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**JOINT ELECTRICITY REGULATORY COMMISSION
FOR THE STATE OF GOA AND UNION TERRITORIES**

NOTIFICATION

Gurgaon, the 7th August, 2013

No. JERC- 11/2010.— In exercise of powers conferred under section 181 of the Electricity Act, 2003 and all other powers enabling it in this behalf, and after previous publication, the Joint Electricity Regulatory Commission for the State of Goa and Union Territories hereby makes the following amendments in Joint Electricity Regulatory Commission for the State of Goa & UTs (Electricity Supply Code) Regulations, 2010.

3715 4/13-3

1. Short title and commencement:

(1) These Regulations may be called The Joint Electricity Regulatory Commission for the State of Goa & UTs (Electricity Supply Code) first amendment Regulations, 2013.

(2) These Regulations shall come into force from the date of their publication in Official Gazette.

2. Amendment in Regulation 1.2 (J) of the principal Regulations is to be replaced as under:-

'Connected Load' means, aggregate of the manufacturer's rating of all energy consuming devices including portable devices but excluding standby, defective and burnt devices which can be simultaneously used. This shall be expressed in kW, kVA or HP units and shall be determined as per the procedure laid down in these Regulations.

3. Amendment in Regulation 3.3 (5) of the principal Regulations is to be replaced as under:-

In case the connected / contracted load of any connection of any category is projected to be 100 kW or more, a separate transformer of adequate capacity shall be installed at consumer's cost. The space/room required for housing the transformer, substation, switch gears, meters and panels shall be provided by the consumer, free of cost, which is easily accessible to the licensee.

4. Amendment in Regulation 3.6 (B) (9) of the principal Regulations is to be replaced as under:-

In case of multi consumer complexes, such as Group Housing Societies and Commercial Complexes, the new connection sought, shall preferably be provided with single meter on LT if load is below 100kW and on HT if load is 100 kW or more. However this shall not restrict the individual owner or occupier of any premises for applying for individual connection and the licensee shall sanction such connection on LT. In case the connected / contracted load of any connection is projected to be 100 kW or more, a separate transformer of adequate capacity shall be installed at consumer's cost. The space/room required for housing the transformer, substation, switch gears, meters and panels shall be provided by the consumer, free of cost, which is easily accessible to the licensee.

The distribution licensee shall be responsible to develop, construct, augment and maintain the entire infrastructure required for distribution system, including 33/11 kV or 11/0.4 kV substation, at his own cost. The cost of augmentation and extension of infrastructure/distribution system shall be allowed to be recovered in ARR through tariff approved by the Commission, after prudent check. However, the consumer shall be liable to pay service connection charges i.e. cost of service connection from distribution main to the point of supply, as approved by the Commission from time to time.

Note: The developer/ builder/ society/ consumer includes any agency whether Government, local body or private that constructs the Multi-Consumer Complex.

5. Amendment in Regulation 3.6 (C) (18) of the principal Regulations is to be replaced as under:-

The Group user shall be eligible to opt supply by a distribution licensee at a single point provided that the supply shall be used for residential purpose including the loads of common amenities for the

group user like pumps for pumping water supply and lighting of common area. The consumption of energy for common services shall be separately metered with meters installed by the consumer and tested and sealed by licensee and billed at highest slab of domestic tariff.

The Group user shall inform the details of every non-domestic activity along with the connected load to the licensee at the time of seeking connection or at the time of enhancement in contract demand & non-domestic activity shall be separately metered & billed under non-domestic tariff category. The consumption of energy for common services under such case shall be billed under non-domestic tariff category.

