)

Amended version vide Notification No. K.E.R.C./COS/D/07/10 Dated: 1. 7. 2010 published in Karnataka Gazette dated: 22. 7. 2010

- (a) If at any time, the energy supplied under one method of charging is misused for purpose for which a higher method of charging is in force, the Assessing officer shall assess the quantum of energy and difference in fixed charges **for the entire period during which such unauthorized use of electricity has taken place and if, however, the period during which such unauthorized use of electricity has taken place can not be ascertained, such period shall be limited to a period of 12 months immediately preceding the date of inspection** and charge at two times the Tariff applicable to the purpose for which the energy is misused.

The Consumer shall pay such amount within thirty days from the date of claim, failing which, the installation is liable for disconnection and such amount shall be deemed to be arrears of electricity charges.

Note: 1) *If the Assessing officer arrives at the conclusion that unauthorized use of electricity has taken place, the assessment shall be made for the entire period during which such unauthorized use of electricity has taken place and if, however, the period during which such unauthorized use of electricity has taken place can not be ascertained, such period shall be limited to a period of 12 months immediately preceding the date of inspection.*

OLD VERSION

- (a) If at any time, the energy supplied under one method of charging is misused for purpose for which a higher method of charging is in force, the Assessing officer shall assess the quantum of energy and difference in fixed charges for such period as may be justified in the circumstances of any given case subject to a maximum of 6 months and charge at **two times as per Amendment vide Notification No. K.E.R.C./COS/D/07/08 Dated: 14.3.2008 published in Karnataka Gazette dated: 20.3.2008** Old version: one and half times the Tariff applicable to the purpose for which the energy is misused. The Consumer shall pay such amount within thirty days from the date of claim, failing which, the installation is liable for disconnection and such amount shall be deemed to be arrears of electricity charges.

OLD VERSION

Note: 1) If the Assessing officer comes to the conclusion that unauthorized 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.

- 2) The basis for assessing the period and the quantum of energy misused shall be recorded by the Assessing officer, and intimated to the Consumer. The Consumer shall be given an opportunity to verify the basis of assessing the period and quantum of energy misused and represent on the computed consumption.

- (b) From the date of detection till such time the misuse is discontinued and reported by the Consumer to the Licensee in writing or the loads are suitably bifurcated by complying with the relevant requirements of the Licensee, the higher Tariff shall be applicable **at two times as per Amendment vide Notification No. K.E.R.C./COS/D/07/08 Dated: 14.3.2008 published in** Tariff applicable on the proportionate consumption and Demand charges / Fixed charges of the installation. The entitlement shall be revised, as applicable, to the higher Tariff in case of period of power cut.

The misuse shall be regularized within 3 months, failing which, power supply to the installation shall be liable to be disconnected.

- (c) If at any time, during the course of inspection, the Licensee finds that the Consumer has used energy for a purpose, which attracts lower Tariff, such use does not amount to prejudicial use and no revision of bill shall be made in such cases, unless there is unauthorized excess load.

42.03 UNAUTHORISED INCREASE IN MAXIMUM DEMAND

(Applicable to HT Installations and also to the LT installations opted for Demand based Tariff)

- (a) If at any time, the maximum demand recorded exceeds the Contract Demand or the Demand Entitlement during the periods of power cut in case of HT Installation and sanctioned load in case of LT installation the Consumer shall pay for the quantum of excess demand **at two times as per Amendment vide Notification No. K.E.R.C./COS/D/07/08 Dated: 14.3.2008 published in Karnataka Gazette dated: 20.3.2008** Old version: one and half times the Tariff applicable per KVA / HP per month as penal charges.

- (a) For the excess demand drawn in any month the installation shall be liable for disconnection for a period as noted here under at the discretion of the Licensee, besides payment of penal charges as per Clause 42.03(a) above.

Above 25% excess demand drawn over the permitted Demand or Contract Demand in HT / Sanctioned load in case LT installations opted for Demand based Tariff): **3 Days**

- 42.04 In a HT installation, if there is any change of machinery or product line,** the same shall be intimated by the Consumer to the Licensee along with approval, if any, required from the competent authorities, to enable the Licensee to examine whether such a change would cause disturbance to the Licensee's system or change in policy regarding imposition of restrictions, if any, as the case may be.

If any such deviation, which is detrimental to the interest of the Licensee, is carried out, the same shall be deemed as prejudicial use of supply and may entail disconnection of the installation.

➤ 42.05 UNAUTHORISED EXTENSION OF SUPPLY

(Applicable to both HT and LT Installations)

Amended version vide Notification No. K.E.R.C./COS/D/07/10 Dated: 1. 7. 2010 published in Karnataka Gazette dated: 22. 7. 2010

If at any time, energy supplied to a Consumer / premises is found extended unauthorizedly to some other person / premises, the installation shall be disconnected forthwith. The installation shall be reconnected only after unauthorized extension of supply is removed and reported by the

Consumer. Further, the Assessing Officer, shall assess the quantum of energy and excess load so extended and charge for that quantum for the entire period during which such unauthorized use of electricity has taken place and if, however, the period during which such unauthorized use of electricity has taken place can not be ascertained, such period shall be limited to a period of 12 months immediately preceding the date of inspection at two times the Tariff applicable for the purpose for which the energy is so extended as per the Electricity (Amendment) Act, 2007 (No.26 of 2007) dated: 15.6.2007. Such amount shall be paid within thirty days from the date of final order, failing which, the installation shall be disconnected, and such amount shall be deemed to be arrears of electricity charges.

Note: If the Assessing officer arrives at the conclusion that unauthorized use of electricity has taken place, the assessment shall be made for the entire period during which such unauthorized use of electricity has taken place and if, however, the period during which such unauthorized use of electricity has taken place can not be ascertained, such period shall be limited to a period of 12 months immediately preceding the date of inspection.

OLD VERSION

If at any time, energy supplied to a Consumer / premises is found extended unauthorisedly to some other person / premises, the installation shall be disconnected forthwith. The installation shall be reconnected only after unauthorised extension of supply is removed and reported by the Consumer. Further, the Assessing Officer, shall assess the quantum of energy and excess load so extended and charge for that quantum for such period as may be deemed justified in the circumstances of any given case subject to a maximum period of 6 months, **at two times as per Amendment vide Notification No. K.E.R.C./COS/D/07/08 Dated: 14.3.2008 published in Karnataka Gazette dated: 20.3.2008** Old version: one and half times the Tariff applicable for the purpose for which the energy is so extended.

OLD VERSION

Such amount shall be paid within thirty days from the date of final order, failing which, the installation shall be disconnected, and such amount shall be deemed to be arrears of electricity charges.

**OLDNote: 1) Amended version vide Notification No. K.E.R.C./COS/D/07/08
Dated: 14.3.2008 published in Karnataka Gazette dated:
20.3.2008**

If the Assessing officer reaches to the conclusion that unauthorized use of electricity has taken place, the assessment shall be made for the entire period during which such unauthorized use of electricity has taken place and if, however, the period during which such unauthorized use of electricity has taken place can not be ascertained, such period shall be limited to a period of 12 months immediately preceding the date of inspection.

Old version: If the Assessing officer comes to the conclusion that unauthorized 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.

2) In respect of installations which are in service for not more than six months and temporary installations, the minimum period specified above may be suitably reduced keeping in view the date of service.

➤ **42.06 THEFT OF ELECTRICITY**

➤ **Amended version vide Notification No. K.E.R.C./COS/D/07/10 Dated: 1. 7. 2010 published in Karnataka Gazette dated: 22. 7. 2010**

(a) (i) Where it is prima-facie established to the satisfaction of the officer authorized by the State Government in this behalf under Section 135 of the Electricity Act 2003 that the person / Consumer or his agent, servant etc., has committed / is committing theft of Electricity as indicated in Section 135 of the Electricity Act 2003, Authorized officer shall estimate the value of the electricity thus abstracted, used or wasted or diverted, in accordance with the calculation table: 1 as noted hereunder, **for the entire period during which such unauthorized use of electricity has taken place and if, however, the period during which such unauthorized use of electricity has taken place can not be ascertained, such period shall be limited to a period of 12 months** immediately preceding the date of inspection at two times the Tariff applicable to such category of installation and demand and collect the same by including the same in the next bill or in a separate bill pending adjudication by the Special Court. Before including the said amount in the bill, the Authorized officer shall issue a provisional assessment notice indicating the demand to the concerned within 3 days from the date of inspection informing such person to file his objections, if any, within 7 days and due opportunity shall be given to such person of being heard.

