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PUNJAB STATE ELECTRICITY REGULATORY COMMISSION

NOTIFICATION

The 28th January 2019

No. PSERC/Secy/Regu.137 - In exercise of the powers conferred under Section 181 read with Sections 43, 44, 45, 46, 47, 48, 50, 55, 56, 57, 58, 59, 126, 127, 135, 152, 154 & 163 of the Electricity Act, 2003 (Central Act 36 of 2003) read with Electricity (Amendment) Act, 2007 (No. 26 of 2007) and all other powers enabling it in this behalf and after previous publication, the Punjab State Electricity Regulatory Commission hereby makes following regulations to amend Punjab State Electricity Regulatory Commission (Electricity Supply Code and Related Matters) Regulations, 2014 including the first to fourth amendments thereof (hereinafter referred to as “the Principal Regulations”) namely:-

1. SHORT TITLE, COMMENCEMENT AND INTERPRETATION

- 1.1 These Regulations may be called the Punjab State Electricity Regulatory Commission (Electricity Supply Code and Related Matters) (5th Amendment) Regulations, 2019.
- 1.2 These Regulations shall be applicable to all licensees (including entities exempted under Section 13 of the Act) in their respective licensed/supply areas and all consumers/persons in the State of Punjab.
- 1.3 These Regulations shall come into force from the date of their publication in the official gazette of the State except 2nd proviso to sub-regulation 31.5 which shall come into force from 01.07.2019.

2) Amendments in Regulation 4.2 of the Principal Regulations-Supply Voltage

The sub-regulation 4.2.1 of the Principal Regulations shall be substituted as under;

- “4.2.1 The distribution licensee shall release new connections or additional load/demand at voltage specified in Regulation 4.2 above.

Provided that a consumer/applicant may opt for supply at a voltage higher than specified in Regulation 4.2 above, which may be granted by the licensee, if technically feasible.

Provided further that in case of constraint(s) in releasing a new connection or additional load/demand at the specified voltage or in converting the supply voltage of an existing consumer, the supply may be given/continued to be given at a lower voltage subject to technical feasibility and payment of surcharge as specified in the General Conditions of Tariff, as amended from time to time. However, the exemptions from levy of surcharge(s) shall continue as provided in the General Conditions of Tariff.

Provided also that in case of reduction in specified voltage due to reduction in load/ demand by the existing consumer, the supply may continued to be given at the existing higher supply voltage.

Provided also that a consumer shall be entitled to get voltage rebate as may be approved by the Commission in the Tariff Order for the relevant year against the voltage at which the load/demand of the consumer is being catered.”

3) **Amendments in Regulation 6.5 of the Principal Regulations**

The regulation 6.5 of the Principal Regulations shall be substituted as under;

“6.5 One Connection in One Premises

The applicant for a new connection shall give an undertaking that no connection exists in the premises for which a connection is applied. However, another connection in the same premises may be allowed in the following cases:

6.5.1 A new industrial connection in an existing industrial premises may be allowed in the name of independent firm/company provided:

- a) it is a separate unit in duly partitioned premises owned or taken on lease/rent;
- b) it is registered as a separate entity/firm under the relevant law;
- c) it holds a separate GST number and is independently assessed for Income Tax, as may be applicable.

6.5.2 Domestic supply consumers may get more than one domestic supply connection in the same premises where family members/occupants living in a house have separate cooking arrangements subject to the condition that the portions of the house are electrically separated. In case a tenant requires a separate connection under DS category in the separate portion/floor of the premises, he shall furnish an undertaking from the landlord/owner in the form of an affidavit duly attested by Notary Public that the landlord/owner shall clear all the liabilities in case the tenant leaves the premises without paying the distribution licensee’s dues.

6.5.3 If a portion of residential/industrial premises is regularly used for any commercial activity permitted under law, the consumer shall be required to obtain a separate connection under NRS category in a duly partitioned & electrically separated portion put to commercial use. In such an event, two connections, one under Schedule DS/Industrial and the other under Schedule NRS shall be permitted.

