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PART IV-C

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

Gujarat Electricity Regulatory Commission (GERC)

Electricity Supply Code and Related Matters Regulations

Notification No. 4 of 2015

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

SHORT TITLE, SCOPE EXTENT AND COMMENCEMENT

- 1 This Code shall be called 'Gujarat Electricity Regulatory Commission (Electricity Supply Code and Related Matters) Regulations, 2015 (hereinafter referred to as 'the Supply Code').
- 2 This Code details the obligations of the licensee and consumers vis-à-vis each other and specifies the set of practices that shall be adopted by the licensee to provide efficient, cost-effective and consumer friendly service to the consumers.
- 3 All the forms and formats annexed to the Supply Code are for guidance. The licensee may make suitable amendments in the forms/formats after seeking prior approval of the Commission and such amended forms/ formats would be posted on the website of the respective licensees for use by consumers.
- 4 This Code shall be applicable to:

- (1) all Distribution licensees including Deemed licensees and all consumers in the State of Gujarat;
 - (2) all other persons who are exempted under Section 13 of the Act; and
 - (3) unauthorised supply, unauthorised use, diversion and other means of unauthorized use/ abstraction/theft of electricity.
- 5 This Code shall come into force on the date of publication in the official Gazette of Government of Gujarat.
- 6 Structure of the Supply Code

The Supply Code consists of 9 Sections as follows:

Section-1: Preliminary

Section-2: Definitions

Section-3: System of Supply and Classification of Consumers

Section-4: Procedure for release of new connection and modification in existing connection

Section-5: Apparatus within Consumer's Premises

Section-6: Metering and Billing

Section-7: Restrictions

Section-8: Disconnection and Reconnection

Section-9: General Provisions

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SECTION - I**Electricity Supply Code Review Panel**

- 1.1 The review panel shall consist of the following members with adequate knowledge of technical matters related to electricity supply by Distribution Licensees. GERC will nominate the representative of the STU as Chairperson of the Review Panel. The Member-Secretary of the Supply Code Review Panel will be nominated by the Commission from among the representatives of Distribution Licensees. The Distribution Licensee whose representative is Member-Secretary shall provide the required administrative and other logistic support to the Review Panel and shall also bear the Travel expenses etc. of the members of consumer organizations or any member nominated by the Commission as per Clause 1.2 of this Code. The Member-Secretary shall be fully responsible for rendering needed secretarial assistance to the Review panel.

Provided that the Chairperson of the Review Panel shall be an officer of the STU not below the rank of Chief Engineer.

Besides the Chairperson, the Review panel shall consist of:

- a) One member from each of the Distribution Licensees;
 - b) One member to represent all the Generating Companies to be nominated by GERC;
 - c) Chief Electrical Inspector, Government of Gujarat, shall be an ex-officio member of the Supply Code Review Panel.
 - d) Four representatives of the Industrial Consumers to be nominated by GERC. They shall be from a duly registered Organisation or Association of Industries/ chambers of commerce. Of these, two representatives shall be from LT Industrial Consumers and two from HT/EHT Consumers
 - e) Two members to be nominated by GERC from the registered Consumer bodies to represent the categories of the domestic and commercial Consumers.
 - f) One member to be nominated by GERC shall be from the registered bodies representing agriculture Consumers.
- 1.2 GERC may further add members to the review panel from any sector/ profession, as may be deemed necessary.
- 1.3 All the members of the review panel shall normally have tenure of two years unless they cease to be the member for any reason. The new member in replacement shall be from the same category and for the unexpired period of term.
- 1.4 The Review Panel can decide the procedure for transaction of its business.
- 1.5. The existing members of the Review Panel shall continue till the expiries of their term or till the new members are appointed, whichever is later.

