

**FOR PUBLICATION IN DELHI GAZETTE EXTRAORDINARY PART – III**

**Delhi Electricity Regulatory Commission**  
**Notification**

F.17(85)/Engg./DERC/15-16/Part File-2/5178/ - In exercise of the powers conferred by Section 50 of the Electricity Act 2003, read with Sections 57, 86 and 181 of the Electricity Act, the Delhi Electricity Regulatory Commission hereby makes the following amendments in "Delhi Electricity Supply Code and Performance Standards Regulations, 2007" (hereinafter referred to as "the Principal Regulations"), as follows :

**1.0 Short title and commencement**

- (1) These regulations may be called the Delhi Electricity Supply Code and Performance Standards (Third Amendment) Regulations, 2016.
- (2) These regulations shall come into effect from the date of their publication in the official Gazette.

**2.0** A new Regulation 23A shall be added after Regulation 23 of the Principal Regulations as under:

**"23A Review of sanctioned load/contract demand by the licensee**

The Licensee shall review the sanctioned load or the contract demand as the case may be, on the basis of Maximum Demand readings in the following manner:

- (1) **Computation of Revised Load:**
  - (i) For revision of sanctioned load or contract demand as the case may be, of the consumer, the Licensee shall take the highest of average of Maximum Demand readings recorded as per billing cycle covering any four consecutive calendar months in the previous financial year i.e. from 1<sup>st</sup> April to 31<sup>st</sup> March, rounded off to the lower integer as described in the illustration:

Provided that the period for billing cycle shall not exceed the period specified in the applicable Tariff Order.

Illustration (a):-

Sanctioned load in previous financial year	: 4kW
Highest of Average of MD readings	: $\geq$ 4kW and < 5 kW
Rounding off for revised sanctioned load	: 4 kW

Illustration (b):-

Sanctioned load in previous financial year : 4kW  
Highest of Average of MD readings :  $\geq 6$  kW and  $< 7$  kW  
Rounding off for revised sanctioned load : 6 kW

Illustration (c):-

Sanctioned load in previous financial year : 4kW  
Highest of Average of MD readings :  $\geq 3$  kW and  $< 4$  kW  
Rounding off for revised sanctioned load : 3 kW

(ii) The minimum sanctioned load shall be 1kW.

- (2) If the computed revised load pursuant to Regulation 23A (1) exceeds the sanctioned load or contract demand as the case may be, the Licensee shall issue a separate notice to the consumer about the proposed increase in sanctioned load or contract demand. The notice shall contain the details of the exact readings in the consecutive billing cycle(s) taken into consideration along with details of enhanced security deposit and the differential Service Line cum Development (SLD) charges, if any, for such increase in sanctioned load or the contract demand, as the case may be, in accordance with Electricity Act, 2003 to be deposited by the consumer within 30 days from the date of receipt of notice. If the consumer fails to do so, the additional amount may be included in the next bill, indicating the reasons for such inclusion in the bill.

Provided that differential SLD charges shall be charged from the consumers only in those cases where the service line is actually changed by the Licensee.

Provided further that Differential SLD charges for enhancement of load shall be the additional SLD required for differential load i.e. difference between the proposed enhanced load and the load for which the SLD charges has already been paid.

Illustration: – for enhancement of sanctioned load from 4kW to 6kW the consumer will have to pay a differential SLD amount of Rs.4000 i.e. Rs.7000 (corresponding to 6kW) - Rs.3000 (corresponding to 4kW).

Further, if a consumer has taken a sanctioned load of 6kW initially and have already paid a SLD of Rs.7000/- and his sanctioned load is reduced to 4kW. Subsequently, if his load is increased to 7kW then the differential SLD charged shall be NIL i.e. Rs.7000 (corresponding to 7kW) - Rs.7000 (already paid corresponding to 6kW) as the SLD charges are non-refundable.

- (3) The upward revision of sanctioned load or contract demand of consumers, (after issue of notice and giving 30 days time to the consumer to deposit the enhanced security deposit and the differential SLD charges, if any) shall be applicable for all categories of consumers.
- (4) In case of domestic category consumers, if the computed load pursuant to Regulation 23A (1) is less than the sanctioned load or contract demand as the case may be of the consumer, the Licensee shall seek the consent of the consumer for load reduction through a separate notice to the consumer, giving details and information that his maximum demand is less than the sanctioned load or contract demand.

Provided that for domestic category consumers, having the sanctioned load upto 5kW in the last billing cycle of previous financial year, if no communication is received from them within expiry of 30 days from the date of the receipt of notice, the load shall be reduced automatically; and for domestic consumers having sanctioned load more than 5kW in the last billing cycle of previous financial year, the load shall be reduced only on receipt of consent from the consumer.

- (5) In cases of load reduction, the Licensee shall refund the pro-rata security deposit by adjusting the same in energy bill issued in next billing cycle. In case the refund of security deposit is in excess of the energy bill, the security deposit shall be refunded in the next energy bill(s). However, the Licensee shall also adjust the interest accrued on the amount left with Licensee at the interest rate specified for interest on security deposit.

Illustration:-

Suppose the security deposit of Rs. 750 was deposited @ Rs. 150 /kW for initial sanctioned load of 5 kW. Subsequently, the load was increased by 2 kW and an additional security deposit of Rs. 1200 @ Rs. 600/kW was deposited at the applicable rates. Therefore, the total security deposit is Rs. 1950 for a sanctioned load of 7 kW. Thereafter, in case, the load is reduced by 2 kW on the basis of Maximum Demand readings, the refund of security deposit will be Rs. 556/- @ Rs. 278/kW ( $1950 \div 7 = 278$ ) calculated on pro-rata basis.

- (6) Service line cum development (SLD) charges shall not be refundable in case of load reduction or termination of agreement.
- (7) The separate notice for upward or downward revision of sanctioned load or contract demand as the case may be, shall be issued by 31<sup>st</sup> May of the financial year. No notice for upward revision shall be issued thereafter.

In case a notice for downward revision pursuant to sub Regulation (4) is not issued by 31<sup>st</sup> May, the Licensee shall pay a compensation of Rs. 500 to the affected consumer, without prejudice to the right of consumer to reduce the load which shall be effective as per sub Regulation (8) below:

Provided that the responsibility of showing the proof that notices have been issued shall be of the Licensee.

- (8) The upward or downward revision of sanctioned load or contract demand as the case may be, shall be done once in a financial year and shall be made effective from 1<sup>st</sup> July of the financial year.
- (9) If the load is enhanced by the licensee pursuant to Regulation 23A (2), the request for any load reduction shall be entertained only after expiry of six months from the date of enhancement of load.

**Notes:**

The directions issued by the Commission vide Letters No. F.11(548)/DERC/2009-10/C.F.No.2373/4557 dated 01.02.2011, F.7(57)/DERC/CA/2011-12/3060/5005 dated 22.11.2011, F.7(57)/DERC/CA/2011-12/3060/5708 dated 11.01.2012 and F.17(44)/Engg./DERC/2010-11/CF No.2621/5897 dated 20.01.2012 stand superseded by the these Regulations. However, the cases dealt as per these aforesaid Orders shall not be reopened.

Sd/-  
(Mahender Singh)  
(Secretary)

Dated: 1<sup>st</sup> April, 2016  
New Delhi