OLD VERSION

(a) (i) Where it is prima-facie established to the satisfaction of the officer authorized by the State Government in this behalf under Section 135 of the Electricity Act 2003 that the person / Consumer or his agent, servant etc., has committed / is committing theft of Electricity as indicated in Section 135 of the Electricity Act 2003, Authorized officer shall estimate the value of the electricity thus abstracted, used or wasted or diverted, in accordance with the calculation table: 1 as noted hereunder, for a period of 12 months preceding the date of detection of the theft of energy or the exact period of theft if determined which ever is less **at two times** the Tariff applicable to such category of installation and demand and collect the same by including the same in the next bill or in a separate bill pending adjudication by the Special Court. Before including the said amount in the bill, the Authorized officer shall issue a provisional assessment notice indicating the demand to the concerned person within 3 days from the date of inspection informing such person to file his objections, if any, within 7 days and due opportunity shall be given to such person of being heard.

(ii) This is without prejudice to the criminal proceedings that may be instituted under the provisions of the Electricity Act 2003 for theft of energy.

However, no theft case shall be booked for breakage of window glass or seal of the energy meter when it is concluded that the consumption pattern for the last 12 months is reasonably uniform or is not less than 50% of the estimated consumption as per the table given below unless prima-facie evidence of theft of energy is made out.

b) Where any Person /Consumer or his agent or servant, etc., is/was found committing any of the offences mentioned above, the Licensee reserves the right to disconnect the installation forthwith and without notice.

42.06(e) In case of prejudicial use / Theft of Electricity under Clauses 42.01,42.02,42.05 and 42.06 above, the Assessing officer / Authorized officer shall draw **mahazar** at the time of inspection when such prejudicial use/ Theft of Electricity is detected. **The mahazar shall be drawn in the presence of the Consumer or his representative along with two other witnesses who shall sign the mahazar report. One copy of such report shall be handed over under acknowledgment of the Consumer or his representative.**

42.07 Provisional Assessment order on account of prejudicial use of power under Clause 42.01, 42.02 & 42.05: -

(1) The Assessing officer shall serve the order of provisional assessment within 7 days from the date of inspection upon the person in occupation or possession or in charge of the place or premises with a 15 days' notice.

- (1) 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:

The following sub clause has been deleted by Amendment vide Notification No. K.E.R.C./COS/D/07/08 Dated: 14.3.2008 published in Karnataka Gazette dated: 20.3.2008

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.

- (2) The person, on whom the order has been served shall be entitled to file objections, if any, against the provisional assessment before the Assessing officer within 15 days, who shall, after affording a reasonable opportunity of hearing to such person, pass a final order of assessment **within 30 days from the date of service of such order of provisional assessment (The above sub clause has been added by Amendment vide Notification No. K.E.R.C./COS/D/07/08 Dated: 14.3.2008 published in Karnataka Gazette dated: 20.3.2008)** of the electricity charges payable by such person.
- (3) The Assessing officer shall indicate in the above order, the provisions of appeal under Clause 44.00 of these Conditions
- (4) Any person served with the final order of assessment, may, accept such assessment and deposit the assessed amount with the Licensee within 30 days of service of such final order of assessment order upon him.
- (5) If the person served with the final order fail to deposit the assessed amount within 30 days, power supply to the installation shall be disconnected and such amount shall be deemed to be arrears of electricity charges.
- (6) When a person defaults in making payment of the assessed amount, he, in addition to the assessed amount shall be liable to pay, on the expiry of thirty days from the date of receipt of the order of assessment, an amount of interest at the rate of **sixteen per cent** per annum compounded every six months.

43.00 FURNISHING OF FAKE / FRAUDULENT DOCUMENTS BY THE CONSUMER

If power supply is availed by the Consumer on the basis of fake / fraudulent documents, the Licensee reserves the right to disconnect the installation forthwith and to forfeit the deposits, without prejudice to the recovery of dues, if any.

44.00 APPEALS

- **44.01** Any person aggrieved by a final order made under the Condition 42.07 may, within thirty days of the said order, prefer an appeal in such form, verified in such manner and be accompanied by such fee as

specified by the State Commission in KERC (Procedure for Filing Appeal before the Appellate Authority) Regulations, 2005{Annex-3} under intimation to the office of issue.

- **44.02** No appeal against an order of assessment under made as per Clause 42.07 of these Conditions shall be entertained unless an amount **equal to half of the assessed amount as per Amendment vide Notification No. K.E.R.C./COS/D/07/08 Dated: 14.3.2008 published in Karnataka Gazette dated: 20.3.2008 (Old version: 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.
- **44.03** The Appeal shall be made in the form specified in the schedule under K.E.R.C. (Procedure for filing Appeal before Appellate Authority) Regulations, 2005{Annex-3}.

45.00 DECISIONS TO BE IN WRITING

Amended version vide Notification No. K.E.R.C./COS/D/07/10 Dated: 1. 7. 2010 published in Karnataka Gazette dated: 22. 7. 2010

All decisions of the Licensee in respect of the Conditions of Supply of Electricity of the Distribution Licensees in the State of Karnataka shall be in writing.

47.00 REPEAL AND SAVINGS

The Conditions of Supply of Electricity of Distribution Licensees in the State of Karnataka shall come into force with effect from the date of publication in the official gazette of Karnataka and shall be in force unless amended otherwise.

The K.E.R.C. (ES&D) Code, 2000-01 with all its up to date amendments are here by repealed.

However, the provisions of the KEB / KPTCL Electricity Supply Regulations, 1988 (Seventh Edition) with all its amendments and the Karnataka Electricity Regulatory Commission(Electricity Supply and Distribution) Code, 2000-01 with all its amendments issued there on shall apply to the respective periods prior to the date of coming into force of the Conditions of Supply of Electricity of Distribution Licensees in the State of Karnataka.

KERC (Electricity Supply) Code, 2004

- "Tariff" means a schedule of standard prices or charges for specified services which are applicable to all such specified services provided to the type of consumers as determined by the Commission..
- Clarifications, if any, sought by a consumer on the tariff applicable to him shall be provided by the Licensee promptly.
- The Licensee shall issue a bill to each consumer for the electricity and/or other services rendered, at the consumer's address, at such periodic intervals as may be determined and notified by the Licensee.
- The bill shall be issued by any of the following means:
 - a. Delivery by hand
 - b. By post or courier
 - c. By electronic means capable of generating a delivery confirmation report, if agreed to by the Consumer;
- The consumer shall be notified the periodicity of billing, date of meter reading, bill date and due date for payment in a calendar month. The Licensee shall adhere to the schedule of prescribed meter reading date and bill date.
- The bill issued by the Licensee shall be legible and easily verifiable by the Consumer.
- Basis of the bill, unless otherwise provided, shall be the meter reading. If meter is not provided to a consumer (unmetered categories), the Licensee shall prepare the bill based on the procedures approved by the Commission.
- For reasons other than those referred to in clause 5, if the Licensee is unable to base a bill on meter reading due to its non-recording, the Licensee shall issue a bill based on the previous 6 months average consumption. In such cases, the Licensee shall replace the meter immediately.
- In case the Licensee is unable to read the meter for any other reasons, (door lock, etc.,) the Licensee may provide the consumer with an estimated bill following the procedure under clause 4.6. The Licensee shall subsequently read the meter in the next billing cycle and appropriately adjust the bill in accordance with the meter reading
- The bill shall be issued within 4 days from the meter reading date and the bill date shall not be more than 4 days from the meter reading date. In the case of spot billing, meter reading and bill date shall be the same.
- The Licensee shall provide and maintain with the consumer a meter card for recording the meter reading. The Licensee shall record the meter reading and date of reading in the meter card provided to the consumer.

