

**PUNJAB STATE ELECTRICITY REGULATORY COMMISSION**  
**Amendments in Supply Code, 2014**  
**STAFF PAPER**

**(A) Amendments in regulation 6.4.2 & 6.4.3 (c)**

**(i) Background**

In a survey published by the Department of Industrial Policy and Promotion in September 2015, Punjab ranked 16 out of 28 States and four Union Territories in the assessment of implementation of reforms towards ease of doing business. There were eight areas of assessment. In the area of “obtaining infrastructure related utilities”, Punjab had a score of 33%, just around the Indian average of 32.01% and far below top-ranked Maharashtra with a score of 88.89%. Out of five criteria for this area, two of them directly addressed the electricity sector: “Timelines for utility connections” and “Obtaining electricity connections. To improve the performance in the field of ease of doing business and also to consume surplus power available in the State, there is urgent need to simplify the procedures for release of connections.

PSPCL has submitted that in the Workshop regarding Implementation of Business Reforms Action Plan, 2016, it was proposed that only two documents are required to be submitted for release of any Industrial connection applied by any company i.e

- i) Proof of ownership/occupancy of the premises
- ii) Authorization document in case of firm/company

It was intended that the company details regarding incorporation, information of directors and other documents are available on the concerned website/internet and their copies need not be submitted by the applicant. So regulation 6.4.2 is proposed to be amended.

Further, as per provisions of Reg.6.4.3 (c), NOCs are required to be submitted for release of connection/additional load/demand by an applicant in the listed cases. Since the requirement of submission of NOCs is based on the state/centre government law/policy or directions of court so this regulation is proposed to be amended accordingly.

**(ii) Amendments proposed in regulation 6.4.2 & 6.4.3 (c)**

**6.4.2 Partnership firms/Companies or Trusts/Societies**

An application by a Partnership firm, Company or a Trust/Society shall be accompanied by following documents:

- (a) An attested copy of the partnership deed signed by all the partners or by a partner authorized to sign by other partners through a Special Power of Attorney duly notarized.
- (b) A private or a public limited company, shall while submitting an application, furnish certified copies (by the Chartered Accountant of the Company) of the resolution of the Board of Directors in favour of the person authorized to sign the A&A form and other documents. The signatures of the authorized signatory shall also bear the common seal of the company. In case of change in the Board of Directors, the consumer shall intimate the distribution licensee.
- (c) An application by a Trust or a Society shall be accompanied by a certified copy of its constitution, its bye laws along with resolution in favour of the authorized signatory for signing the A&A form and other documents. The names of the managing body of the Trust or Society and their residential addresses shall also be furnished. The consumer shall intimate to the distribution licensee every change in the managing body of the Trust or Society within one month.

#### 6.4.3(c) Submission of NOCs

For release of new connection/additional load/demand an applicant shall submit No Objection Certificate (NOC) from the competent authority in case it is required as per any state/central government law or regulations framed under the Electricity Act, 2003 or any specific order of any court issued from time to time restraining release of connections in any particular area/premises.

### **(B) Amendments in Regulation 6.8.3- Issue of Demand Notice**

#### **(i) Background**

Regulation 11.1 of the Supply Code, 2014 provides the procedure for transfer of title & other services and Reg. 6.8.3 specifies the terms and conditions of Demand Notice. As per Reg-6.8.3, these terms and conditions shall not be altered except when necessitated by change in applicable laws/Regulations or in case of genuine arithmetical calculation mistake. However, where an applicant for AP connection

requests for extension/reduction in load &/or shifting the site of connection within the validity period of demand notice, the distribution licensee may issue a fresh demand notice incorporating necessary changes due to change of site.

In case of AP consumers, it has been observed that due to very long waiting period for release of such connections, the original applicant may have sold his land to some person or might have died before actual release of connection. In such cases the present Regulations are silent. It is, therefore, proposed to amend Regulation 6.8.3 to provide that in such conditions, the AP connection may be released to the new owner against the original application by allowing change of name and the seniority in case of new applicant shall be reckoned from the date of original application.

