

Bhopal, the 7<sup>th</sup> December 2023

No. MPERC / 2023/2741 In exercise of the powers conferred under Section 181(1) read with Section 43(1), Section 44, Section 45, Section 46, Section 47, Section 48 (b), Section 50, Section 56, Section 181(2)(w) and Section 181(2)(x) of the Electricity Act 2003 (No. 36 of 2003) and Section 9(j) of Madhya Pradesh Vidyut Sudhar Adhiniyam, 2000 (No. 4 of 2001), Madhya Pradesh Electricity Regulatory Commission hereby makes the following amendment in the Madhya Pradesh Electricity Supply Code, 2021 (No. RG- 1(II) of 2021) herein after referred to as the '**Principal Code**' namely: -:-

#### **FIRST AMENDMENT TO MADHYA PRADESH ELECTRICITY SUPPLY CODE, 2021**

##### **1. Short Title and Commencement-**

- 1.1. This Code shall be called "**Madhya Pradesh Electricity Supply Code 2021 (First Amendment) [ARG-1(II)(i) of 2023]**".
- 1.2. This Code shall come into force from the date of it's publication in the official Gazette of Government of Madhya Pradesh.
- 1.3. This Code shall extend to the whole of Madhya Pradesh.

##### **2. Amendment to chapter 2 of the Principal Code:**

**The sub clauses (e), (cc), (oo) and (ss) of the clause 2.1 of the Principal Code shall be Substituted by the following, namely: -**

- (e) "**Authorized load**" in respect of LT domestic consumer means estimated load that can be used by the consumer's premises. This shall be expressed in multiples of 0.1 kW considering every 15 units of consumption per month or part thereof equal to 0.1 kW of load. Authorized load may be more or less than the sanctioned load in the consumer's premises and shall not be taken into account for purposes of estimating the total connected load in the premises;
- (cc) "**Group user**" means Cooperative Group Housing Society registered under the M.P. Cooperative Societies Act or a person representing his employees, or any other group of consumers permitted to avail single point supply in the retail supply tariff order in "Bulk Residential Users" category;
- (oo) "**Power factor**" means the average monthly power factor and shall be calculated as a ratio of the total kilowatt hour to the total kilovolt ampere hour supplied during the month expressed in percentage; the percentage being rounded off to the nearest integer figure and fraction of 0.5 or above shall be rounded to next higher integer and fraction of less than 0.5 shall be ignored;

- (ss) **“Temporary Connection”** means an electricity connection required by a person for meeting his needs, which are temporary in nature and for a period less than 2 years;

**3. Amendment to chapter 4 of the Principal Code:**

**3.1 Clause 4.48 of the Principal Code shall be substituted as follows:**

“4.48 Any person requiring power supply for the purpose may apply for temporary power supply for a period of less than two years in the Form as required by the licensee. The period of temporary connection can be extended up to five years. Requisition for temporary supply shall normally be given 7 days before the day when supply is required for loads upto 10 kW and 30 days before for higher loads.”

**3.2 Amendment to clause 4.84 of the Principal Code:**

**3.2.1 Clause 4.84 of the Principal Code shall be amended as follows:**

Words “Provided that notwithstanding anything contained in clause 4.18 of this Code,” shall be inserted at the beginning of the clause.

**3.2.2 Sub clause (i) of clause 4.84 of the Principal Code shall be amended as follows:**

In sub-clause (i) of clause 4.84 for the words “The Co-operative Group Housing Society must permit any person of the society to avail supply of electricity from the distribution licensee directly.”, the words “Any person of the Co-operative Group Housing Society can avail supply of electricity from the distribution licensee directly subject to such terms and conditions as specified by the Commission in this Code.” shall be substituted.

**3.2.3 Sub clause (a) of sub clause (i) of clause 4.84 of the Principal Code shall be amended as follows:**

In sub-clause (a) of sub-clause (i) of clause 4.84. for the words “Licensee’s distribution network”, the words “existing distribution network of the Group Housing Society” shall be substituted.

**3.2.4 For sub clause (b) of sub clause (i) of the clause 4.84 of the Principal Code, following sub clause shall be substituted, namely:**

“(b) Such person shall pay applicable charges to the licensee for taking new connection as specified in MPERC (Recovery of Expenses and other Charges for providing Electric Line or Plant used for the purpose of giving Supply) Regulations (Revision-II), 2022 and Madhya Pradesh Electricity Regulatory Commission (Security Deposit) (Revision-I) Regulations, 2009 as amended.”

