

Minutes of Meeting of Electricity Supply Code Review Panel (ESCRP) Sub-Committee

The Meeting of the Electricity Supply Code Review Panel (Sub-Committee) was held on 18.9.2017 in the office of the Commission. The following were present:

1. Shri S.K. Agarwal, Chairman, UPERC
2. Shri Arun Pratap Singh, MD, Madhyanchal Vidyut Vitran Nigam Ltd.
3. Shri Sanjay Srivastava, Secretary, UPERC
4. Shri Vikas Chandra Agarwal, Director, Distribution, UPERC
5. Shri Rajeev Goel, G.M. Project & Power Trading, NPCL
6. Mr. Avadhesh Kumar Verma, Chairman, U.P. Rajya Vidyut Upbhokta Parisad
7. Shri Sanjay Singh (Director Commercial, UPPCL)
8. Shri D.K Singh Director(Commercial) DVVNL Agra
9. Shri Radhey Shyam Yadav (Director, Technical)Kesco
10. Shri S.Joshi(SE Comm)
11. Shri Ajay Kumar Singh (Executive Engineer PuVVNL Varanasi)
12. Shri R.P Prasad EE(Comm)UPPCL
13. Shri Shashi Kaul EE(RE &SSP)

A. Agenda Item No. 1:

UPPCL in its Petition has submitted that the provision under section 8.2 (Vii) of the Electricity Supply Code, 2005 is in contradiction to section 154 (5) of Electricity Act, 2003.

The provision of the Electricity Supply Code is as follows:

“if the compounding charges are accepted from the consumer as per the sum prescribed in the Act, any further charges for assessment of units by the licensee shall be at **1.0 times of existing tariff only.** “

The Provision under 154 (5) of Electricity Act, 2003 is as follows:

“The special court shall determine the civil liability against a consumer or a person in terms of money for theft of energy which shall not be less than an amount equivalent to two times of the tariff rate applicable for a period of twelve

months preceding the date of detection of theft or the exact period of theft if determined whichever is less and the amount of civil liability so determined shall be recovered as if it were a decree of civil court."

The above issue was presented before the Committee by Shri Sanjay Singh, Director, Commercial on behalf of UPPCL. The matter was discussed before the Committee and All members of ESCRP Sub-Committee present in the meeting unanimously agreed with the proposal that the civil liability against a consumer or a person in terms of money for theft of energy which shall be not less than amount equivalent to two times of tariff rate applicable.

The Committee proposed that the Commission may take further action for necessary amendment in the Supply Code as per the above recommendation.

Shri Avadhesh Kumar Averma, Chairman, U.P..Rajya Vidyut Upbhokta Parisad, requested the Commission to grant permission to raise other issues before the ESCRP Sub-Committee. The permission was granted by the Chairman, UPERC and he raised the following issues.

- a. The compounding charges provided in the Act are very high and some of the State Governments have reduced the compounding charges. The Commission may look into the prevailing compounding charges in other states and if found appropriate may write a letter to the State Government in this regard.
- b. The Discoms in the state are not giving compensation under chapter 7 as provided in the Electricity Supply Code to the consumers . He further submitted that the consumers whose transformer are damaged or line is under fault and do not get electricity supply are charged fixed charges / MCG without their fault. He further submitted that a provision should be made in the Supply Code that consumer should not be charged MCG/fixed charges when they do not get supply after certain period.

The Commission decided that in the matter of SOP under section 57 of the Electricity Act, 2003 the consumer may approach the Commission under section 142 and Commission will decide the matter on case to case basis.

Shri Avadhesh Kumar Verma raised another issue of misuse of section 135 (1)(e) and section 126 by the licensee. On this issue the Commission directed Shri Sanjay Singh, Director, Commercial to submit a note alongwith the issues which need to be brought to

the notice of Government of India in the matter of section 135 (1)(e) and section 126 and provision under section 152 of the Electricity Act, 2003.

The meeting concluded with a vote of thanks to the Chairman and all the members.


(Sanjay Srivastava)
Secretary