**(ii) The regulation 6.8.3 is proposed to be amended as under:**

**6.8.3 Issue of Demand Notice:**

The demand notices shall be issued by the distribution licensee as per the seniority list of the applicants maintained by the distribution licensee for different categories of consumers as per regulation 6.8.2. The Demand Notice shall specify:

- (a) Service Connection Charges or Security (works) and/or balance Security (consumption), if any, required to be deposited by the applicant as per regulation 9 and 14 of these regulations;
- (b) the details of works including service line to be undertaken by the distribution licensee for providing electricity connection;
- (c) other terms required to be accepted by the applicant under regulation 8.8 of these regulations;
- (d) submission of NOC by the applicant, as per statutory requirements, wherever applicable;
- (e) submission of Electrical Contractor's Test Report by the applicant; and
- (f) any other compliance to be made by the applicant.

The terms and conditions specified in the Demand Notice once issued shall not be altered except when necessitated by change in applicable Laws/ Regulations or in case of genuine arithmetical calculation mistake. However,

where an applicant for AP connection requests for extension/reduction in load &/or shifting the site of connection within the validity period of demand notice, the distribution licensee may issue a fresh demand notice incorporating necessary changes. Further, if after issue of Demand Notice but before release of connection, the applicant requests for the change of name due to transfer/sale/purchase of land or property etc., within the validity period of demand notice, the distribution licensee may issue a fresh demand notice incorporating necessary changes due to change of name subject to fulfilment of following conditions:

- I. Submission of no objection certificate on non-judicial stamp paper of ₹15/- by the original applicant to the effect that he has no objection if the tube well connection is released to the new owner of the land to whom the land has been sold by him and initial security, or any other deposit made by him in his name is transferred in the name of the new owner of the land. Alternatively, a registered sale deed indicating the transfer of tubewell connection along with land to the new owner shall also be admissible for processing such case of change of name.
- II. Submission of documentary proof from the revenue authorities (Tehsildar/Patwari) for sale of land by the original applicant to the new owner of the land to whom the land has been sold.
- III. Submission of new A&A form duly signed by the new owner of the land along with payment of charges as may be applicable.

The above regulation shall also be applicable for change of name cases where demand notice has already been issued and/or sale of land has taken place before issue of this amendment. The seniority in case of new applicant shall be reckoned from the date of original application.

The change of name in case of death of original applicant for AP connection before release of connection may also be allowed subject to fulfilment of conditions mentioned at Sr. No. (I) to (III) above.

**(C) Amendments in regulation 6.8.7- Extension of Demand Notice Period:**

**(i) Background**

Regulation 6.8.7 (a) of the Supply Code, 2014 provides for extension in the period of demand notice, which is limited to one year for all the consumers from the date of issue. Due to long waiting period for issue of demand notice to AP consumers and also in view of various constraints of farmers while complying with the conditions of demand notice, it is proposed to treat AP consumers separately. Accordingly, regulation 6.8.7 is proposed to be amended as under;

**(ii) Amendment in Regulation 6.8.7**

**(a) Extension of Demand Notice Period for applicants other than AP**

In case the applicant (other than AP) does not comply with the Demand Notice within the validity period, his application shall be liable to be cancelled after serving a 15 days' notice to the consumer/ applicant in this regard. However, if the request for extension in the validity period of Demand Notice is received within the validity/notice period along with extension fee as specified in Schedule of General Charges, validity period shall be further extended up to a maximum period of one year from the date of issue of demand notice in all cases in blocks of three months by the distribution licensee.

**(b) Extension of Demand Notice for AP applicant & Revival of cancelled AP Application:**

In case the AP applicant does not comply within the validity period of Demand Notice, his application shall be liable to be cancelled after serving a 30 days' notice to the consumer/ applicant in this regard. However, if the request for extension in the validity period of Demand Notice is received within the validity/notice period along with extension fee as specified in Schedule of General Charges, validity period shall be further extended up to a maximum period of two years from the date of issue of demand notice in all cases in blocks of three months by the distribution licensee.

In case an AP applicant is not able to apply for extension in demand notice period within the original /extended period of the demand notice and his application has been cancelled, the request of such AP applicant for revival may be acceded to by the distribution licensee for a maximum period of 2 years from the date of issue of demand notice in blocks of 3 months provided the applicant deposits the revival fee equivalent to double the Demand Notice extension fee in addition to normal demand notice extension fee per quarter as applicable.

However, if the applicant seeks revival of cancelled application after two years from the date of issue of Demand Notice, the request for revival of such application shall be allowed by the Licensee only once for a maximum period of 3 months provided the applicant deposits the revival fee equivalent to double the Demand Notice extension fee in addition to normal demand notice extension fee per quarter as applicable along with Security (consumption) and Service Connection Charges as in vogue at the time of revival of application/extension in demand notice.