

No. 23/05/2020 -R&R
Government of India
Ministry of Power

Shram Shakti Bhawan, Rafi Marg,
New Delhi, 9th September, 2020

To

1. Chairperson, Central Electricity Authority, New Delhi.
2. Principal Secretary/Secretary (Energy), All State Governments/UTs.
3. Registrar, Appellate Tribunal for Electricity, New Delhi.
4. Secretary, Central Electricity Regulatory Commission, New Delhi.
5. Secretaries, All SERCs/JERCs.
6. Chairman/CMDs for all PSUs under administrative control of Ministry of Power.
7. CMDs/MDs of DISCOMs/GENCOs/TRANSCO of all State Governments.
8. DG, Association of Power Producers, New Delhi.
9. President, FICCI, Federation House, Tansen Marg, New Delhi.
10. Head, Prayas (Energy Group), Pune.
11. President, Confederation of Indian Industry (CII), New Delhi
12. President, PHDCCI, New Delhi
13. ASSOCHAM, Chanakypuri, New Delhi - 110021

Subject: Draft Electricity (Rights of Consumers) Rules, 2020

A draft of Electricity (Rights of Consumers) Rules, 2020 have been prepared by this Ministry. These Rules are proposed to be issued in exercise of powers conferred by Section 176 of the Electricity Act, 2003 (Act 36 of 2003) for rights of consumers including the rights of prosumers.

2. The aforesaid Draft Rules are enclosed herewith with the request to provide your comments, if any, to this Ministry within 21 days from the date of this letter i.e. by 30.09.2020. The comments may also be emailed at sandeep.naik68@gov.in and debranj.chattopadhyay@nic.in.

3. This issues with the approval of the competent authority.

Yours faithfully,

Encl: As above



(D. Chattopadhyay)

Under Secretary to the Government of India
Tele No. 23730265

Copy to:

- i) All Joint Secretaries/Economic Adviser, Ministry of Power.
- ii) PS to Hon'ble Minister, Sr. PPS to Secretary (Power), PS to AS(R&R), Sr. PPS to JS (R&R), PS to Director (R&R)
- iii) Incharge, NIC, Ministry of Power with the request to upload this document on the website of Ministry of Power under heading 'Current Notices' for the information and comments of the public.

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GOVERNMENT OF INDIA
MINISTRY OF POWER

New Delhi, the September, 2020

NOTIFICATION

G.S.R. 379(E). - In exercise of powers conferred by section 176 of the Electricity Act, 2003 (Act 36 of 2003), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement.-

- (1) These Rules shall be called the Electricity (Rights of Consumers) Rules, 2020.
- (2) These Rules shall come into force on the date of their publication in the Official Gazette.

2. Definitions and Interpretations.-

- (1) Unless the context otherwise requires words or expressions occurring in these Rules and not defined herein but defined in the Act, shall bear the same meaning as ascribed therein and in absence thereof, the meaning as commonly understood in the electricity supply industry.
- (2) In these Rules, unless it is repugnant to the context:
 - (a) **“Act”** means the Electricity Act, 2003 and subsequent amendments thereof;
 - (b) **“applicant”** means an owner or occupier of any land/premises who files an application form with a distribution licensee for supply of electricity, increase or decrease in sanctioned load/contract demand, change in title, change in consumer category, disconnection or restoration of supply, or termination of agreement, shifting of connection or other services as the case may be, in accordance with the provisions of the Act, Rules and Regulations made thereunder;
 - (c) **“application”** means an application form complete in all respects in the appropriate format, as required by the distribution licensee, along with documents and other compliances;
 - (d) **“billing cycle or billing period”** means the period for which regular electricity bills as specified by the Commission, are issued for different categories of consumers by the distribution licensee;