6.5.4 A tenant/lawful occupier of the premises, in which an NRS/industrial /domestic connection already exists, shall have to seek a separate connection, with the consent of the owner, to carry out any commercial/ industrial activity permitted under law by duly separating the portion of the premises. While giving its consent, the owner shall undertake in the form of an affidavit duly attested by Notary Public that the owner shall clear all the liabilities in case the tenant leaves the premises without paying the distribution licensee’s dues.

4) **Amendments in Regulation 6.7 of the Principal Regulations-**

Supply of Electricity to Individual Consumers in the Residential Colonies / Multi- Storey Residential Complexes Developed under bye-laws/ rules of the State Govt.

(i) The note below table in sub-regulation 6.7.1(b) of the Principal Regulations shall be substituted as under;

“NOTE: Forty percentage (40%) of the total residential load and fifty percentage (50%) of the total commercial load as calculated above shall be taken as colony load. The load shall be converted in kVA by using a power factor of 0.90.”

(ii) Amendment in Regulation 6.7.1(c) of the Principal Regulations

The sub-regulation 6.7.1(c) of the Principal Regulations shall be substituted as under;

“6.7.1 (c) The developer/ builder/ society/ owners/ association of residents/ occupiers may deposit the estimated cost of Local Distribution (LD) system of the colony as per approved layout sketch and get it executed from the distribution licensee. The expenditure of L.D system including service cable up to the metering point of each consumer and the 11 kV system shall include cost of the material, labour plus 16% establishment charges there on. The phase wise development of LD system may be carried out by the licensee as per requirement but any cost escalation over a period of time shall be borne by the licensee. The distribution licensee shall be responsible to release individual connections within the time frame specified in Reg. 8. The expenditure incurred by the distribution licensee for providing connectivity to the colony shall also be borne by the developer/ builder/ society/ owners/ association of residents, as the case may be. This shall include the expenditure incurred by the distribution licensee for providing the individual 11 kV service line(s) to the colony (cable or conductor from pole/ tower of feeder/ distribution main to the colony premises/ metering point) and proportionate cost of common portion of the distribution main including breaker from nearest feeding grid sub-station having power transformer of 33-66/11 kV or 132-220 /11 kV, as the case may be, which is feeding the 11 kV line connected to the colony, as per the Standard Cost Data approved by the Commission. In case the existing 11 kV distribution main is required to be augmented/ extended/bifurcated or a new 11 kV line/plant is to be erected to allow connectivity to any colony then such work shall be carried out by the distribution licensee at its own cost provided the applicant pays the full cost of service line and proportionate cost of the common portion of the augmented/extended /bifurcated /new distribution main including breaker as per the Standard Cost Data approved by the Commission.

However, the developer/ builder society/ owners/ association of residents/ occupiers shall have the option to execute the works of internal L.D system of the colony/ complex of its own in accordance with the layout plan/sketch approved by the distribution licensee subject to payment of 15% supervision charges on the labour cost to the licensee. In such case, the developer/ builder society/ owners/ association of residents/ occupiers, as the case may be, shall furnish a Bank Guarantee (valid for the period of NOC) from any bank registered and regulated by RBI equivalent to 20% of the estimated cost of the LD system of the colony to be executed by the developer/ builder society/ owners/ association of residents/ occupiers before the approval of the electrification plan and issue of NOC by the distribution licensee. This BG shall be returned after the developer fulfils the conditions of NOC and submit BG in case he avails partial connectivity from the distribution licensee.

Provided that the distribution transformers and other material to be used for the internal LD System of the colony shall be as per the specifications approved by the licensee and shall be procured from the vendors approved by the licensee. The Distribution Transformers (DTs) may be procured by the developer from the distribution licensee. However, the developer shall be at liberty to procure the DTs from the approved vendors of the distribution licensee after getting the same inspected from the distribution licensee at manufacturer's site. A 21 days' notice shall be served on the distribution licensee by the developer to inspect the DTs. In case DTs are not inspected within 21 days from the date of receipt of notice by the distribution licensee from the developer, it shall be deemed to have been inspected and approved by the distribution licensee.

