

**GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

Draft Gujarat Electricity Regulatory Commission (Electricity Supply Code and Related Matters)
(Second Amendment) Regulations, 2017

The Gujarat Electricity Regulatory Commission in exercise of powers conferred under Section 181 (2) (x) read with Section 50 of the Electricity Act, 2003 (Act 36 of 2003) and under Section 42 (1) (b) of the Gujarat Electricity Industry (Reorganisation and Regulation) Act, 2003 (Gujarat Act 24 of 2003), and all powers enabling it in that behalf notified the Gujarat Electricity Regulatory Commission (Electricity Supply Code and Related Matters) Regulations, 2015 vide notification dated 24th September 2015 taking reference of the Model Supply Code of the Forum of Regulators.

The Supply Code Review Panel is formulated in accordance with Clause 1.1 of the GERC (Electricity Supply Code and Related Matters) Regulations, 2015 (herein under referred as principal Regulations). The role of the Supply Code Review Panel, inter-alia, is to consider and deliberate on the requests received for amendments in the Supply Code Regulations and recommend the conclusion of the deliberations to the Gujarat Electricity Regulatory Commission. The Electricity Supply Code Review Panel deliberated on the proposals received from distribution utilities, various consumers and consumers' organizations for amendments in the Supply Code Regulations and has sent final recommendations to the Commission. The Commission deliberated on the recommendations of the Supply Code Review panel and intends to amend the GERC (Electricity Supply Code and Related Matters) (First Amendment) Regulations, 2016 and the principal Regulations as per the Draft Amendment Regulations attached with this explanatory memorandum.

Background and brief information about the proposed amendment is as under;

Clause 6.77 of the principal Regulations speaks about issuance of disconnection notice to the consumer who defaults in his payment of dues to the licensees. It is mentioned in the clause that such disconnection notice is to be issued as per Section 56 of the Electricity Act, 2003. However,

from the structure of the sentence it infers that prior to issue a disconnection notice giving 15 days' time period to the consumers one more notice is required to be issued by the licensees. Since, is not the intent of the Section 56 of the Electricity Act, 2003, the Commission decided to rectify the structure of the sentences. Identical rectification is also proposed in Clause 8.3 (1) of the principal Regulations.

Further, it is mentioned in the Clause 6.77 of the principal Regulations that notice for the disconnection can be embedded in the energy bill of next billing cycle. It is recommended by the Supply Code Review Panel that such type of disconnection notice should be allowed to be embedded in the same energy bill in order to recover dues from consumers in time bound manner within the stipulations of Section 56 of the Electricity Act, 2003. At present, all the licensees in the State are issuing bill to their consumers on bi-monthly or monthly basis. If the consumer fails to pay its energy bill within the grace period provided, the disconnection, in present scenario, can be done after two months and twenty-five days in case of bi-monthly billed consumer and one month and twenty-five days in case of monthly billed consumer. Since, all the licensees have majority numbers of single phase consumer spread across scattered area, it is not feasible to issue a separate disconnection notice leading to increase in administrative expenses, which are in turn burdensome to the consumers itself. Also, security deposit lying with the distribution licensee does not commensurate with the disconnection period of two months twenty-five days / one month twenty-five days.

Sd/-

(Roopwant Singh, IAS)

Secretary

Gujarat Electricity Regulatory Commission

Gandhinagar

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