

KARNATAKA ELECTRICITY REGULATORY COMMISSION
Karnataka Electricity Regulatory Commission (Consumers' Right to Information)
Regulations, 2001.

PREAMBLE

Section 35 of the Karnataka Electricity Reforms Act, 1999, provides that the Commission may, after consultation with the Commission Advisory Committee, holders of Supply Licence and other persons or bodies appearing to the Commission to be representative of persons and categories of persons likely to be affected make regulations specifying the circumstances in which such Licensees are to inform customers of their rights.

The Commission had accordingly prepared a draft of the Karnataka Electricity Regulatory Commission (Consumers Right to Information) Regulations in June 2000 and had circulated the same to the Supply Licensee (KPTCL) and also other persons such as Consumer Groups, eminent Engineers, etc. After receiving responses from these persons, a Workshop was conducted on 11.7.2000 with KPTCL, Consumer Groups and eminent Engineers. The draft was also published in the Website of KERC for comments. The draft was modified in the light of the discussions at the Workshop.

The final draft of the above as modified after the consultation process described above was sent to KPTCL on 2.4.2001 to consider this draft and to submit the same with whatever modifications are considered necessary to the Commission for approval as contemplated under Condition 23.3 of the Licence already issued to KPTCL for carrying on the business of supply of Electrical energy.

Karnataka Power Transmission Corporation Limited has furnished the modifications on the above draft vide their letter No.KPTCL/B36/5716/687 Dated: 29-6-2001.

The modified draft was also discussed in the Commission Advisory Committee Meeting held on 23.2.01 and 30.7.2001.

The Commission thereafter discussed the above on 27.6.2001 and 10.8.2001 in detail with special reference to the modifications sought by K.P.T.C.L. The Karnataka Electricity Regulatory Commission has approved the Karnataka Electricity Regulatory Commission (Consumers Right to Information) Regulations, 2001 and has ordered that the same be published in the official gazette of Karnataka for information of all the concerned.

By Order of the Commission

(Sd.)

Secretary

Karnataka Electricity Regulatory Commission.

Karnataka Electricity Regulatory Commission (Consumers' Right to Information) Regulations,

2001.

In exercise of the powers conferred on the Commission by Section 35 of the Karnataka Electricity Reform Act, 1999 (Act 25 of 1999) and all powers enabling the Commission in that behalf the Karnataka Electricity Regulatory Commission here by makes the following Regulations, namely: -

1. Short title, Commencement and Application:

a. These Regulations may be called the Karnataka Electricity Regulatory Commission (Consumers' Right to Information) Regulations, 2001.

b. These Regulations shall be applicable to all Supply Licensees (herein after referred to as Licensee in the Regulation).

c. They shall come into force from such date as may be notified by the Commission.

2. Definitions

Unless the context otherwise requires, words or expressions occurring in these Regulations shall bear the same meaning as in the Karnataka Electricity Reform Act, 1999, The Karnataka Electricity Regulatory Commission (General and Conduct of Proceedings) Regulations, 2000, and the Karnataka Electricity Regulatory Commission (Electricity Supply and Distribution) Code, 2000-01 or in absence thereof, the meaning as understood in the electricity supply industry.

3. Consumers' Right To Information

The Licensee is required to inform its consumers of their rights in the manner prescribed under these Regulations as well as in other orders and directions issued by the Commission from time to time. These Regulations shall be provided free of charge to new consumers and to any other person at a price not exceeding the reasonable cost of duplication.

4. The consumer shall be provided with the following minimum period of notice:

Sl.No.	Particulars	Minimum period of Notice Time
I i	<u>Information Prior to Disconnection of Power Supply</u> Disconnection as per Section 20 (3) of the Indian Electricity Act, 1910 when a Consumer refuses to allow the Licensee or his authorised representative to enter the premises or also refuses to allow him to perform any authorised act.	24 hours notice before disconnection

ii	Disconnection when the insulation resistance of the consumer's installation is so low as to prevent use of energy as per Rule 49 of the Indian Electricity Rules, 1956	48 hours notice before disconnection
iii	Disconnection when the consumer fails to rectify the defects pointed out by the Electrical Inspector as per Rule 46 (2) (c) of the Indian Electricity Rules, 1956	48 hours notice before disconnection
i v	Disconnection when the consumer neglects to pay any charge for energy or any amount other than a charge for energy due from him to the Licensee in respect of supply of energy as per Section 24 of Indian Electricity Act, 1910	Seven clear days. It shall be clearly indicated on the bill the period of 15 days allowed for payment and also that the installation shall be disconnected with out further notice after expiry of 7 clear days from the due date in case of nonpayment.
v	Disconnection when there is failure to pay the Inspection fees on or before the date specified in the fee notice of the Electrical Inspector as per Rule 46 (2) (b) of the Indian Electricity Rules 1956;	Seven clear days notice before disconnection
vi	Disconnection when the Licensee observes that the meter or metering equipment has been tampered with.	Immediately by issuing a notice on the spot duly specifying the reasons.
vii	Disconnection when the consumer resists the replacement of defective meter by the Licensee.	Seven clear days notice before disconnection
viii	Disconnection when the consumer adopts any electrical appliances or uses energy supplied to him unduly or improperly which interferes with the system or efficient working of a licensee's system or to the supply of energy to any other person (Para 19 of Annexure VI of Rule 27 of the Indian Electricity Rules, 1956);	Two clear days notice before disconnection.