6. Amendment in Regulation 4.13 (3) of the principal Regulations is to be replaced as under:-

The connected load of all categories of consumers shall be aggregate of the manufacturer's rating of all energy consuming devices, in the consumer's premises but excluding standby, defective and burnt devices, which can be used simultaneously. This shall be expressed in kW, kVA or HP units. During the process of determination of connected load, if the manufacturer's rating is not available/ indicated on any item, the load shall be taken as per detail in Annexure-1. The licensee may also use suitable apparatus to determine the load of such devices. If both Air Conditioners and room heaters/geysers are found in the same premises, the load of cooling or heating devices with higher rating shall be taken into account. However, the load of geysers/water heaters in kitchen of Restaurants/Hotels shall be counted with the load of A.Cs. even for the summer months. The items stocked for the purpose of sale/repair or genuinely kept as spare/standby shall not be considered for the purpose of determination of connected load. The licensee shall carry out periodical survey of street lights and record the type of lamps being used alongwith their load. Survey of load of consumers shall be carried out normally once in two years. The licensee may also carryout verification of load in selected areas periodically. An authorized person may conduct a survey of such consumer's premises and in case, the connected load is found in excess of the sanctioned load, a penalty at the rate of Rs.250/kW shall be imposed on the excess portion of the load and the sanctioned load in such cases shall be automatically enhanced to the connected load found at the time of inspection and excess amount of security deposit shall be charged in next billing cycle. Where any consumer is provided with meter having MDI feature, the penalty shall be imposed at the rate of Rs.250/- per kVA/kW in case actual maximum demand for any billing cycle exceeds the contracted demand/connected load, as recorded by the maximum demand indicating device of the meter. If the MDI meter reflects actual maximum demand higher than sanctioned load for 3 consecutive billing cycles, the sanctioned load of such consumers shall be automatically enhanced to average of the maximum demand recorded in previous 3 billing cycles and excess amount of Security Deposit shall be charged in next billing cycle.

7. Regulation 6.4 (3) of the principal Regulations is to be deleted.

8. Amendment in Regulation 7.7 (1) (iii) of the principal Regulations is to be replaced as under:-

Excess loads found shall be removed or regularized by asking consumers to pay the additional security deposit, penalty for load found in excess of the sanctioned load at the rate of Rs. 250/kW and any other charges as applicable. Consumer shall not be booked for unauthorized use u/s 126 of Electricity Act, 2003.

9. Amendment in Regulation 7.8 (1) (ii) of the principal Regulations is to be replaced as under:-

Under section 126 shall be read under section 135 of Electricity Act, 2003 in this Regulation.

10. Amendment in Regulation 8.1 (16) of the principal Regulations is to be replaced as under:-

In order to recover the energy charges for the duration when the meter remains non-functional, average monthly consumption of corresponding month/billing cycle of the previous year shall be adopted. If the same is not available, average monthly consumption of the previous one year shall be adopted for recovery of energy charges, subject to minimum monthly charges or as otherwise provided in the tariff order of the Commission in force. In case, check meter is available, the readings of the check meter may also be used for assessment of consumption. In case of HT consumers, if during the period when the main meter is defective, the check meter is not installed or is also found defective, the quantity of electricity supplied shall be determined as stated above. In case the meter becomes defective immediately after its installation and prior consumption is not available, then billing shall be done provisionally on the basis of formula specified in Annexure 7 subject to adjustment on the average consumption of corresponding period of next year. If the same is not available, adjustment shall be made with average consumption of subsequent period of one year/about one year. Such provisional / average billing shall not continue for more than 2 billing cycles.

11. Amendment in Regulation 10.1 of the principal Regulations is to be replaced as under:-

A) Cases to be treated as Unauthorized Use of Electricity

1) The following acts on the part of consumer are to be considered as unauthorized use of electricity for the purpose of assessment under the provisions of Section 126 of the Act;

- (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.

B) Cases not to be treated as Unauthorized Use of Electricity.

- (i) If connected load of any LT consumer (including domestic consumer) is found to be at variance from the sanctioned/contracted load as a result of increase of load or due to replacement of lamps, fans, fuses, switches, low voltage domestic appliances, fittings etc. it shall neither fall under unauthorized use of electricity (Section 126 of EA 2003) nor under theft of electricity (Section 135 of EA 2003).
- (ii) Supply to activities incidental to main activity, for example supply to chemist shop in nursing homes and hospitals; tea shop, canteen, employees' cooperative store, dispensaries, puncture shop

in petrol pumps etc. provided that the connected load for such activities remains within 5% of the sanctioned load or 5 kW, whichever is less.

- (iii) In case of domestic/non domestic connection(s), extension of supply from connection to other portion of the building/plot including for servant quarters, own parking garages or for social requirements relating to personal religious functions, sports etc. in residential areas so long as the supply is not extended to any portion for which connection has been disconnected due to non-payment of dues and there is no change in the category of use.
- (iv) Professional such as Doctors, Engineers, Lawyers, CAs, Journalists and Consultant practicing from their residence irrespective of location provided that such use shall not exceed 25% of the area of the premises or 50 sq meters, whichever is less subject to installation of MDI meters.
- (v) For cottage and commercial activities operating in residences such as repair of shoes by cobbler, dhobi, ironing of clothes, stitching/knitting, paan-shop and bakery products etc. small shops, tea shops etc. with total load (maximum demand) of 5 kW domestic tariff shall be applicable subject to installation of MDI meters. In cases where total load is more than 5kW, separate metering shall be done for commercial and domestic use and consumption shall be charged according to the tariff applicable.
- (vi) In industrial or commercial premises where the supply is used by one or more persons where partition in business takes place or division in the family occurs or where user of the connection changes due to succession.