**3.2.5 For sub clause (c) of sub clause (i) of the clause 4.84 of the Principal Code, following sub clause shall be substituted, namely:**

“(c) The Group Housing Society shall provide access to the licensee’s representative to approach at any time to the point of supply of such consumer in the premises of the group user to discharge service obligations without any conditions.”

**3.2.6 Sub clauses (d) to (h) shall be inserted after sub clause (c) of sub clause (i) of the clause 4.84 of the Principal Code, namely:**

“(d) Supply to such consumers shall be provided through a new smart pre-payment or pre-payment meter. The meter shall be installed by the licensee at the appropriate place of the premises of such consumer and the reading and billing of electricity to such consumer shall be done by the licensee. Meter provided by the Group Housing Society to such consumers shall be dismantled and returned to them. Final bill shall be prepared by Group Housing Society based on final reading till the date of switching over to licensee’s supply and such consumer shall be liable to pay this bill to the Group Housing Society.”

(e) Billing of such consumers and Group Housing Society shall be done in following manner: -

- (1) Consumption of such consumer for billing in each month shall be the total of recorded consumption in meter and 4% distribution losses on this consumption;
- (2) The licensee shall recover the charges for the electricity consumed by such consumer at applicable tariff. All the provisions of Supply Code until and unless exempted specifically shall apply to the connection of such consumer switching over to licensee’s supply;
- (3) Total consumption of all such consumers in each month shall be subtracted from the recorded consumption in the main HT meter of the Group Housing Society and energy charges of Group Housing Society shall be calculated on the basis of net consumption computed in aforesaid manner for billing purpose;
- (4) For computation of maximum demand of Group Housing Society for billing purpose, the demand recorded in the meters of all such consumers in the same 15 minutes’ time block in which maximum demand of Group Housing Society was recorded, shall be subtracted.”

(f) Such consumer shall not demand for the alternate supply from the distribution

licensee in case of interruption in the distribution network of Group User or disconnection of Group User on non-payment of their bill or other violations. Net/Gross metering connection for Renewable Energy Generating System under Madhya Pradesh Electricity Regulatory Commission (Grid Interactive Renewable Energy Systems Related Matters) Regulations, 2022 as amended shall be considered for such consumers, when it becomes feasible under the provisions of applicable regulations.

(g) Notwithstanding anything contained in this Code elsewhere, Group User shall be entitled to reduce its contract demand when a consumer switches over to licensee's supply to the extent of sanctioned load of such a consumer."

(h) The Group User shall maintain its distribution system as per the agreement between the Group User and the licensee and shall not discriminate between residents of the Group User who are consumers of the licensee or otherwise."

**3.2.7 Sub clause (ii) of clause 4.84 of the Principal Code shall be omitted.**

**3.2.8 Sub clause (iii) of clause 4.84 of the Principal Code shall be amended as follows: -**

The word "domestic" in this sub-clause after the word "applicable" and before the word "tariff" shall be deleted.

**3.2.9 Following new provisos shall be inserted after sub clause (iii) of clause 4.84 of the Principal Code, namely:**

"Provided that the facility of providing individual connections by the licensee from the network of the single point connection of Group User shall be available up to 50% of the total no. of members of Group User:

Provided further that if more than 50% of the total members of a Group User are willing to take separate connection from licensee, the licensee shall examine terminating single point connection of the Group User and providing individual connections to all the consumers. The licensee shall estimate the cost of the additional infrastructure required and adopt a procedure as specified in Regulation 4.4 of the MPERC (Recovery of Expenses and other Charges for providing Electric Line or Plant used for the purpose of giving Supply) Regulations (Revision-II), 2022 as amended under the heading "for Supply to Residential Colonies /layout developed under relevant State Government Regulations but not electrified yet on grounds of non-payment of cost of electrification" and consumers shall be intimated accordingly. In the event the decision of terminating the single point connection of group user is taken then the initial period of agreement shall be relaxed and no charges shall be payable towards unexpired period of HT agreement."