ix	Disconnection when there is failure to rectify defects in interior wiring, linked switch with fuse or circuit breaker, etc., relating to non-observance of Rules 50, 51 (I) or 64 of the Indian Electricity Rules, 1956, pointed out by the Licensee within the time and the procedure prescribed under Rule 51 (4) of the said Rules;	Seven clear days notice before disconnection
x	Disconnection when the consumer fails to execute fresh agreement and comply with other conditions as per KERC (ES&D) Code, 2000-01 under appropriate category as per the notice of the licensee on the basis of the altered contract demand of the consumer.	Seven clear days notice before disconnection
xi	Disconnection when the consumer unauthorisedly assigns the benefits under the agreement in favour of another, or resells or diverts or transfers the same.	Immediately by issuing a notice on the spot duly specifying the reasons.
xii	Disconnection when such disconnection is provided under the Agreement for arranging power supply or law.	The notice period shall be as prescribed in the said Agreement or law
xiii	Disconnection in cases, which are not falling within any of the above categories.	One day notice before disconnection duly specifying the reasons.
II	<u>Disconnection without issue of Notice</u> Where the consumer's installation poses a danger to the health or safety of the consumers or Licensee's employees or the public.	No Notice period. Power supply shall be disconnected immediately by issuing notice on the spot duly specifying the reasons.
III	<u>Entry into the premises</u> Entry into the premises of the Consumer by the Licensee or his authorised representative in accordance with Section 20 of the Indian Electricity Act, 1910.	12 Hours

IV i	<u>Intimation for reclassification of Consumers</u> In case the Licensee intends to reclassify any consumer in terms of Tariff schedule of the Licensee, it has to notify the consumer accordingly and has to specifically inform, if a fresh agreement needs to be executed in consequence of such reclassification.	7 Clear days
ii	Disconnection of supply of power if the consumer does not take the required steps to execute fresh agreement in consequence of reclassification of his installation.	24 Hours
V i	<u>Notice of Outages</u> Planned outages of power supply for more than 10 Hours for maintenance purposes.	2 days
ii	a. Outage of power supply for attending to emergency maintenance works. b. Unforeseen outage of power supply, which may extend beyond 6 hours due to breakdown of equipment.	No prior intimation. But to inform the reasons through Media immediately after restoration of power supply.

5. Exemption:

- i. The Licensee may be exempted from the notice requirements of this Regulation where the consumer's installation poses a danger to the health or safety of the consumers or Licensee's employees or the public.
- ii. Wherever the consumer's supply of electricity has been disconnected without prior notice, the Licensee shall inform the consumer duly specifying the reasons in writing at the time of such disconnection on the spot.

6. Notice Procedure:

All notices for disconnection shall be in writing duly explaining the reasons. Notice for scheduled outages may be through publication in any of the media like newspapers, public address system, AIR, Doordarshan, or Telephone. Service of notice to individual consumers shall be governed by Regulation 40.00 of the Karnataka Electricity Regulatory Commission (Electricity Supply and Distribution) Code, 2000-01.

7. Remedy in case of breach of the Regulations:

The consumer shall take up the issue with the Jurisdictional Executive Engineer of the Licensee for remedial action if the issue is not remedied within one week.

However, if the consumer is not satisfied with the action taken by the Licensee, he may make an application to the Karnataka Electricity Regulatory Commission in accordance

with the procedure prescribed in the practice direction No.1(Consumer Grievance Handling Procedure) of the Commission.

MISCELLANEOUS

8. Issue of orders and practice directions:

Subject to the provisions of the Karnataka Electricity Reform Act, 1999 and these Regulations, the Commission may, from time to time, issue orders and practice directions in regard to the implementation of the Regulations and Procedures to be followed.

9. Power to remove difficulties:

If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may, by general or special order, direct the Licensee to do anything not being inconsistent with the provisions of the Karnataka Electricity Reform Act, 1999, which appears to it to be necessary or expedient for the purpose of removing the difficulties.

The Licensee may make an application to the Commission and seek suitable orders to remove any difficulty that may arise in implementation of this Regulation.

10. General:

The Licensee shall issue on request a passbook to the consumer indicating the deposit details held at the credit of his installation on payment of reasonable processing cost by the Consumer.

11. Savings:

Nothing in these Regulations shall affect the rights and privileges of the consumers under any other law for the time being in force including the Consumer Protection Act, 1986.

By Order of the Commission

(Sd.)

Secretary

Karnataka Electricity Regulatory Commission