12. Amendment in Regulation 10.3 (B) (i) of the Principal Regulations is to be replaced as under:-

- (i) If the Assessing Officer comes to the conclusion that unauthorised use of electricity has taken place in the premises, he will serve a provisional assessment order upon the consumer/person in occupation or in charge of the premises under proper receipt, giving 7 days time for filing objections, if any, against the provisional assessment order and fixing a date of hearing. The assessment shall be done on the basis of metered consumption in case meter has not been tampered otherwise assessment of units consumed shall be done as per guidelines provided in Annexure-7 appended to the Regulations.

13. Amendment in Regulation 10.3 (C) (iv) of the Principal Regulations is to be replaced as under:-

- (iv) The assessment under Clause 10.3(c) (iii) shall be limited to twice the financial loss caused to the department for the period during which such unauthorized use has taken place i.e. two times the difference of the electricity charges required to be paid by the consumer as per relevant category of tariff and electricity charges actually paid during the period, subject to maximum period of 12 months.

14. Amendment in Annexure-1 of the Principal Regulations is to be replaced as under:-

In Column No. 2 line No. 6 of Annexure 1 load of Mixie shall be replaced 200 watts in lieu of 60 watts.

3715 5/13-4

Annexure-1 of the principal Regulations. Following shall be added at the end of existing note:-

- (g) Un-used plug points shall not be taken into account.
- (h) Defective appliances like coolers, refrigerator, T.V, Iron, Oven etc. which are not connected and not working shall not be taken into account.
- (i) Items stocked for purpose of sale/repair or genuinely kept as spare/standby shall not be considered for the purpose of determination of connected load.
- (j) The load of geysers/room heaters or air conditioners whichever is higher shall be counted. However, the load of geysers/water heaters provided in kitchen of Restaurants/Hotels shall be counted with the load of A.Cs. for the summer months. The load of air conditioners (without heater) shall be taken into account for the month of April to September whereas load of geysers and room heaters shall be counted for the months of December, January and February.
- (k) In case of UPS equipment, the actual load fed by the UPS shall be taken into account instead of maximum rated capacity of UPS.
- (l) Any other item of load shall be taken as per manufacturer's rating.
- (m) If the rating of the energy consuming device is in KVA, the same shall be converted into KW by multiplying KVA with power factor of 0.9 and if the rating of energy consuming device is in HP, it shall be converted into KW by multiplying HP with 0.746.
- (n) Subject to minimum load of 1KW, the fraction of load below 500 Watts shall be rounded to its nearest lower level of whole number and 500 Watts and above shall be rounded to nearest higher level of whole number.
- (o) Assessed load may be up to 110% of the approved connected load without imposition of any penalty.

15. Amendment in Para (1.2), (1.3) and (1.4) in Annexure -7 of the Principal Regulations is to be replaced as under:-

1.2 Applicability:-

In case, there is no tampering of meter involved, the assessment of amount to be charged for unauthorized use of electricity shall be based on metered consumption for the period of unauthorised use.

- (i) The method of calculation of assessment of units consumed shall be as given in Annexure-7 (ABCD formula) in case of theft of electricity i.e. abstraction of power without any metering by tapping the overhead supply lines or underground cables. The formula will also be applicable if the meter is installed but abstraction of power is being made by tampering of meter/metering equipment/metering equipment wiring or by use of any unauthorized devices affecting the accuracy of recording of energy consumed by the meter.

1.3 Assessment of electricity charges in case of unauthorized use of electricity under Section 126 of the Act.

- 1. Where it is concluded that unauthorized use of electricity has taken place, the assessment shall be made for the entire period during which such unauthorized use has been continuing. If, however, the period during which such unauthorized use of electricity has taken place, cannot be

ascertained, such period shall be limited to a maximum period of twelve months immediately preceding the date of inspection.

- II. The assessment shall, in principle, be limited to twice the financial loss caused to the department for the period during which such unauthorised use of electricity has taken place i.e. two times the difference of amount of electricity charges required to be paid by the consumer as per relevant category of tariff and electricity charges actually paid during the period subject to maximum period of 12 months.
- III. In cases where fixed monthly tariff exist, monthly assessment shall be made at twice the monthly rate.