Provided further that the phase wise development of LD system may be carried out by the developer/ builder society/ owners/ association of residents/ occupiers, as per requirement. In case the developer/ builder/ society/ owners/ association of residents/ occupiers requests for energisation of incomplete/ partial LD system, the same shall be allowed provided the developer/ builder/ society/ owners/ association

of residents/ occupiers furnish a Bank Guarantee (BG valid for 3 years) from any bank registered & regulated by RBI equivalent to the estimated cost of balance works as per the cost of material and labour prevailing at the time of allowing connectivity for the partial load plus expected % age increase in the cost of material & labour in the next 3 years as may be approved by the Commission on the basis of increase in the cost during the preceding 3 years . This BG may be extended for each block of 3 years by increasing the base value with expected % age increase in the cost of material & labour as may be approved by the Commission. The amount of Bank Guarantee shall keep on reducing with the completion of remaining works of the L.D system. After submission of Bank Guarantee to the satisfaction of the licensee, the BG accepted at the time of issue of NoC shall be returned to the developer and it shall be the responsibility of the licensee to release connections to the residents/ occupiers of the colony/complex according to the time frame specified in Reg. 8.

After its completion and inspection by the Chief Electrical Inspector to Govt. of Punjab, the distribution licensee will take over the L.D system which will be connected to its distribution system. The distribution licensee shall thereafter maintain the L.D system at its own cost.”

5) Amendment in Regulation 8.4 of the Principal Regulations-Availing Sanctioned Load/ Demand in Phases

The sub-regulation 8.4.3 of the Principal Regulations shall be substituted as under;

“8.4.3 In case of residential colonies/ commercial complexes/ industrial estates covered under regulation 6.6.1 & 6.6.2, phase wise development of the load /demand as per requirement may be permitted by the licensee. However, in case an HT/EHT consumer requests for release of partial load/demand at voltage lower than the specified voltage, such request may be accepted by the licensee subject to deposit of cost of works for supply at the lower voltage and furnishing a Bank Guarantee (BG valid for 3 years) from any bank registered and regulated by RBI equivalent to the estimated cost of HT/EHT sub-station, HT/EHT line along with associated equipment and the cost of incomplete LD system prevailing at the time of allowing connectivity, plus, expected % age increase in the cost of material & labour in the next 3 years as may be approved by the Commission on the basis of increase in the cost during the preceding 3 years. The amount of Bank Guarantee shall keep on reducing with the completion of remaining works of the sub-station/line & L.D system. After the consumer shifts to the specified voltage at a later stage, no credit of the works carried out for supply at lower voltage shall be given to the consumer.

6) Amendment in Regulation 8.5 of the Principal Regulations

The sub-regulation 8.5 of the Principal Regulations shall be substituted as under;

“8.5 Reduction in Sanctioned Load/Demand

The request for reduction in sanctioned demand/ load by a consumer shall be submitted on A & A form prescribed by the distribution licensee along with processing fee and electrical contractor’s test report only in case there is change in connected load and/or electrical installation.

Provided that in case reduction in load/ demand results in reduction of supply voltage also, the supply may continue to be given at the existing higher supply voltage. However, in case the consumer opts for supply voltage corresponding to the reduced load/demand and it involves change in the licensee’s distribution system then such consumer shall be liable to pay actual expenditure incurred by the licensee to effect such changes in infrastructure.

The request shall be granted by the distribution licensee within a maximum period of fifteen (15) days from the date of its submission of revised A&A form and deposit of necessary charges, wherever applicable, failing which the demand/ load shall be deemed to have been reduced as requested by the consumer.

Provided further that in case a consumer (except seasonal industrial category) requests for increase in his sanctioned contract demand/load upto the original sanctioned demand/load within a period of one year from the date of approval in reduction in demand/ load, the same shall be allowed subject to technical feasibility, without recovery of any Service Connection Charges/Line Charges or proportionate cost of the common portion.