- (e) “**Commission**” means the State Electricity Regulatory Commission constituted under the Act;
- (f) “**Consumer**” means any person who is supplied with electricity for his own use by a distribution 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 distribution licensee, the Government or such other person, as the case may be;
- (g) “**days**” means clear working days;
- (h) “**disconnection**” means the physical separation of a consumer from the distribution system of the distribution licensee;
- (i) “**fixed charges**” has the same meaning as per the provisions of the prevailing Tariff Order issued for the distribution licensee by the Commission;
- (j) “**maximum demand**” means the highest load measured in average kVA or kW at the point of supply of a consumer during any consecutive period of 30 minutes or as specified by the Commission, during the billing period;
- (k) “**occupier**” means the owner, tenant or person in occupation of the premises where energy is used or proposed to be used;
- (l) “**point of supply**” means the point at the incoming terminals of switchgear installed by the consumer;
- (m) “**prosumer**” means a person which consumes electricity from the grid and can also inject electricity into the grid for distribution licensee, using same point of connection.
- (n) “**Temporary Connection**” means an electricity connection required by a person for meeting his temporary needs such as
 - (i) for construction of residential, commercial and industrial complexes including pumps for dewatering;
 - (ii) for illumination during festivals/family functions;
 - (iii) for threshers or other such machinery excluding AP pump sets;
 - (iv) for touring cinemas / theatres / circuses / fairs / exhibitions / melas / congregations;
- (o) “**theft**” shall mean theft of electricity as per Section 135 of the Act;

- (p) **“Unauthorized use of Electricity”** has the meaning as assigned to it under Section 126 of the Act.

3. It is the duty of every distribution licensee to supply electricity on request made by an owner or occupier of any premises in line with the provisions of Act. It is the right of consumer to have minimum standards of service for supply of electricity from the distribution licensee in accordance with the provisions made in these Rules.

4. Release of New Connection and Modification in Existing Connection

(1) The distribution licensee shall prominently display on its website and on the notice board in all its offices, the following:

- a) detailed procedure for grant of new connection, temporary connection, shifting of meter or, service line, change of consumer category, enhancement of load, reduction of load or change in name, transfer of ownership and shifting of premises etc.
- b) address and telephone numbers of offices where filled-up application forms can be submitted.
- c) complete list of copies of the documents required to be attached with the application;
- d) all applicable charges to be deposited by the applicant.

(2) Processing of Application Forms:

- a) Application forms for all type of connections as well as modification in existing connection shall be available at all the local offices of the distribution licensee free of cost as well as on its website for free download.
- b) The distribution licensee shall create web portal and mobile app for submission of online application forms.
- c) The applicant shall have an option to submit an application form in hard copy form or an electronic means such as online through web portal or mobile app of distribution licensee.
- d) In case hard copy of the application form is submitted, the same shall be digitized and uploaded on the website as soon as it is received and acknowledgement with the registration number for that applicant shall be generated and intimated to the applicant.

- e) In case of online application form through web portal or mobile app of distribution licensee, the acknowledgement with the registration number shall be generated on submission of application.
- f) An application shall be deemed to be received on the date of generation of acknowledgement with registration number.
- g) The application tracking mechanism based on the unique registration number shall be provided by the distribution licensee through web-based application/ mobile app /SMS/ any other mode to monitor the status of processing of the application like receipt of application, site inspection, issuance of demand note, external connection, meter installation and electricity flow.
- h) For new connections up to a load of 10 kW or such higher load as may be specified by the Commission, the application form shall be accompanied with only two mandatory documents- (1) identity proof (i.e. Passport, Aadhar Card etc.) of the applicant and (2) proof of applicant's ownership or occupancy over the premises for which new connection is being sought or in the absence of any proof of ownership or occupancy, any other address proof not given as part of identity proof under (1) above. For new connections beyond the specified load, and modification of existing connection, the Commission shall explicitly specify the documents required to be submitted with the application.
- i) In case, an agreement is required to be executed between distribution licensee and the consumer, the same shall form a part of the application form and there shall not be any requirement of a separate agreement form.
- j) The Commission shall specify the maximum time period, not exceeding 7 days in metro cities, 15 days in other municipal areas and 30 days in rural areas, within which the Distribution Licenses shall provide new connection and modify an existing connection.
- k) For electrified areas up to 150 kW or such higher load as the Commission may specify the demand charges for new connection on the basis of the load, category of connection sought and average cost of connection of the distribution licensee so as to avoid site inspection and estimation of demand charges for each and every case individually. The demand charges, in such cases, may be paid at the time of application for new connection.

5. Metering

- (1) No connection shall be given without a meter. The meter shall be the smart pre-payment meter or prepayment meter. Any exception to the smart pre-payment meter or prepayment meter shall have to be duly approved by the Commission. The Commission, while doing so, shall record proper justification for allowing the deviation from installation of the smart pre-payment meter or prepayment meter.