The consumer shall inform the concerned local office of the Licensee if the bill is not received within 7 days of specified meter reading date.

The Licensee shall take necessary steps to issue duplicate bill immediately free of cost.

- In case the Licensee issues a bill which covers a period not consistent with the billing period or a period during which the consumer's tariff changes, the Licensee must charge in proportion to the relevant periods and clearly show the relevant working details on the bill.
- In the case of new installations, the Licensee shall issue the first bill within 2 months of service. In case of non-receipt of the bill within 2 months of effecting supply, the consumer may inform the concerned local office of the Licensee and the Licensee shall arrange to issue the bill immediately.
- The Licensee shall not recover any arrears after a period of 2 years from the date when such sum became first due, unless such sum has been shown continuously in the bill as recoverable as arrears of the charges of electricity supplied.
- After payment of the bill, If it is established that the Licensee has over charged the consumer, the excess amount shall be repaid by the Licensee within two months with interest at bank rate.
- Reading of meter on request:
 - a) The Licensee shall arrange for special reading of the meter on an application by the owner or the occupier of the premises accompanied with specified fee, in the event of vacation or change of occupancy of the premises.
 - b) The application shall be given at least 15 days in advance of the said vacation of the premises for arranging the special meter reading.
 - c) **The Licensee shall, after taking the meter reading, issue a final bill in such cases including all arrears till date within 7 days of meter reading.**
 - d) **Once a final bill is issued on the basis of special reading of meter, the Licensee shall have no claim for any period prior to the date of such final bill other than the final bill amount.**
 - e) The Licensee may charge a fee for the above service as approved by the Commission.
- Bill issued to a consumer shall contain the following details
 - a) Name and Address of the consumer, RR No. and address of the issuing office
 - b) Period covered by bill
 - c) Type of service and the relevant tariff applicable to the consumer
 - d) The dates and readings of current and previous meter readings.
 - e) Present consumption
 - f) Other billing parameters applicable if any, such as contract demand/ sanctioned load, power factor etc.,

- g) Applicable charges: fixed/demand/minimum charges /energy/ taxes/ rebate/ adjustments/ /arrears Net amount payable
 - h) Wheeling charges and surcharges if any to be shown separately if the Licensee provides only net work service
 - i) The amount of arrears or credits outstanding to the consumer's account
 - j) Summary of payment methods
 - k) Last date of payment with out penalty
 - l) Details of additional charges such as interest and penalties if any
 - m) Action for non-payment after the due date
 - n) Contact telephone number of Consumer Service Centre of the Licensee if available or any contact telephone number for the consumer to call if they have any queries relating to the bill.
 - o) Designation and address of authorities of the Licensee with whom complaints /grievances of the consumer to be lodged
 - p) Contact details of Consumer Grievance Redressal Forum and Ombudsman constituted u/s 42 of the Act.
- The Licensee shall provide the consumer, all information relating to previous billing period, free of charge if requested. If the request pertains to periods prior to the previous billing period, the Licensee may claim reasonable service charges.
- **Bills payment**
- a) The payment of the bill shall be normally made by the consumer at the specified local collection centre of the Licensee during the designated working hours of any working day as specified by the Licensee. The Licensee may also arrange any other facility for payment of bill for the convenience of the consumers.
 - b) The Licensee shall specify its accepted mode of payment of bills and publicise the same for the benefit of consumers.
 - c) The Licensee shall give 15 days' time from the bill date for payment of the bill by the consumer.
 - d) If the due date of payment of bill falls on public holidays, the next working day shall be treated as the due date.
 - e) The consumer shall pay the bill in full through any of the means specified by the Licensee.
 - f) The Licensee shall issue a receipt to the consumer for payment as proof of payment.
 - g) In case of dishonour of the payment instruments of the consumer, the Licensee may initiate action for disconnection for non-payment. The Licensee shall have the right to resort to any other legal proceedings against the consumer in such cases.

- h) If a consumer informs the Licensee of any difficulty in paying the arrears bill in full, the Licensee may offer an installment payment option to the consumer. Grant of installment facility is without prejudice to payment of interest on belated payment.
 - i) The Licensee shall have the right to deny an installment option to a consumer who has defaulted in payment of periodic bills in the previous 12 months.
 - j) The Licensee may, after giving not less than 15 clear days notice after the due date, disconnect the supply, if the consumer fails to pay the bill by due date.
- In case of belated payments, interest as approved by the Commission for the actual number of days of delay from the due date may be charged by the Licensee.

4.22 Disputes in the bills

- a) Any error in the bill shall be rectified by the Licensee within 24 hours if no additional information is required, if approached by the consumer.
- b) On the request of the consumer who disagrees with the bill amount, the Licensee may review the bill within 7 days of the request if additional information is required, as specified in the KERC (Licensee's Standards of Performance), Regulations 2004. In such circumstances the consumer shall deposit a sum equal to the amount as under clause 7.3. before the review.
- c) The Licensee may issue a revised bill and appropriately adjust the bill amount if the review establishes that the bill is incorrect. If in the review it is found that the consumer was overcharged, the amount overcharged along with interest at bank rate may be adjusted in the subsequent bill or refunded as agreed to by the consumer after the review.
- d) If the Licensee establishes that it has under charged the consumer either by review or otherwise, the Licensee may recover the amount undercharged from the consumer by issuing a bill and in such cases at least 30 days shall be given for the consumer to pay the bill.
- e) While issuing bill under clause 4.24(d), the Licensee
 - 1) shall specify the amount to be recovered as a separate item in the consumer's next bill with details or as a separate bill with details for the amount.
 - 2) shall not charge interest on the amount under charged
 - 3) may allow installment option
- f) While communicating the decision on the review of the bill, the Licensee shall advise the consumer in writing his right to prefer an appeal against the decision of the Licensee to the Consumer Grievance Redressal Forum and further to the Ombudsman as provided in KERC (Consumer Grievance Redressal Forum and Ombudsman) Regulations 2004.

- 4.25** If the consumer fails to pay the bill within the due date, the Licensee may charge interest on the bill amount as approved by the Commission.
- 4.9** The Licensee shall provide and maintain with the consumer a meter card for recording the meter reading. The Licensee shall record the meter reading and date of reading in the meter card provided to the consumer.

7. Disconnection of supply by Licensee

- The Licensee shall not disconnect supply to a consumer except in the following circumstances:
 - a)** At the Request of the Consumer
 - b)** Mandated the Licensee to do so by a person with legal authority to issue such mandate
 - c)** When the Licensee is entitled to do so under an agreement with the consumer
 - d)** The Licensee reasonably believes that the consumer has contravened the provisions of the Code which entitles the Licensee to disconnect the supply
 - e)** The Licensee reasonably believes that failure to disconnect may or likely to cause a health hazard or safety risk or damage to property or to the consumer or to any person;
 - f)** The Licensee reasonably believes that the consumers' installation does not satisfy the applicable rules or any other reasonable requirements prescribed by the Licensee.
 - g)** Reasonably knows that security deposit provided by the consumer has become insufficient or the consumer fails to provide security deposit as provided in the appropriate Regulations.
 - h)** Non payment Under clause 4.18),
 - i)** *Tampering, distress or damage to electric plant, electric line or meter under clause 5.4 and/or as provided under clause 6.5*
- Before effecting disconnection under clause 7.1(b) to 7.1 (i), due notice under the manner provided in clause 9 shall be given to the consumer by the Licensee

7.3 The Licensee shall not disconnect the supply to the consumer under clause 7.1(h), if the consumer deposits under protest an amount equal to the sum claimed from him or the electricity charges due from him calculated based on the average of past 6 months, whichever is less, pending disposal of any dispute between him and the Licensee as provided in proviso to **Section 56(1) of the Act** .