Provided also that such option shall be exercised by the consumer only once.

7) Amendment in Regulation 30 of the Principal Regulations-Electricity Bills

The sub-regulation 30.11 of the Principal Regulations shall be substituted as under;

“30.11 The distribution licensee shall issue the first bill for a new connection released during a billing cycle before the end of the next billing cycle. In case the distribution licensee fails to render the bill within the stipulated period, in such cases, on the request of the consumer, the recovery of amount of bill shall be made in interest free installments without any surcharge. Provided that in case the consumer defaults in making timely payment of installment(s) then he shall be liable to pay late payment surcharge as per general conditions of tariff. In case a consumer does not receive the first bill by the end of the next billing cycle, he may inform the officer/functionary in charge of notified office of the distribution licensee who shall arrange for issue of the bill within ten days. In all other cases, if the bill of any cycle is not issued by the licensee and the current bill is for more than one cycle, in such cases, on the request of the consumer, the recovery of amount of bill shall be made in interest free installments without any surcharge/ interest. Provided that in case the consumer defaults in making timely payment of installment(s) then he shall be liable to pay late payment surcharge as per general conditions of tariff.”

8) Amendment in Regulation 31 of the Principal Regulations-Payment of Electricity Bills

The second proviso to sub-regulation 31.5 of the Principal Regulations shall be substituted as under;

“Provided further that all payments exceeding Rs. 50,000/- (Rupees Fifty Thousand only) in a billing cycle/month or the amount, as may be decided by the Commission from time to time, shall only be accepted through e-banking, credit/debit card, RTGS, NEFT or any other approved digital mode.”

9) Amendment in Regulation 34 of the Principal Regulations-Restoration of Supply of Electricity

The sub-regulation 34.4 shall be inserted in Regulation 34 of the Principal Regulations as under;

“34.4 Where a supply has been disconnected & the agreement has been terminated on the request of the consumer as per regulation 33.2 but his service line/feeding line, irrespective of voltage, has not been dismantled, the connection may be reconnected after recovering the following charges:

- (a) Outstanding amount, and additional charges for delayed payment, if any;
- (b) Fixed charges for the period of disconnection limited to charges applicable for release of new connection to such consumer; and
- (c) Security (consumption), Security (Meter) and reconnection fee as applicable at the time of reconnection in accordance with Schedule of General Charges after adjusting Security (consumption), Security (Meter) of the consumer lying with the distribution licensee along with interest as per regulation 33.4 of this Code.

Provided that the connection can be reconnected without any augmentation of system i.e. it is technically feasible to reconnect the connection from existing system.

Provided further that in case, the service line/feeding line has been dismantled or used to feed other consumer(s) and connection cannot be given from existing distribution main then it shall be considered as new connection for all intents and purposes.”

Sd/-

Secretary to the Commission

Note: **The Principal Regulations** were issued vide Notification No. PSERC/Secy./Regu.97 dated 05.11.2014 published in Punjab Govt. Gaz.(Extra) dated 5th Nov. 2014 and further amended vide:

The 1st amendment to the Principal Regulations issued vide Notification No./ PSERC/Secy./Regu.114 dated 22.06.2016 published in Punjab Govt. Gaz.(Extra) dated 23.06.2016.

The 2nd amendment to the Principal Regulations issued vide Notification No./ PSERC/Secy./Regu.116 dated 05.10.2016 published in Punjab Govt. Gaz.(Extra) dated 05.10.2016.

The 3rd amendment to the Principal Regulations issued vide Notification No./ PSERC/Secy./Regu.119 dated 21.03.2017 published in Punjab Govt. Gaz.(Extra) dated 22.03.2017.

The 4th amendment to the Principal Regulations issued vide Notification No./ PSERC/Secy./Regu.125 dated 17.05.2018 published in Punjab Govt. Gaz.(Extra) dated 17.05.2018 read with corrigendum issued vide notification no. PSERC/Secy./Regu.126 dated 06.06.2018 published in Punjab Govt. Gaz.(Extra) dated 06.06.2018.