1.6 Functions of Review Panel

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

- a) Review of the Supply Code as and when necessary.
- b) Consideration of requests for review and making recommendations along with reasons to the Commission.
- c) Issue of guidelines on implementation of the Supply Code.
- d) Review of causes of electrical accidents and recommendations about required remedial measures in the light of reports of the Electrical Inspector under Section-161 of the Electricity Act, 2003 to avoid recurrence of such accidents.
- e) Ensuring the consistency of the changes/modifications proposed in the Supply Code with other Codes, Laws, Acts, Rules and Regulations in force at that point of time.

- f) Undertaking detailed studies of matters concerning the Supply Code and circulate findings and recommendations of such studies among the members of the Review Panel and other concerned entities.
- g) Holding of regular meetings as required and at least once in six months.
- h) Holding of meetings by any sub-committee of the Review Panel for discussing specific issues raised by any group of stake holders.

Review and Revisions

- 1.7 Persons / Users seeking any amendment to the Supply Code shall send written requests to the Secretary of the review panel with a copy to GERC. If the request is sent to GERC directly, it shall be forwarded to the Secretary of review panel who shall, in consultation with the concerned entities and such other persons as the GERC may direct, review the provisions of the Supply Code. The Secretary shall circulate the proposed changes/modifications to all the panel members for their written comments within a reasonable time. If considered necessary, the Chairperson may convene meeting of the Review Panel for discussing the proposed amendments. Where the Review Panel considers necessary, it shall forward its recommendations to GERC for proposed amendments.
- 1.8 The Member-secretary shall send the following reports to GERC after each meeting of the review panel:
 - a) Reports on the outcome of such review.
 - b) Any proposed revision to the Supply Code.
 - c) All written representations and objections submitted by the Users/ Persons at the time of review.
- 1.9 The Member-secretary shall also forward a copy of agenda notes and proceedings of Review Panel meeting to the Commission.
- 1.10 All changes made in the Supply Code shall be duly incorporated in a standard copy to be kept with the Secretary of the Commission. The standard copy shall also contain a sheet showing chronology of all the changes made in the Supply Code. Copies of the relevant Gazette Notifications incorporating the changes in chronological sequence shall also be maintained.
- 1.11 An updated version of the Supply Code shall be placed on Commission's and Licensees' website. All Distribution Licensees shall maintain updated copies of the Supply Code in their offices and shall make it available for sale at a reasonable cost.

Limitations of the Supply Code

- 1.12 Where in any unforeseen circumstances or operational contingencies, the Distribution Licensee is required to act decisively to discharge his obligations under the Distribution License. Users shall provide such reasonable co-operation and assistance as the Distribution Licensee may require in such circumstances. A report of such actions shall be submitted by the Distribution Licensee to the Review Panel and GERC within 72 hours.

Confidentiality

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

Procedures to Settle Disputes

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

Other Regulations

- 1.15 The provisions of the Supply Code shall be read in conjunction with regulations made under GERC (Standard of Performance of Distribution Licensee) Regulations, 2005, as amended from time to

time, GERC (Licensee's Power to Recover Expenditure incurred in providing supply and other Miscellaneous Charges) Regulations, 2005, as amended from time to time, GERC (Security Deposit) Regulations, 2005, as amended from time to time and other relevant regulations and codes notified by GERC.

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

SECTION-2

DEFINITIONS AND INTERPRETATION

- 2.1 Words, terms and expressions defined in the Electricity Act, 2003, as amended from time to time and used in this Code shall have and carry the same meaning as defined and assigned in the said Act. Expressions used herein but not specifically defined in the Act but defined under any law passed by a competent legislature and applicable to the electricity industry in the state shall have the meaning assigned to them in such law.

Subject to the above, expressions used herein but not specifically defined in these Act or any law passed by a competent legislature shall have the meaning as is generally assigned in the electricity industry.