9. Notice to the consumer

- A Licensee shall ensure that the notices issued under this Code to a consumer are in accordance with the Code and :

- a) In writing and are expressed in plain language either in Kannada or in English
 - b) Specify the reason for the notice and likely action by the Licensee
 - c) Request the consumer to contact the local office of the Licensee if required
- Any notice to the Consumer under this Code by the Licensee shall be served in any of the following manner
- d) Sent by registered post, under certificate of posting, by courier or other similar means or
 - e) Delivered by hand to the person residing at the consumers address
 - f) Affixed at a conspicuous part of such premises in case there is no person to whom the same can, with reasonable diligence, be delivered.
- If the notice is under clause 4.18(j), the Licensee shall
- a) Specify that the consumer has defaulted the payment by the due date
 - b) notify the consumer that failure to pay the amount due will entitle the Licensee to disconnect or restrict the supply of Services to the Premises;
 - c) Outline the availability of payment options under clause 4.18(b)
 - d) outline the installment option under clause 4.18(h) if applicable

**Karnataka Electricity Regulatory Commission (Consumer
Grievance Redressal Forum and Ombudsman)**

Regulations 2004

- 'Complaint' means any grievance made by a consumer with regard to supply of electricity by the licensee, provided that grievance falling within the purview of any of the following provisions of the Act are excluded from the jurisdiction of the Forum:
 - (1) unauthorised use of electricity as provided under section 126 of the Act
 - (2) offences and penalties as provided under section 135 to 139 of the Act
 - (3) accident in the distribution, supply or use of electricity as provided under section 161 of the Act,
- 3.2.** The Forum shall consist of the following members appointed by the licensee.
 - a. The Chairperson shall be a person of ability, integrity and standing who has adequate knowledge of, and have shown capacity in dealing with problems of electrical engineering in power sector, finance law, administration.
 - b. One member shall be an employee of the Distribution Licensee, not below the rank of Superintending Engineer. He shall cease to be a member of the Forum on his superannuation.
 - c. One member shall be a representative of a registered voluntary consumer protection organization of the area working for at least five (5) years on matters concerning Complainant grievances.
 - d. The Chairman and members of the Forum shall have working knowledge of Kannada.
- Every grievance lodged with the Forum shall be in writing and shall be in **Form A** enclosed to this Regulation.
- The Forum, if necessary, may call for any other additional information/documents from the complainant and or licensee so as to enable early disposal of the complaint.
- The Forum can pass such interim orders, pending final disposal of the case, as may appear to it to be necessary and just in the interest of justice.
- **7.1.** A copy of the complaint shall be forwarded by the Forum to the licensee within three working days so as to facilitate for the response of the licensee to the grievance.
- **7.2.** The Licensee shall furnish Para-wise comments on the grievance within fifteen (15) days of intimation from the Forum, failing which the Forum shall proceed on the basis of the material available on record.

- **7.3.** The Forum shall notify in writing the parties of the date of hearing of the grievance, giving sufficient advance notice.
- **7.4.** Upon admission of the complaint, the Forum shall cause a notice of hearing after the registration of the complaint, and pass orders within a maximum period of **SIXTY** days from the date of admission.
- **7.5.** If the event of default in appearance of the parties the Forum shall pass an order on the basis of the material available on record.
- **7.6.** The Forum shall be entitled to call for any information, call for any particulars or take evidence either oral or documentary from the Licensee or the Consumer.
- **7.7.** The decision of the forum shall be recorded in writing and communicated to the complainant and the licensee for compliance.

8.1. The Proceedings of the Forum shall be conducted in public.

- **8.2.** The Proceeding of the Forum shall be conducted by the Chairperson of the Forum in the presence of the members, the Quorum being Two. In the absence of the Chairperson for any reason the member representing the Licensee shall preside over the Forum
- **8.3.** Every order made by the Forum shall be signed by its Chairperson and the Members conducting the proceeding. Provided that in case of difference of opinion among the members on any point or points, the decision of the majority shall prevail.
- **9.3.** Any Complainant aggrieved by the order made by the Forum may make a representation against such order to the 'Ombudsman', within a period of **THIRTY days from the date of receipt of the order**
- **10.2.** The Forum shall furnish a quarterly report on the number of complaints received, redressed and pending, to the Licensee within one month of the end of the quarter. A copy of the report shall be forwarded to the Ombudsman and the Commission.
- **10.3.** The Commission may publish the report in such form and manner as it may deem fit.

PART - II

Provisions relating to Ombudsman

15. Establishment of the Office of Ombudsman.

- The Commission shall establish an authority to be called as Ombudsman for the whole of the State of Karnataka in the manner prescribed under these Regulations.
- The jurisdiction of the Ombudsman shall extend to the whole of the State of Karnataka

20. Powers and Duties of the Ombudsman

- The ombudsman shall have the following powers and duties:
- to receive the representations against the order of the Forum and consider such representation and facilitate their satisfaction or settlement by agreement through conciliation and mediation between the licensee and Complainant or by passing an award in accordance with these Regulations
- to exercise general powers of superintendence and control over his office and shall be responsible for the conduct of business thereat
- to incur expenditure on behalf of the office, provided however, in order to exercise such power, the ombudsman will draw up an annual budget for his office in consultation of the Commission and shall exercise the powers of expenditure within the approved budget

21. Procedure for Redressal of Grievance

- **21.1.** The Ombudsman shall settle the complaint of the Complainant within such time and in such manner as specified in the following Regulations.
- **21.2.** Any Complainant, who is aggrieved by the non-redressal of his grievances by the forum may himself or through his representative make a representation to the Ombudsman exercising jurisdiction over the licensee within Thirty (30) days from the date of the receipt of the order of the Forum.
- Provided that the Ombudsman may entertain a representation after the expiry of the said period of Thirty (30) days if he is satisfied that there was sufficient cause for not filing it within the said period.
- **21.3.** The complaint shall be in writing duly signed by the complainant in a form specified in **Form B** of the Regulation.

22. Maintainability of the Complaint:

- **22.1.** No representation to the ombudsman shall lie:
 - (a) unless the Complainant had made a written representation in the prescribed form, to the Forum
 - (b) unless the Complainant is aggrieved on account of his complaint being not redressed by the Forum within the period and manner specified in these Regulations.
 - (c) unless the representation against an order of the Forum was made within the period specified in these Regulations and is not in respect of the same subject matter that has been settled by the Ombudsman in any previous proceedings
 - (d) in cases where a representation for the same grievance by the Complainant is pending in any proceedings before any court, tribunal or arbitrator or any other authority, or a decree or award or a final order has already been passed by any such court, tribunal, arbitrator or authority.??
- **22.2.** The Ombudsman may reject the representation at any stage if it appears to him that the representation is:
 - (i) frivolous, vexatious, malafide
 - (ii) without any sufficient cause
 - (iii) not being pursued by the Complainant with reasonable diligence
 - (iv) there is no prima facie loss or damage or inconvenience caused to the Complainant
- **22.3.** The Ombudsman shall complete the enquiry as expeditiously as possible and every endeavor shall be made to pass appropriate order on the representation within a period of TWO (2) months from the date of receipt of the representation by the Ombudsman. Provided that in the event of the representation being disposed of after the completion of the said period of two (2) months, the Ombudsman shall record, in writing, the reasons for the same.
- **22.4.** The Ombudsman shall be guided by such factors which in the opinion of the Ombudsman are necessary in the interest of justice and shall ensure transparency while exercising its powers and discharging its functions.
- **22.5.** Subject to the foregoing provisions and the need to observe the rules of natural justice the Ombudsman may specify its own procedures.

