

No. 23/05/2020-R&R
Government of India
Ministry of Power
**

Shram Shakti Bhawan, Rafi Marg,
New Delhi, 24th March, 2023

To,

1. Secretary, MNRE, New Delhi
2. Chairperson, Central Electricity Authority, Sewa Bhavan, R.K. Puram, New Delhi
3. Secretary, Central Electricity Regulatory Commission (CERC), New Delhi
4. Principal Secretaries/Secretaries (Power/Energy) of all State Governments/UTs
5. Secretaries of All State Electricity Regulatory Commissions/JERCs.
6. Chairman/CMDs of all PSUs under administrative control of Ministry of Power
7. CMD, SECI, New Delhi
8. CMDs/MDs of Discoms/Gencos of all State Governments
9. CMD, IEX LTD New Delhi & MD/CEO, PXIL, Mumbai
10. DG, Association of Power Producers, New Delhi.
11. President, FICCI, House No. 1, Tansen Marg New Delhi
12. President, CII, New Delhi
13. President, PHDCCI, New Delhi
14. ASSOCHAM, Chanakyapuri, New Delhi
15. Member, PRAYAS Energy Group, Pune
16. DG, Electric Power Transmission Association (EPTA), New Delhi
17. Chairman Indian Wind Power Association, New Delhi
18. Chairman, Indian Wind Turbine Manufacturers Association, New Delhi
19. Director General, National Solar Energy Federation of India (NSEFI), New Delhi.

Subject: Draft Electricity (Rights of Consumers) Amendment Rules, 2023- Reg.


Sir/Madam,

I am directed to forward herewith the draft Electricity (Rights of Consumers) Amendment Rules, 2023, with request to provide your comments, if any, to this Ministry within 21 days from the date of this letter, i.e. by 14.04.2023. The comments may also be emailed at debranjan.chattopadhyay@nic.in.

2. This issues with the approval of Competent Authority.

Yours faithfully,

Encl: as above



(Debranjan Chattopadhyay)
Deputy Secretary to the Govt. of India
Ph: 011-23715250

Copy for information to: PS to Hon'ble Minister for Power and NRE, APS to MoSP, Sr. PPS to Secy (P), PSO to CE (R&R), Ministry of Power.

Copy to: Technical Director, NIC Cell for uploading on MOP's website under "Current Notices" with the heading of "**Seeking comments on draft Electricity (Rights of Consumers) Amendment Rules, 2023.**"

(Draft)

[To be published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (i)]

GOVERNMENT OF INDIA
MINISTRY OF POWER

NOTIFICATION

New Delhi, the..... March, 2023

G.S.R. (E).- In exercise of the powers conferred under sub-section (1) read with clause (z) of sub-section (2) of Section 176 of the Electricity Act, 2003 (36 of 2003), the Central Government hereby makes the following rules, further to amend the Electricity (Rights of Consumers) Rules, 2020, namely:-

1. (1) These rules may be called the Electricity (Rights of Consumers) Amendment Rules, 2023.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Electricity (Rights of Consumers) Rules, 2020 (hereinafter referred to as the principal rules), in rule 5, for sub-rule 5, the following sub-rules shall be substituted, namely: -

“(5) In case of smart meters, the meters shall be read remotely at least once in a day and in case of other pre-payment meters, the meters shall be read by an authorized representative of the distribution licensee at least once in every three months. The data regarding energy consumption shall be made available to the consumer, through website or mobile App or SMS, etc. Consumers having smart pre-payment meters may also be given the data access for checking their consumption and balance amount on real time basis.

5 (A) After the installation of smart meters, no penalty shall be imposed on the consumer based on the Maximum Demand recorded by the smart meter for the period before the installation date.

5(B) In case Maximum Demand recorded by the smart meter exceeds the Sanctioned Load in a month, the bill, for that billing cycle, shall be calculated based on the actual recorded Maximum Demand:

Provided also that the revision of the Sanctioned Load, if any, based on the actual recorded Maximum Demand shall be as under:

- (a) In case of increase in Maximum recorded Demand, the lowest of the Maximum Demand of three months, where the recorded Maximum demand has exceeded the sanctioned load limit during a calendar year, shall be considered as the revised Sanctioned Load, and the same shall be automatically reset from the billing cycle in next calendar year.
 - (b) In case of reduction of Maximum Demand, the revision of Sanctioned Load shall be done in accordance with the Supply codes/ SOPs issued by respective Regulatory Commission.
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3. In the principal rules, in rule 6, for sub-rule 1, the following sub-rule shall be substituted, namely: -

“1(a) Time of Day (ToD) tariff shall be made effective immediately after installation of Smart meters, for the particular category of consumers with smart meters.

Time of Day (ToD) tariff for Commercial and Industrial(C&I) consumers having Maximum Demand up to 10 kW shall be made effective from a date not later than 1st April, 2024 and for other consumers except agricultural consumers, the ToD tariff shall be made effective not later than 1st April, 2025:

Provided further that the ToD Tariff specified by the State Commission for C&I consumers during peak period of the day shall not be less than 1.20 times the normal tariff and for other consumers, it shall not be less than 1.10 times the normal tariff:

Provided further that tariff for solar hours of the day, specified by the State Commission shall be at least 20% less than the normal tariff for that category of consumers:

Provided also that the duration of peak hours shall not be more than solar hours as notified by the State Commission or SLDC.

1(b)Tariff for each category of consumers shall be displayed on distribution licensee's website and consumers shall be notified of change in tariff including fuel surcharge and other charges, a full billing cycle ahead of time, through distribution licensee's website as well as through energy bills/SMS/Mobile App etc."

[File No. 23/05/2020-R&R]

(.....)

Joint Secretary to the Govt. of India

Note: The Principal Rules were published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i) *vide* number G.S.R. 818(E), dated the 31st December, 2020 and were last amended *vide* number G.S.R. 448 (E), dated 28th June,2021 and *vide* number G.S.R. 306(E), dated 20th April, 2022.