(A) For cases where usage of electricity is for other purpose than authorized:

In case of use of supply for the category on which higher tariff is applicable than the category for which load was sanctioned, the difference of electricity supply charges at the tariff relevant to category of actual use and charges paid with tariff as per sanctioned category shall be worked out on the basis of metered consumption. The penalty in such cases shall be twice the difference of these charges for the relevant period.

However, the electricity supply used for purpose on which lower tariff is applicable than the category of tariff for which load was sanctioned, it shall not be considered unauthorised use of electricity and no penal action shall be taken.

(B) For cases of tampering of meter:

In case of tampering of meter, the energy shall be worked out with ABCD formula as provided in Annexure-7. In case of tampering of meter, the energy consumption shall be assessed with ABCD formula as provided in Annexure-7. The difference of electricity charges for the assessed consumption with ABCD formula and charges actually paid on the basis of tampered meter consumption shall be worked out. The penalty in such cases shall be twice the difference in charges, paid less by the consumer, for the relevant period.

(C) For extension of supply to premises for which the supply of electricity was not authorized:

In case of extension of supply from the authorised premises to the premises specified as unauthorised, the consumption by such unauthorised premises shall be worked out in proportion to the load of such premises to the total load of the authorised and unauthorised premises on the basis of total metered consumption. The consumption of unauthorised premises as calculated above shall be charged at twice the tariff applicable for the category of use of load in unauthorised premises after adjusting the amount actually paid by the consumer for the unauthorised premises as worked out on the basis of load of that premises.

(D) Electricity charges in all cases of unauthorized use of electricity will continue to be levied as specified above till the cause of unauthorized use of electricity is rectified.

1.4 Assessment in case of Theft of Energy :

(1) Assessment for energy in cases of theft shall be done based on ABCD formula provided in Annexure-7 (as in the case of un-authorised use of electricity). However, in case of theft, the units consumed shall be worked out with the appropriate Load Factor of 'C'.

(2) The consumption so assessed shall be charged at two times the normal tariff applicable. Load Factor and Diversity Factor

Sr. No.	Category	Purpose	Diversity Factor	Load Factor
1.	Residential Consumers	Lighting and Fans	2.5	30%
		Heating appliances Dec-Jan-Feb	2.5	15%
		Cooling appliances		
		April - Sept.	2.5	50%
		Oct.- March.	2.5	NIL
2.	Non-Residential Consumers	Lighting and Fans	1.5	40 %
		Heating appliances Dec - Jan-Feb	1.5	20%
		Cooling appliances		
		April - Sept	1.5	50%
		Oct.- March.	1.5	NIL
3.	LT Industrial Consumers	Engineering Workshop	1.8	30% for one shift
				50% for two shift
				70% for three shift
				Each shift of eight hours
		Power looms and Textile		
		(i) Looms & Textile Load	1.8	40% for one shift
				70% for two shifts
				Each shift of twelve hours
		(ii) Twisting M/c Load	1.8	45% for one shift
				90% for two shifts
	Each shift of twelve hours			
Ice-cream Manufacturing				
Feb - Oct	1.8	30%, 60% and 80% for one, two and three shifts, each shift of eight hours and 45% and 80% for each shift twelve hours		
Nov- Jan	1.5	20%, 40% and 60% for one, two and three shifts, each		

				shift of eight hours and 30% and 60% for each shift twelve hours
		Ice Factory		
		Feb - Oct	1.5	35%, 60% and 80% for one, two and three shifts, each shift of eight hours and 45% and 80% for each shift twelve hours
		Nov- Jan	1.5	20%, 40% and 60% for one, two and three shifts, each shift of eight hours and 30% and 60% for each shift twelve hours
		Cold storage		
		Feb - Oct	1.5	75%
		Nov- Jan	1.5	50%
		Society Water Pumps	1.5	25%
		Cinema /Theatres	1.5	60%
		Floor Mills	1.5	30%
		Ginning and pressing	1.5	60%
		Foundry, plastic, Rubber	1.5	50%
		Mining, Quarry & Stone Crushing	1.2	60%
		Chemicals	1.2	60%
		Textile Processing Units	1.2	70%
		Diamond Industry	1.5	50% for one shift of 12 Hrs
		Other	1.5	30% for one shift
				60% for two shift
				80% for three shift
				Each shift of eight hours
4.	Direct connection for any category	Agricultural category	1.0	50%
		Any other category	1.0	100%
5.	Agricultural consumers under Metered tariff		1.0	40%
6.	Temporary Power Supply		1.0	50%

R. K. MALIK, Secy.
[ADVT.-III/4/Exty./218-I/13]