- **22.6.** Every order made by the Ombudsman shall be a speaking order.
- **22.7.** A copy of the order shall be sent to the Complainant and the Licensee
- **22.8.** The Distribution Licensee shall, comply with the orders of the Ombudsman

23. Power to call for information

- **23.1** For the purpose of carrying out his duties. the Ombudsman may require the licensee named in the complaint or any of his officers to furnish certified copies of any document relating to the subject matter of the complaint which is or is alleged to be in his possession within 15 days
 - Provided that in the event of failure of a licensee to comply with the requisition without any sufficient cause, the Electricity Ombudsman may, if he deems fit, draw the inference that the information, if provided or copies if furnished, would be unfavourable to the licensee and proceed to settle the case on the basis of material available on record
- 23.2** The Electricity Ombudsman shall maintain confidentiality of any information or document coming into his knowledge or possession in the course of discharging his duties and shall not disclose such information or document to any person except with the consent of the person furnishing such information or document
- Provided that nothing in this clause shall prevent the Electricity Ombudsman from disclosing information or document furnished by a party in a complaint to other party or parties, to the extent considered by him to be reasonably required to comply with the principles of natural justice and fair play in the proceedings

KARNATAKA ELECTRICITY REGULATORY COMMISSION
Bangalore

May 20, 2010

{ Notified in Part III of Karnataka Gazette dated: 3.6.2010 Page 2279 }

NOTIFICATION

In exercise of the Power conferred under the first proviso to Section 135(1-A) of the Electricity Act 2003 (Central Act No.36 of 2003), the Karnataka Electricity Regulatory Commission hereby authorize the Section officer or the Junior Engineer or the Asst. Engineer of the O & M unit of all ESCOMs with immediate effect to disconnect the supply of electricity to any premises upon detection of theft of electricity.

By order of the Commission,

(Sd)

SECRETARY,
Karnataka Electricity Regulatory Commission

**Karnataka Electricity Regulatory Commission,
Bangalore.**

**Notification No.D/07/ AA /4 dated: 25th March 2005
KERC (PROCEDURE FOR FILING APPEAL BEFORE THE APPELLATE AUTHORITY)
REGULATIONS, 2005**

Preamble:

In exercise of the powers conferred by section 181(2) (zo) read with sub-Section (1) of section 127 of the Electricity Act 2003 (Central Act 36 of 2003) and all powers enabling it in that behalf, the Karnataka Electricity Regulatory Commission hereby makes the following Regulations, namely: -

1. Short title, commencement and interpretation.

- a) These Regulations shall be termed as K.E.R.C. (Procedure for filing appeal before the Appellate Authority) Regulations, 2005.
- b) They shall come into force with effect from the date of notification in the official gazette of the State of Karnataka.
- c) They shall extend to the whole State of Karnataka.

2. Definitions.

In these Regulations, unless the context otherwise requires: -

- (a) "Act" means the Electricity Act, 2003.
- (b) "Appellate Authority" means the person designated by the State Government under sub-section (1) of Section 127 as Appellate Authority in pursuance of Government of India notification No.G.S.R.265 (E) Dated: 16th April, 2004.
- (c) "Assessing officer" means an officer of the State Government or Board or licensee, as the case may be, designated as such by the State Government;
- (d) "Commission" means the Karnataka Electricity Regulatory Commission;
- (e) "Consumer" means 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 this Act 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;
- (f) "KER Act" means Karnataka Electricity Reforms Act 1999;

- (g) "Month" means the calendar month. The period of about 30 days between the two consecutive meter readings shall also be regarded as a month for purpose of billing;
- (h) 'R.R. No.' or 'REVENUE REGISTER NUMBER.' means the number assigned to the Consumer's installation.

The words and expressions used and not defined in these regulations but defined in the Act/KER Act shall have the meanings as assigned to them in the Acts. In case of inconsistency in the words and expressions used between the Act and KER Act, the provisions in the Act shall always prevail.

3. Filing of appeal

(1) A person aggrieved by a final order of assessment of the Assessing officer made under section 126 of the Act may file an appeal before the Appellate Authority, within 30 days of that order.

(2) The appeal shall be made in the form specified in the Schedule.

(3) The Memorandum of Appeal shall be signed and verified in the manner specified in the Schedule.

(4) The appeal shall be accompanied by fee shown in the table below:

Sl.No.	Amount assessed	Fee
(i)	Up to Rs. 1,00,000/-	1% of the assessed amount subject to minimum of Rs. 100/-
(ii)	Above Rs. 1,00,000/-	1% of the assessed amount subject to minimum of Rs. 2, 000/-

REGULATIONS RELATING TO LICENSEES' STANDARDS OF PERFORMANCE

KARNATAKA ELECTRICITY REGULATORY COMMISSION

BANGALORE - 560 001

Notification No.D/01/03 dated 24.05.2004

(Notified in Karnataka Gazette on 10.06.2004, page nos.1030-1037)

- **3. Standards of Performance**
- **3.1.** The Standards of Performance specified shall be the minimum standard of service with reference to quality, continuity and reliability of services that a licensee shall achieve in the discharge of his obligations as a licensee.
- **3.2.** Standards of Performance specified in Schedule I relates to Standards of Performance for which consumers are eligible for payment of an amount in the manner provided in the Schedule I in case the Licensee fails to achieve the Standards of Performance.
- **3.3.** In case of applications requiring supply under Low Tension agriculture category (IP sets) such obligation on the part of the licensee shall be limited to the number of connections that can be covered within the target fixed for the year for release of agricultural connections. The licensee shall inform the applicants in writing the period within which the power supply will be provided within one Month from the date of fixation of target by the Government OR within one month from the date of registration of application, whichever is later. If the applicant's case cannot be covered in the programme of release of IP set connections fixed for the year, the same shall be intimated to the Applicant.
- **3.4.** Schedule II relates to Overall Standards of Performance, which indicates the level of performance the Licensee shall achieve.

6. Payment of amount

- **6.1.** The Licensee shall register every complaint of a consumer at the designated office and intimate the complaint number to the consumer.
- **6.2** The Licensee shall maintain relevant records regarding the Standards of performance in a consumer-wise manner in order to give a fair treatment to all consumers and avoid any dispute regarding violation of standards.
- **6.3.** If the Licensee fails to meet the Standards of Performance specified in Schedule I, the licensee shall pay to the affected consumer, an amount as indicated against each of the Standards of Performance in Schedule I.

- **6.4.** All payments shall be made by way of adjustment against existing, current and/or future bills for supply of electricity.

7. Procedure for payment of amount

- **7.1** The consumer has to bring to the notice of the Licensee that the Standards of Performance has been violated and accordingly claim the amount from the Licensee. The Consumer shall submit the claim for amount in application in Form A (Enclosed).
- **7.2.** The Licensee shall take a decision on the amount of claim of the consumer and if found liable shall pay the amount to the consumer within 90 (ninety) days from the date of receipt of application.
- **7.3** In the event of the consumer not being paid the amount within the prescribed time the affected consumer may make an application with the Consumer Grievance Redressal Forum and thereafter to the Ombudsman, established by the Licensee in terms of Section 42 of the Act.