- 2.2 In the interpretation of this code, unless the context otherwise requires:

- (1) Words in the singular or plural term, as the case may be, shall also be deemed to include the plural or the singular term, respectively;
- (2) References to any statutes, regulations or guidelines shall be construed as including all statutory provisions consolidating, amending or replacing such statutes, regulations or guidelines, as the case may be, referred to;
- (3) Terms "include" or "including" shall be deemed to be followed by "without limitation" or "but not limited to" regardless of whether such terms are followed by such phrases or words of like import.
- (4) reference herein to the 'Code' shall be construed as a reference to this Code as amended or modified by the GERC from time to time in accordance with the applicable laws in force.
- (5) the headings are inserted for convenience and may not be taken into account for the purpose of interpretation of this Code.

- 2.3 In this Code, unless it is repugnant to the context:

- (1) '**Act**' refers to the Electricity Act, 2003 and Gujarat Electricity Industry (Reorganisation and Regulation) Act, 2003, read together and as amended time to time;
- (2) '**Agreement**' refers to an Agreement entered into by the Distribution Licensee and the consumer;
- (3) '**Applicant**' refers to an owner or occupier of any land/premises who files an application form with a licensee for supply of electricity, increase or reduction in sanctioned load/contract demand, change in title, disconnection or restoration of supply, or termination of agreement, as the case may be, in accordance with the provisions of the Act and the Supply Code, rules and regulations made thereunder or other services;
- (4) '**Application**' refers to an application form complete in all respects in the appropriate format, as required by the Distribution licensee, along with documents showing payment of necessary charges and other compliances;
- (5) '**Application Form**' refers to an application form complete in all respects in the appropriate format, as required by the Distribution licensee, before any payment of applicable charges;

- (6) **'Area of Supply'** refers to the area within which a Distribution Licensee is authorized by his License to supply electricity;
- (7) **'Assessing Officer'** refers to an officer designated as Assessing Officer by the State Government of Gujarat under provisions of Section 126 of the Act;
- (8) **'Authorised Officer'** refers to an officer designated as Authorised Officer by the Commission or the State Government, as the case may be, under provisions of Section 135 of the Act;
- (9) **'Authorized representative'** refers to of any person/entity means all officers, staff, representatives or persons discharging functions under the general or specific authority of the concerned person/entity;
- (10) **'Billing Period'** refers to the nominal period between two consecutive meter reading dates. It may be monthly or any other period as may be adopted by the Distribution Licensee. However, this shall not be less than one calendar month and more than two calendar months;
- (11) **'Calendar Year'** refers to the period from the first day of January of a year to the thirty first day of December, of the same year;
- (12) **'Check Meter'** refers to a meter, which shall be connected to the same core of the Current Transformer (CT) and Voltage Transformer (VT) to which main meter is connected and shall be used for accounting and billing of electricity in case of failure of main meter;
- (13) **'Class-I cities'** refer to as defined in the latest Census of India (areas with population of more than 1 lakh);
- (14) **'Commission'** refers to the Gujarat Electricity Regulatory Commission constituted under the Act;
- (15) **'Conductor'** refers to any wire, cable, bar, tube, rail or plate used for conducting electrical energy and so arranged as to be electrically connected to a system;
- (16) **'Connected Load'** expressed in kW, kVA or HP, refers to aggregate of the manufacturer's rated capacities of all energy consuming devices or apparatus connected with the Distribution licensee's service line on the consumer's premises which can be simultaneously used. This shall be expressed in kW or kVA. If rating is in kVA, the same may be converted to kW by multiplying the kVA with a Power Factor of 0.9. If the same or any other Apparatus is rated by the manufacturer in HP, the HP rating shall be converted to kW by multiplying it by 0.746;
- (17) **'Connection Point'** refers to a point at which the consumer's installation and/or apparatus are connected to distribution licensee's distribution system;
- (18) **'Consumer'** refers to any person who is supplied with electricity for his/her 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.

A consumer is specified as a:

- (i) **'Low Tension Consumer (LT Consumer)'** if he obtains supply from the licensee at low or medium voltage;
- (ii) **'High Tension Consumer (HT Consumer)'** if he obtains supply from the licensee at High Voltage;
- (iii) **'Extra High Tension Consumer (EHT Consumer)'** if he obtains supply from the licensee at Extra High Voltage;