

NOTIFICATION

New Delhi, the 31st December, 2020

G.S.R. 818(E).—In exercise of the powers conferred by sub-section (1) read with clause (z) of sub-section (2) of 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 may be called the Electricity (Rights of Consumers) Rules, 2020.
- (2) They shall come into force on the date of their publication in the Official Gazette.
- 2. Definitions.-** (1) In these rules, unless the context otherwise requires,-
 - (a) “**Act**” means the Electricity Act, 2003;
 - (b) “**applicant**” means an owner or occupier of any premises who files an application form with a distribution licensee for supply of electricity, increase or decrease in sanctioned load or contract demand, change in title or mutation of name, 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 specified by the Commission, 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 section 82 of 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 the Electricity Act, 2003 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 or remote disconnection 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 thirty 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 electricity is used or proposed to be used;
 - (l) “**point of supply**” means the point, as may be specified by the State Commission, at which a consumer is supplied electricity;
 - (m) “**prosumer**” means a person who consumes electricity from the grid and can also inject electricity into the grid for distribution licensee, using same point of supply;
 - (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 and family functions;

- (iii) for threshers or other such machinery excluding agriculture pump sets;
- (iv) for touring cinemas, theatres, circuses, fairs, exhibitions, melas or congregations.

(o) “**unauthorised use of electricity**” has the meaning as assigned to it under section 126 of the Act.

(2) The words and expressions used and not defined in these rules but defined in the Act shall have the meanings assigned to them in the Act and in absence thereof, the meanings as commonly understood in the electricity supply industry.

3. Rights and Obligations.- 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; namely:-

- (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) address of website for online submission of application form;
- (d) complete list of copies of the documents required to be attached with the application;
- (e) all applicable charges to be deposited by the applicant.

(2) 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.

(3) The distribution licensee shall create a web portal and a mobile app for submission of online application forms.

(4) 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.

(5) In case hard copy of the application form is submitted, the same shall be scanned 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.

(6) 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.

(7) An application, complete with all the required information, shall be deemed to be received on the date of generation of acknowledgement with registration number. In case of hard copy submission, the acknowledgement with registration number shall be generated within such period as may be specified by the Commission, not exceeding twenty four hours, of receipt of the application, complete with all the required information.

(8) The application tracking mechanism based on the unique registration number shall be provided by the distribution licensee through web-based application or mobile app or through SMS or by 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.

(9) 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.

- (10) In case, an agreement is required to be executed between distribution licensee and the consumer, the same shall become the part of the application form and there shall not be any requirement of a separate agreement form.
- (11) The Commission shall specify the maximum time period, post submission of application complete in all respect, not exceeding seven days in metro cities, fifteen days in other municipal areas and thirty days in rural areas, within which the distribution licenses shall provide new connection and modify an existing connection:

Provided that where such supply requires extension of distribution mains, or commissioning of new sub-stations, the distribution licensee shall supply the electricity to such premises immediately after such extension or commissioning or within such period as may be specified by the Commission.

- (12) If a distribution licensee fails to supply electricity within the period specified by the Commission, it shall be liable to a penalty as may be determined by the Commission, which shall not exceed one thousand rupees for each day of default.
 - (13) For electrified areas up to 150 kW or such higher load as the Commission may specify the connection charges for new connection shall be fixed 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 and such meter shall be the smart pre-payment meter or pre-payment meter. Any exception to the smart 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 pre-payment meter.
- (2) At the time of seeking a new connection the consumer shall have the option to -
 - (a) purchase the meter, MCB or CB and associated equipment himself; or
 - (b) require that the meter, MCB or CB and associated equipment be supplied by the distribution licensee, on payment of applicable charges.
 - (3) The distribution licensee shall ensure that tested and sealed meters of approved meter manufacturers are available to consumers for purchase and information of the places from where the consumers can purchase them is made available on its website.
 - (4) The meter shall be read at least once in every billing cycle in urban as well as rural areas by an authorised representative of the distribution licensee.
 - (5) In case of smart meters, the meters shall be read remotely at least once in every month and in case of other pre-payment meters, the meters shall be read by an authorised representative of the distribution licensee at least once in every three months. The data regarding energy consumption shall be made available to the consumer, through website or mobile App or SMS, etc. Consumers having smart pre-payment meters may also be given the data access for checking their consumption on real time basis.
 - (6) For post payment meters, if the meter is inaccessible to the meter reader on two consecutive meter reading dates, the consumer shall have the option to send the picture of the meter indicating the meter reading and date of meter reading through registered mobile or through e-mail. In such a case, distribution licensee may not send any notice or provisional bill to the consumer
 - (7) Testing of meters shall be done by the distribution licensee within a period as may be specified by the Commission, not exceeding thirty days, of receipt of the complaint from the consumer about their meter readings not being commensurate with his consumption of electricity, stoppage of meter, damage to the seal, burning or damage of the meter, etc.