SCHEDULE - I

STANDARDS OF PERFORMANCE AND AMOUNT TO BE PAID TO CONSUMERS FOR DEFAULT IN EACH CASE

Nature of Service	Standards of Performance (Indicative Maximum time limit for rendering service)	Amount payable to affected consumer
<u>1. Normal Fuse-off</u>		
Cities and Towns	Within 6 hours	Rs.50 in each case of default
Rural areas	Within 24 hours	Rs.50 in each case of default
<u>2.Line Breakdowns</u>		
Cities and Towns	Within 6 hours (10 hrs if poles are broken down)	Rs.50 to each affected consumer
Rural areas	Within 24 hours in all cases	Rs.50 to each affected consumer
<u>3.Distribution Transformer Failure</u>		
Cities and Towns	Within 24 hours	Rs.50 to each affected consumer
Rural areas	Within 72 hours	

<p><u>4.Period of Scheduled outages</u></p> <p>Maximum duration in a single stretch</p> <p>Restoration of supply</p>	<p>Not to exceed 12 hours</p> <p>By 6 PM on any day</p>	<p>Rs.50 to each affected consumer</p> <p>Rs.50 to each affected consumer</p>
<p><u>5. Voltage Variations</u></p> <p>Where no expansion or enhancement of network is involved</p> <p>Where up-gradation of distribution system is required</p> <p>Opening of neutral and neutral voltage exceeding 2% of supply voltage</p>	<p>Within 7 days</p> <p>Within 120 days</p> <p>Within 6 hours in Cities</p> <p>Within 24 hours in Rural Areas</p>	<p>Rs.50 in each case of default</p> <p>Rs.50 in each case of default</p> <p>Rs.50 in each case of default</p>
<p><u>6. Meter Complaints</u></p> <p>Inspect and check correctness</p> <p>Replace slow, creeping or stuck meters</p> <p>Replace burnt meters if cause not attributable to consumer</p> <p>Replace burnt meters in all other cases</p>	<p>Within 7 days</p> <p>Within 10 days</p> <p>Within 7 days of receipt of complaint</p> <p>Within 24 hours of payment of charges by consumer</p>	<p>Rs.50 in each case of default</p> <p>Rs.50 in each case of default</p> <p>Rs.50 in each case of default</p> <p>Rs.50 in each case of default</p>

<p><u>7. Application for new connection/additional load</u></p> <p>Release of supply where service is feasible from existing network.</p> <p>Release of supply where</p> <p>Network expansion/enhancement required for providing connection</p> <p>IP sets</p>	<p>Within one month of receipt of application. (as per section 43 of Act)</p> <p>As specified by the Commission in KERC (Duty of the Licensee to Supply Electricity on request) Regulations 2004.</p> <p>Within 30 days after attaining seniority (The number of new connections shall be limited to the target fixed for the year)</p>	<p>Rs.200 for each day of default</p> <p>Rs.50 for each day of default in Case of LT and Rs. 500 for each day of default in case of HT & EHT.</p> <p>Rs.50 for each day of default</p>
<p>8.Erection of sub-station for release of supply</p>	<p>As specified by the Commission in KERC (Duty of the Licensee to Supply Electricity on request) Regulations 2004.</p>	<p>Rs.1000 for each day of default</p>
<p>9. Transfer of ownership and conversion of service</p> <p>Title transfer of ownership</p> <p>Change of category</p>	<p>Within 7 days of receipt of application</p>	<p>Rs.50 for each day of default</p>
<p>10. Conversion of LT single phase to LT three phase.</p> <p>Conversion from LT to HT and vice-versa</p>	<p>Within 30 days from the date of payment of charges</p>	<p>Rs.50 for each day of default</p>

11.Resolution of complaints on consumer's Bills If no additional information is required If additional information is required	Within 24 hours of receipt of complaint Within 7 days of receipt of complaint	Rs.50 for each day of default Rs.50 for each day of default
12. Reconnection of supply following disconnection Towns and cities Rural areas	On the same day Within 24 hours of receipt of payment from consumer	Rs.50 for each day of default Rs.50 for each day of default
13. Payment of Solatium in case of electric accidents Cases where it is established beyond doubt that the accident is not due to the fault of the victim In other cases	Within 7 days without waiting for the report from CEIG Within 30 days after receipt of report from CEIG	Rs.50 for each day of default Rs.50 for each day of default
14. Refund of Deposits	Within 60 days after receipt of request	Rs.50 for each day of delay
15. Issue of certificates	On the same day of receipt of request	Rs.50 for each day of default

FORM A

APPLICATION FOR CLAIMING STANDARD AMOUNT

BY THE AFFECTED CONSUMER

1	Name of the Consumer	
2	Address	
3	RR Number	
4	Nature of complaint in brief	
5	Complaint Number	
6	Date and time of lodging complaint	
7	Date and time the complaint is attended to by the Licensee	
8	Standard time within which the complaint is to be attended to as per Licensees' Standards of Performance Regulations	
9	Actual Time taken to attend to the complaint	
10	Standard amount to be received as per Licensees' Standards of Performance Regulations	

Signature

Date:

Place:

ACKNOWLEDGMENT (To be given by the Licensee)

Claim Number:

Date

Name of the Consumer

RR Number

Claim for standard amount received on (Date)

Signature of the Official of the Licensee
with Name, Seal and Date

K.E.R.C. (Duty of the Licensee to supply Electricity on request) Regulations, 2004

➤ Duty of licensee to supply on request

Application for supply of electricity shall be filed with the Distribution Licensee by the owner or occupier of the premises. The application shall be filed in duplicate accompanied by the prescribed fee and charges as notified by the Licensee. The Licensee shall return the duplicate copy of the Application duly acknowledged with seal & signature and the Applicant shall be made known the provisions of these Regulations. These provisions shall also be applicable for cases requiring enhancement of existing load & change over of voltage level.

- **3.1** Where supply of electricity does not require any extension of distribution mains, or commissioning of new substations, every distribution licensee shall, on receipt of an application give supply of electricity within one month of receipt of the application.
- **3.2** In the cases of applications where such supply requires extension of distribution mains, the distribution licensee shall arrange extension of distribution mains and give supply of electricity to such premises within the time frame specified hereunder:

Type of service connection Requested.	Period within which supply of electricity should be provided from date of receipt of the application.
Low Tension (LT) supply	45 days
11KV supply (HT)	60 days
33KV supply (HT)	90 days
Extra High Tension (EHT) supply	180 days

- **3.3** In the case of application for new connection, where extension of supply requires erection and commissioning of new substation, and where such work is already included in the investment plan approved by the Commission, the licensee shall complete the work and commence power supply to the applicant within the period so approved by the Commission. In case the substation is not included in the investment plan already approved by the Commission, the Distribution Licensee shall within 15 days of receipt of application, submit to the Commission a proposal for erection of substation together with the time required for commissioning of the substation for the approval by the Commission. The licensee shall complete the work and commence power supply to such Applicant within the period approved by the Commission.

K.E.R.C. (Security Deposit) Regulations, 2007

3. Power to require security

- **3.1** The Distribution Licensee may require from any person, who requires a supply of electricity to his premises in pursuance of section 43 of the Act, to give security as provided in clause 4 of these Regulations, for the payment of all monies, which may become due to the Licensee:
 - a. In respect of the electricity supplied to such person; or
 - b. Where any electric line or electrical plant or electric meter is to be provided for supplying electricity to such person, in respect of the provision of such line or plant or meter.
- **4.1** All the Consumers shall at all times maintain with the Licensee an amount equivalent to fixed charges/demand charges plus energy charges corresponding to consumption for two months (2 MMD) in case of monthly billing and three months (3 MMD) in case of bi-monthly billing as Security Deposit towards the electricity supplied / to be supplied to them against any default in payment during the period the Agreement for supply of energy is in force.
- **4.2** If any person requiring supply opts to take the supply through **a pre-payment meter, the Distribution Licensee shall not be entitled to collect the Security Deposit from such a person and the existing security deposit, if any, shall be refunded.**

5. Initial Security Deposit (ISD)

- **5.1** All applicants for electricity shall pay Security Deposit to cover estimated power consumption charges for two months (2 MMD) in case of monthly billing and three months (3 MMD) in case of bi-monthly billing. The estimated power consumption charges shall include fixed charges for LT installations and demand charges on 100% contract demand for HT installations, fuel surcharges, if any. The fixed charges / demand charges shall be as per the Tariff schedule in force from time to time. The energy charges shall be on the basis of estimated consumption as per the table given below by applying the tariff schedule in force from time to time. The Distribution Licensee shall prepare and publish a ready reckoner regarding the ISD to be paid in respect of the new connections based on the above, and provide it to each applicant at the time of issue of application.

Table

Type of installation	Estimated consumption per month (30 days)
LT INSTALLATION	
a) (i) BhagyaJyothi / KuteerJyothi * (ii) Domestic / Non-Domestic, Non Commercial lighting (iii) Non-commercial combined lighting, heating and power	(i) 16 units per installation (ii) & (iii) 45 Units per KW of sanctioned load.
b) Commercial Lighting	86 units per KW of sanctioned load.
c) Commercial heating and/or Motive power (LT Industries)	48 units per KW of sanctioned load.
d) Irrigation Pump sets under LT category	100 units per HP of sanctioned load.
e) Public lighting	360 units per KW of sanctioned load.
f) Others such as water supply & Sewerage	110 units per KW of sanctioned load.

