

HARYANA ELECTRICITY REGULATORY COMMISSION, PANCHKULA

Notification

The 21st June, 2012

Regulation No. HERC/5/2004/2nd Amendment/2012: - In exercise of the powers conferred on it by section 181 (2) (x) of the Electricity Act 2003 (Act 36 of 2003) and all other powers enabling it in this behalf and after previous publication, the Haryana Electricity Regulatory Commission makes the following regulations to amend the Haryana Electricity Regulatory Commission (Electricity Supply Code) Regulations, 2004 as under:-

1. Short title, commencement, and interpretation.

- (1) These Regulations may be called the Haryana Electricity Regulatory Commission (Electricity Supply Code) Regulations, 2nd Amendment, 2012.
- (2) These Regulations shall come into force on the date of their publication in the Haryana Government Gazette.
- (3) These Regulations shall extend to whole of the State of Haryana.
- (4) These Regulations shall be applicable to all the Distribution and Retail Supply Licensees in their respective areas of licensed jurisdiction.
- (5) The Punjab General Clauses Act 1898 (Act 1 of 1898) as applicable to the State of Haryana shall apply to the interpretation of these Regulations.

2. The following provision is added to the above mentioned regulation as Sr. No. 11-A.

11 A. Assessment of connected load and checking of connected load of Domestic Supply consumers for any unauthorized extension of load for the purpose of levy of penalty.

(1) Assessment of connected load

The Connected load of a domestic supply connection shall be worked out in the following manner:-

Sr. No.	Item	Load (Watts)
1	Light Points	11 watt per light point (50% of light points to be taken rounded off to the next higher number)
2	Fan Points	60 watt per fan point (50% of fan points to be taken rounded off to the next higher number)
3	Air Conditioners	i) Up to two ACs, full load as per rating of the ACs to be taken. ii) For more than two ACs, 70% of the total rated load of all the ACs installed to be taken as connected load.
4	Geysers	i) Up to two Geysers, full load as per rating of the Geysers to be taken. ii) For more than two Geysers, 70% of the total rated load of all the Geysers installed to be taken as connected load.
5	Wall socket (5 Amp)	200 watt per three socket points or part thereof.
6	Wall socket (15A)	1000 watt per three sockets (excluding power sockets meant for ACs & Geysers) or part thereof subject to a minimum load of one kW.
7	Any other motive load like Central Air Conditioning Plant.	As per actual rating
	Total Load	

Note:- While computing the connected load, only the total load of ACs or Geysers as per above formula, whichever is higher, shall alone be considered.

(2) **Checking of unauthorized extension of load at the consumer premises.**

(a) In cases where meters with MDI facility are not provided, the physical checking of the premises would be carried out by an officer not below the rank of SDO. A policy of pick and choose by the junior officers shall be strictly prohibited. If there is specific information or complaint, SDO himself will conduct

checking in the presence of the consumer. In case the consumption of a consumer is not commensurate with the sanctioned load and is consistently and abnormally high in three consecutive billing cycles, then JE with prior approval of the SDO may conduct the checking.

- (b) Where energy meter with MDI facility is available no physical checking of the load shall be carried out. In that case, the consumer bill shall mention the maximum demand recorded during the billing period.

In cases where the maximum demand has exceeded the sanctioned load by more than 10%, then it should be mentioned on the bill in high – lighted printing. Where the maximum load exceeds by more than 10% of the sanctioned load for two successive billing cycles, the Licensee shall issue a notice to the consumer intimating that he has exceeded his sanctioned load and his load is being enhanced based on MDI meter readings. The consumer shall be given 30 days period to deposit the enhanced security deposit for such increase in sanctioned load, in accordance with Electricity Act, 2003. If the consumer fails to do so, the additional amount may be included in the next bill, indicating the reasons for such inclusion in the bill. The load of the consumer shall be considered as enhanced from the successive billing.

(3) **Levy of penalty on account of unauthorized extension of load.**

If on physical checking, the connected load is detected to be exceeding by more than 10% of the sanctioned load, a onetime penalty @ ₹ 100 per KW shall be levied on excess load including 10%. The Licensee shall issue a notice to the consumer intimating that he has exceeded his sanctioned load and his load is being enhanced based on physical checking. The consumer shall be given 30 days period to deposit the penalty amount and enhanced security deposit for such increase in sanctioned load,

in accordance with Electricity Act, 2003. If the consumer fails to do so, the additional amount including penalty be included in the next bill, indicating the reasons for such inclusion in the bill. The load of the consumer shall be considered as enhanced from the successive billing.

It is clarified that in case of meters with MDI facility, there shall be no penalty if the load exceeds the sanctioned load and only the procedure under Para – 2 (b) above shall be followed.

- (4) Every consumer shall have the option to get the energy meter with MDI facility installed for his electrical connection.
- (5) Unauthorized extension of load wherever detected shall not be considered as a case of unauthorized use of electricity under sections 126 & 135 of the Electricity Act, 2003.

3. The following provision is added to the above mentioned regulation as Sr. No. 14.2.

14.2 Cost of replacement of defective/burnt meter

- (1) The defective/burnt meter will be inspected and tested by the licensee.
- (2) If, as a result of testing it is established that the meter became defective/burnt due to technical reasons viz. voltage fluctuation, transients etc. attributable to the licensee, the cost of the meter shall be borne by the licensee i.e. the meter shall be replaced by the licensee free of cost.
- (3) If, as a result of testing, it is established that the meter was rendered defective/burnt due to reasons attributable to the consumer such as defect in consumer installation, connection of unauthorized load by the consumer etc., the cost of the meter shall be borne by the consumer as specified below:-
 - (a) If the meter was owned by the consumer, the licensee shall inform the consumer to provide a new meter and associated equipment for testing within 7 days, after which the licensee

shall install new meter at its own cost and start charging meter rent besides deposit of meter security if any

- (b) If the meter was owned by the licensee, the licensee shall install a new meter at its own cost and shall recover the depreciated cost of the defective meter from the consumer in proportion of the remaining useful life of the meter (useful life of the meter as per the Depreciation Schedule, Appendix – II of HERC Terms and Conditions for Determination of Wheeling Tariff and Distribution & Retail Supply Tariff Regulations, 2008 minus number of years after date of first installation of the aforesaid meter) that was rendered defective/burnt:

Provided further that if, as a result of testing, it is established that the meter was rendered defective/burnt due to tampering or any other deliberate act by the consumer to interfere with the meter, action as permissible under law shall be taken against the consumer for pilferage and tampering.

- (4) If a consumer disputes the results of testing, the meter shall be tested at a third party facility selected by the consumer from the list of third party testing facility approved by the Licensee/Commission.

Provided that in case of testing on the consumer's request, the consumer shall have to pay the prescribed testing fee.

Provided further that if the meter is found to be defective/burnt due to technical reasons attributable to the licensee viz. voltage fluctuation, transients etc., the licensee shall refund the testing fee to the consumer by adjustment in the subsequent bill.

By Order of the Commission

Secretary

Haryana Electricity Regulatory Commission