- (8) No test fee shall be charged from the consumer at the time of reporting if the meter is found to be defective or burnt due to reasons attributable to the consumer, the consumer shall bear the cost of new meter and test fee shall be charged from the consumer through subsequent bills.
- (9) The distribution licensee shall give a copy of the meter test report to the consumer duly signed by both the distribution licensee or their authorised representatives and the consumer, and retain one such copy as acknowledgment. The distribution licensee shall communicate the date and time for such test to the consumer and convey the said consumer to present at the site for testing. However, if the consumer chooses not to be present at the site for testing, the distribution licensee will carry out such testing and shall give the copy of the meter test report to the consumer for signing.
- (10) In case, during testing, the meter is found to be inaccurate, the excess or deficit charges shall be adjusted in the subsequent bills as specified by the Commission.
- (11) If a consumer disputes the results of testing, the meter shall be tested at a third party testing facility selected by the consumer from the list of third party testing agencies approved by the Commission. If it is successfully established that the results of this test are contrary to the results of the test performed by the distribution licensee, then the cost of undertaking such test shall be borne by the distribution licensee. However, in case it is established that the results of this test are same as the results of the test performed by the distribution licensee in sub-rule (7), then the cost of undertaking such test shall be borne by the Consumer. The meter test results and the meter data shall be issued to the consumer after such test has been completed and the said results are final and binding on both the consumer and the distribution licensee.
- (12) The list of third party agencies approved by the Commission shall be available in their various offices as well as on the website of the distribution licensee.
- (13) Replacement of defective or burnt or stolen meters shall be done,-
 - (a) either on consumer's complaint or upon inspection by the distribution licensee, if the meter is prima facie found to be defective or burnt or stolen not due to causes attributable to the consumer, the licensee shall restore supply through a new meter at its own cost within the timelines as specified by the Commission;
 - (b) if, after investigation, it is found that the meter has become defective or burnt or stolen due to causes attributable to the consumer, the necessary charges shall be recovered from the consumer as specified by the Commission;
 - (c) within a time period, to be specified by the Commission not exceeding twenty-four hours in urban areas and seventy-two hours in rural areas by the distribution licensee.
- (14) Non-availability of meter shall not be a reason for delay in restoration of supply.
- (15) If the meter is installed outside the consumer's premises, distribution licensee shall be responsible for safe custody of the meter, and if the same is installed within the consumer's premises, the consumer shall be responsible for the safe custody of meter.
- 6. Billing and payment** – (1) Tariff for each category of consumers shall be displayed on distribution licensee's website and consumers shall be notified of change in tariff including fuel surcharge and other charges, a full billing cycle ahead of time, through distribution licensee's website as well as through energy bills.
 - (2) The distribution licensee shall prepare the bill for every billing cycle based on actual meter reading, except where pre-payment meters are installed, and the bill shall be delivered to the consumer by hand or post or courier or e-mail or any other electronic mode at least ten days prior to the due date of payment.
 - (3) In case of non-receipt of original bill, the consumer shall be entitled to get a duplicate copy of the bill and shall also have the option to deposit self-assessed bill as per the procedure approved by the Commission:

Provided that the excess or deficit payment, as the case may be in case of self-assessment, shall be adjusted in the next bill or bills, as the case may be.

- (4) In case of pre-payment metering, the distribution licensee shall issue the bill, to the consumer, on his or her request.
- (5) The distribution licensee shall intimate the consumer about despatch of bill through SMS or email, or by both, SMS and e-mail, immediately and the intimation shall consist of the details of bill amount and the due date for payment.
- (6) The distribution licensee shall also upload the bill on its website on the day of bill generation:

Provided that the billing details of last one year for all consumers shall also be made available on the licensee's website.
- (7) The distribution licensee shall issue the first bill within a time period to be specified by the Commission, not exceeding two billing cycles, of energising a new connection where post payment meters are installed.
- (8) In case the consumer does not receive the first bill within such period, he may complain, in writing, to the distribution licensee and the distribution licensee shall issue the bill within a time period, not exceeding seven days.
- (9) The distribution licensee shall not generate more than two provisional bills for a consumer during one financial year and if the provisional billing continues for more than two billing cycles except under extraordinary situation due to force majeure, the consumer may refuse to pay the dues until bill is raised by the distribution licensee as per actual meter reading.
- (10) If any bill is served with a delay of such period as specified by the Commission, not exceeding sixty days, the consumers shall be given a rebate of two to five percent as specified by the Commission.
- (11) The information regarding the authority with whom grievance or complaint pertaining to bill can be lodged shall be provided along with the bill and the same shall also be made available on distribution licensees' website.
- (12) In case of vacation of premises, the distribution licensee shall arrange to take a special reading of the meter on receiving the consumer's written request and issue a final bill including all arrears till the date of billing and issue a No-Dues Certificate on receiving final payment, within a time period not exceeding seven days from the receipt of such final payment.

7. Method of payment of Bills .- (1) Consumer shall have the option to pay bills online or offline.

- (2) Bill amount of more than one thousand rupees or an amount specified by the Commission shall mandatorily be paid online. Commission shall specify a suitable incentive or rebate for payment through online system.
- (3) For bill amounts less than or equal to one thousand rupees consumer may pay the bill through cash or cheque or demand draft or electronic clearing system at designated counters of a bank or through credit or debit cards or online payment through distribution licensees' web portal or any digital mode of payment and any change or further addition in the mode of payment shall be more user friendly for the consumers than the prevailing system.
- (4) The distribution licensee shall establish online portal as well as sufficient number of collection centres or drop boxes at suitable locations with necessary facilities, where consumer can deposit the bill amount with ease.

8. Advance payment of bills.- (1) In case of post payment meters, when a domestic consumer gives prior information in writing about his continued absence from residence, the distribution licensee shall not send any notice or provisional bill to the consumer provided that the consumer pays the fixed charges for such period in advance and his supply line shall not be disconnected.

- (2) Interest shall be paid on advance amount paid under sub-rule (1), at such rate as may be decided by the Commission.

9. Disconnection and reconnection .- (1) (a) In case a consumer desires that his meter to be permanently disconnected, he shall apply for the same to the distribution licensee and the licensee shall arrange for a special meter reading and prepare a final bill.

- (b) The disconnection shall be done immediately after payment of the final bill. The balance amount due to any consumption between the final reading and the permanent disconnection, if any, may be adjusted