- **3.1**, the Distribution Licensee may, if he thinks fit, refuse to give supply of electricity or to provide the line or plant or meter for the period during which failure continues.
- **3.2**. If such person fails to give such security under clause 3.1, the Distribution Licensee may, if he thinks fit, refuse to give supply of electricity or to provide the line or plant or meter for the period during which failure continues.

6. Additional Security Deposit (ASD)

6.1 General Review

The Licensee shall review the adequacy of the amount of Security Deposit in respect of all Consumers in **the first quarter of every year** based on the average consumption for the preceding year.

6.2 Demand notice for Additional Security Deposit

Based on such a review, demand for shortfall in Security Deposit or refund of excess Security Deposit shall be made by the Licensee. However, the Licensee can hold Security Deposit up to Rs.3000/- at the credit of any Consumer and refund the excess Security Deposit when it is over and above Rs.3000/-.

- a) In the case of existing Consumers, from whom 3 MMD had been collected by the Licensee where the monthly billing cycle is in vogue:
 - (i) Additional Security Deposit shall not be collected till deposit held at credit falls short of the average bill amount corresponding to two

months (2 MMD) in case of monthly billing and three months (3 MMD) in case of bi-monthly billing calculated based on the consumption in the preceding year.

(iii) If the deposit held is more than 120% of the average bill amount corresponding to two months (2 MMD) in case of monthly billing and three months (3 MMD) in case of bi-monthly billing of the preceding year, the Licensee shall refund excess deposit held over and above 120% of the average bill amount corresponding to two months (2 MMD) in case of monthly billing and three months (3 MMD) in case of bi-monthly billing of the preceding year, within 12 months of the notification of these Regulations in the first instance and during the first quarter in the subsequent years, through adjustments in the energy bill of the Consumer. However, the limit of Rs.3000/- for refund of the excess Security Deposit as per clause 6.2 shall be adhered to.

- In case the Licensee fails to refund the excess Security Deposit as per Clause 6.2(a)(ii) of these Regulations, penal interest at 1 % per month on the amount of excess Security Deposit for actual days of delay shall be payable to the Consumer for the delay beyond the specified period.
- The bill amount for the purpose of these Regulations shall include only FC/DC plus EC and not any other charges like the Electricity Tax, arrears, audit short claim, interest, back billing charges, penal charges for excess consumption / demand.
- Additional security deposit shall be demanded when the deposit held falls short of the average bill amount corresponding to two months (2 MMD) in case of monthly billing and three months (3 MMD) in case of bi-monthly billing calculated based on the consumption in the preceding year. However, if the shortfall is less than Rs.200/- in case of LT categories and Rs.1000/- in respect of HT installations, the same need not be demanded.
- Where the Consumer is required to pay Additional Security Deposit, the Licensee shall serve a minimum 30 days' notice containing necessary particulars effective **from 1st day of April of that year**. The notice shall indicate that in case the ASD is not paid within 30 days, the installation shall be liable for disconnection. In case the Consumer has no objections on the amount demanded, the additional Security Deposit shall be paid within 30 days of the date of demand. In case the Consumer has any objections for the said demand, he may file his objections within 7 days from the date of receipt of such demand notice. The amount of ASD demanded may be revised based on the information, if any, furnished by the Consumer. The Licensee shall furnish all the necessary details to justify the claim of ASD within 7 days of the receipt of objections. In case of revised demand, the payment shall be made within 15 days of the date of revised demand.
- The refund / recovery amount shall be rounded off to nearest Rs.10/-.

7. Mode of Payment of Security Deposit

- i) ISD shall be paid in the form of cash / demand draft (DD)/Bank Guarantee drawn in favour of the Licensee.
- ii) ASD shall be paid in the form of cash / demand draft (DD) /Cheque /Bank Guarantee drawn in favour of the Licensee.

8. Interest on Security Deposit

The Licensee shall pay interest on Security Deposit (ISD, ASD & Meter Security Deposit) of the Consumer as specified under K.E.R.C. (Interest on Security Deposit) Regulations, 2005. However, this Clause is not applicable to the Security Deposit paid in the form of Bank Guarantee.

➤ Refund of Security Deposit

The Licensee, on termination of the agreement by either party shall refund ISD, ASD & Meter Security Deposit (if any) after adjustment of dues, if any, within two months from the date of termination failing which interest at 1 % per month shall be payable on the ISD, ASD & Meter Security Deposit, for the actual days of delay.

THIRD PARTY METER TESTING

**Notification No. D/07/6 /
2006.**

dated: 11. 5.

Notification

National Electricity Policy issued by GoI under the provisions of Electricity Act 2003 states under Para 5.4.9 that the SERCs should put in place independent third-party Meter testing arrangements. As per the draft Rules issued by MoP regarding qualification of powers and functions of Electrical Inspectors, the testing of meters and related appliance is under the purview of the Appropriate Regulatory Commission and further that as per CEA (Installations and Operation of Meters) Regulations 2006, the Appropriate Commission shall prescribe the procedure in case of inaccuracy of meters.

In this context, the Commission held a meeting of the MDs. Of all ESCOMs and Chief Electrical Inspect to Govt. of Karnataka (CEIG) on 18.4.2006 and discussed the proposal to set up an independent third-party Meter testing agency. Since the National Electricity Policy lays emphasis mainly on the third party testing of Consumer meters, it was agreed in the meeting to restrict the third party testing to the Consumer meters only and further to appoint the CEIG as the Third Party Meter Testing Agency. It was further agreed that wherever the consumer disputes the accuracy of the meter including matters falling under section 126 of the Act, the Distribution licensee shall refer the matter to the CEIG to witness and certify the accuracy of such meters and based on the certificate issued by the CEIG, the Distribution Licensee shall decide in the matter.

Accordingly, in compliance to the National Electricity Policy, the Commission hereby appoints the Chief Electrical Inspector to Government of Karnataka as the Third Party Meter Testing Agency to witness and certify the accuracy of the meter in the case of disputed consumer meters.

By Order of the
Commission
Secretary, KERC

AUTHORISATAION TO DISCONNECT

KARNATAKA ELECTRICITY REGULATORY COMMISSION Bangalore

May 20, 2010

{ Notified in Part III of Karnataka Gazette dated: 3.6.2010 }

NOTIFICATION

In exercise of the Power conferred under the first proviso to Section 135(1-A) of the

Electricity Act 2003 (Central Act No.36 of 2003), the Karnataka Electricity Regulatory

Commission hereby authorizes the Section officer or the Junior Engineer or the Asst.

Engineer of the O & M unit of all ESCOMs with immediate effect to disconnect the

Supply of electricity to any premises, upon detection of theft of electricity.

By order of the Commission,
(Sd)

SECRETARY,
Karnataka Electricity Regulatory Commission

ELECTRICITY RULES, 2005.

GOVERNMENT OF INDIA MINISTRY OF POWER

New Delhi, the 8th, June, 2005

**(Contains amendment dated 26th October,
2006)**

NOTIFICATION

12. Cognizance of the offence-

- (1) The police shall take cognizance of the offence punishable under the Act on a complaint in writing made to the police by the Appropriate Government or the Appropriate Commission or any of their officer authorized by them in this regard or a Chief Electrical Inspector or an Electrical Inspector or an authorized officer of Licensee or a Generating Company, as the case may be.
- (2) The police shall investigate the complaint in accordance with the general law applicable to the investigation of any complaint. For the purposes of investigation of the complaint the police shall have all the powers as available under the Code of Criminal Procedure, 1973.
- (3) The police shall, after investigation, forward the report along with the complaint filed under sub-clause (1) to the Court for trial under the Act.
- (4) Notwithstanding anything contained in sub-clauses (1), (2) and (3) above, the complaint for taking cognizance of an offence punishable under the Act may also be filed by the Appropriate Government or the Appropriate Commission or any of their officer authorized by them or a Chief Electrical Inspector or an Electrical Inspector or an authorized officer of Licensee or a Generating Company, as the case may be directly in the appropriate Court.
- (5) Notwithstanding anything contained in the Code of Criminal Procedure 1973, every special court may take cognizance of an offence referred to in sections 135 to 139 of the Act without the accused being committed to it for trial.
- (6) The cognizance of the offence under the Act shall not in any way prejudice the actions under the provisions of the Indian Penal Code.

GULBARGA ELECTRICITY SUPPLY COMPANY

WORKSHOP ON ELECTRICITY LAW/ACT AND REGULATIONS FOR ESCOM OFFICERS' & CGRF MEMBERS & CONSUMERS- 2018

NAME & DESIGNATION OF THE PARTICIPANT:

Contact No:

(IN BLOCK LETTERS)

1. What is the procedure for disconnection for non – payment of dues.
 - a) Can the supply be disconnected on any Day?
 - b) What is the time limit prescribed for disconnection?
2. Where the disconnection should be done.
 - (a) At pole
 - (b) Sealable cut out at consumer's premises.
 - (c) When do you disconnect at the pole.
3. In respect of Domestic Consumer, for non- payment of dues of one installation can the other installations in the name of the same consumer be disconnected?
4. Is there provision for payment under protest, If so what is the amount to be deposited by the consumer.
5. When will Interest on Security Deposit credited to consumers account?
6. When will the Demand for additional security deposit (ASD) raised? What is the basis for the calculation of ASD?

7. Which documents are required to be given to consumer at the time of servicing of the Installation?
8. What is the periodicity of Testing of meters

HT	LT (power)	More than 40 HP
Less than 40HP		Others
9. When consumer disputes the correctness of meter who will receive the money towards testing fee and who will conduct the Meter Testing?
10. What is the period specified for back billing in meter recording slow cases and at what rate?
11. What is procedure for conducting the slow recording of the Meter?
12. Who is the officer to make assessment in cases of unauthorized use of electricity and what is the rate at which back billing demand raised and for what period?
13. Can the consumer use electricity for temporary use like floor polishing, repair works and illumination.
14. What is demand based tariff? Can Industrial consumers connect more gadgets and machinery if they have opted for Demand based Tariff?
15. Consumer, who has not opted for DBT, is found to have connected more machinery than the sanctioned load but MD recorded in the meter does not exceeded the sanctioned load. Can you raise back bill? What is the period for which BBC can be raised?
16. How to distinguish meter tampering under un- authorized use coming under S-126 & Theft under S-135.
17. What constitutes un-authorized use of Energy?

18. When the Tenant is vacating the premises how to make sure that there are No dues from the occupier?
19. Which are the complaints that cannot be filed before CGRF?
20. What are the penalty provisions for Non compliance of Orders / Regulations/Directions issued by KERC under the Act?
21. What is the manner of service of Notice under the CoS Regulations?
22. If the consumer is under charged and later issued with short claim Notice will interest be charged?
23. Under what circumstances the Disconnection of supply done.
24. What is the procedure for Provisional Assessment of unauthorized use of Energy? Who is the person authorized to issue provisional assessment order.
25. When a person has bought a Residential property which was under disconnection and applies for fresh sanction of power can the liability of the previous owner recovered from Applicant?
26. A person who has purchased an Industrial property (which was under disconnection), in an auction liable to pay the arrears of the previous owner?



ಮಾಡಬಾರದು (Don't's)

1. ವಿದ್ಯುತ್ ತಂತಿಯನ್ನು ಮುಟ್ಟಬಾರದು.
2. ಪ್ರಾಣಿಗಳನ್ನು ವಿದ್ಯುತ್ ಕಂಬಗಳಿಗೆ ಕಟ್ಟಬಾರದು.
3. ಬಟ್ಟೆಗಳನ್ನು ಒಣಗಿಸಲು ಗೈ ತಂತಿಗಳನ್ನು ಬಳಸಬಾರದು.
4. ಹೆಚ್ಚುವರಿ ಅಥವಾ ಅನಧಿಕೃತ ವಿದ್ಯುತ್ ಪ್ರಮಾಣದಿಂದ ವಿದ್ಯುತ್ ವ್ಯವಸ್ಥೆಯ ಮೇಲೆ ಅತಿಯಾದ ವಿದ್ಯುತ್ ಹೊರೆ ಉಂಟು ಮಾಡಬಾರದು.
5. ಭೂ ಸಂಪರ್ಕ ವ್ಯವಸ್ಥೆ ಇಲ್ಲದ ವಿದ್ಯುತ್ ಉಪಕರಣಗಳನ್ನು (ಹೀಟರ್ ಮತ್ತು ಇಸ್ತಿ ಪೆಟ್ಟಿಗೆ) ಬಳಸಬಾರದು.
6. ಬೇಲಿಗಳಿಗೆ ವಿದ್ಯುತ್ ಹಾಯಿಸಬಾರದು.
7. ವಿದ್ಯುತ್ ಕಂಬಗಳನ್ನು ಹಾಗೂ ಟವರ್‌ಗಳನ್ನು ಹತ್ತುವುದು ಮಾಡಬಾರದು.
8. ಸಾಧನೆಗಳಿಗೆ ತೆರೆದತಂತಿ / ಜೋಡಿಸಿದ ತಂತಿಗಳನ್ನು ಬಳಸುವುದು ಮಾಡಬಾರದು.
9. ಒಡೆದು ಹೋಗಿರುವ ಸ್ವಿಚ್‌ಗಳು / ಸಾಕೆಟ್ ಅಥವಾ ಪ್ಲಗ್‌ಗಳನ್ನು ಉಪಯೋಗಿಸುವುದನ್ನು ಮಾಡಬಾರದು.
10. ನೀರು ಕಾಯಿಸಲು ತೆರೆದ ಹೀಟಿಂಗ್‌ಕ್ವಾಯಿಲ್ ಬಳಸುವುದನ್ನು ಮಾಡಬಾರದು.
11. ತೇವವಾದ ಕೈಗಳಿಂದ ವಿದ್ಯುತ್ ಉಪಕರಣ / ಸ್ವಿಚ್‌ಗಳನ್ನು ನಿರ್ವಹಿಸುವುದನ್ನು ಮಾಡಬಾರದು.
12. ವಿದ್ಯುತ್ ಸಂಪರ್ಕಗೊಳಪಟ್ಟ ವ್ಯಕ್ತಿಯನ್ನು ಬರೀ ಕೈಗಳಿಂದ ಮುಟ್ಟುವುದನ್ನು ಮಾಡಬಾರದು.

ಯಾವುದೇ ತರಹದ ದೂರುಗಳಿಗಾಗಿ ಟೋಲ್‌ಫ್ರೀಸಂಖ್ಯೆ:
1912 ಗೆ ಹಾಗೂ ವಿಚಾರಣೆಗಾಗಿ ದೂರವಾಣಿ ಸಂಖ್ಯೆ
08472-239004 ಅಥವಾ ನಿಮ್ಮ ಹತ್ತಿರದ ಜೆಸ್ಸಾಂ
ಕಛೇರಿಗೆ ಸಂಪರ್ಕಿಸಲು ವಿನಂತಿಸಲಾಗಿದೆ.

ನಿಗಮ ಕಛೇರಿ, ಗು.ವಿ.ಸ.ಕಂ.ನಿ,
ಸ್ಟೇಷನ್ ಮುಖ್ಯರಸ್ತೆ ಕಲಬುರಗಿ -585 102
ದೂ:08472-256960

ಸುರಕ್ಷತೆ ಮತ್ತು ಪ್ರಗತಿಗಾಗಿ ನಮ್ಮ ಜೊತೆ ಕೈ ಜೋಡಿಸಿ