**4. Amendment to chapter 6 of the Principal Code:****4.1 Clauses 6.1, 6.2, 6.3, and 6.34 of the Principal Code shall be amended as follows: -**

In clauses 6.1, 6.2, 6.3, and 6.34 of the Principal Code, for the words “CEA (Measures relating to safety & electricity supply) Regulations 2010”, the words “CEA (Measures relating to safety & electricity supply) Regulations 2023 as amended from time to time” shall be substituted.

**4.2 Clause 6.18 of the Principal Code shall be substituted as follows: -**

“6.18 The protection system shall be installed by the HT/EHT consumers as per the provisions of CEA (Measures relating to safety & electricity supply) Regulations 2023 as amended from time to time.”

**4.3 Amendment to clause 6.40 of the Principal Code:****4.3.1 Clause 6.40 of the Principal Code shall be amended as follows: -**

“6.40 Operations of the generator in the consumer’s installation run parallel with the licensee’s system is permissible only with the written consent of the licensee subject to the applicable provisions of Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2023 as amended from time to time. The licensee may levy parallel operation charges with the approval of the Commission.”

**4.3.2 Following proviso shall be inserted after clause 6.40 of the Principal Code, namely:**

“Provided that if any generator is found running parallel with the licensee's system without the written consent of licensee, then the licensee shall disconnect the supply of consumer forthwith and reconnect it only after either the permission to run the generator in parallel with licensee’s system is obtained by the consumer from the licensee in writing or the generator is isolated from the licensee’s system. During such disconnection period, the consumer shall be liable to pay such charges as may be applicable as per Retail Supply Tariff Order.”

**5. Amendment to chapter 7 of the Principal Code:****5.1 Amendment to clause 7.7 of the Principal Code:**

**A new proviso shall be added after clause 7.7 of the Principal Code, namely: -**

“Provided that, there shall not be any fresh initial period of agreement upon change of load or supply voltage over and above the initial agreement period of 2 years.”

**5.2 Amendment to clause 7.8 of the Principal Code:**

**Two new provisos shall be inserted after the clause 7.8 of the Principal Code as follows, namely: -**

“Provided that in case where the consumer desires to switch over to lower voltage level either with existing contract demand or with new contract demand less than the existing contract demand eligible for the lower voltage load limits, the supply affording charges shall not be required to be paid on the contract demand but other charges as specified in MPERC (Recovery of Expenses and Other Charges for Providing Electric Line or Plant Used for the Purpose of Giving Supply) Regulations (Revision-II), 2022 as applicable for that lower voltage, shall be payable.”

“Provided further that, in case consumer desires to switch over to lower voltage level with enhancement of existing contract demand, supply affording charges over and above existing contract demand shall be applicable as specified in MPERC (Recovery of Expenses and Other Charges for Providing Electric Line or Plant Used for the Purpose of Giving Supply) Regulations (Revision-II), 2022 as applicable for that lower voltage.”

**5.3 Amendment to clause 7.11 of the Principal Code:**

**For sub clauses (b) and (c) of clause 7.11 of the Principal Code, following sub-clauses shall be substituted, namely:**

“(b) If the application is not decided by the licensee within above mentioned period of 7 days; the consumer may, by a written notice to the licensee, draw its attention to the matter and if no decision is still communicated to him within a further period of 7 days, the permission of reduction of contract demand shall be deemed to have been granted with effect from the first day of next billing cycle following the month in which the period of such notice is expired.

(c) In case the reduction in contract demand is allowed, the same shall take effect from the first day of next billing cycle following the month in which the decision for reduction in contract demand is communicated.”

**5.4 Amendment to clause 7.13 of the Principal Code:**

**Clause 7.13 of the Principal Code shall be substituted as follows, namely:**

“7.13 After the expiry of the initial period of agreement, the consumer shall be entitled to reduce contract demand of his connection limited to the minimum contract demand for a particular voltage class as specified in this Code:



Provided that in case a consumer has already reduced contract demand within initial period of agreement, he shall be entitled to further reduce his contract demand immediately upon expiry of the initial period of agreement subject to the minimum contract demand for a particular voltage class as specified in this Code:

Provided further that, any subsequent request for reduction in contract demand can only be made to the licensee after expiry of at least one year from the date of effect of previous reduction in contract demand.”

**5.5 Amendment to clause 7.17 of the Principal Code:**

**Following Proviso shall be inserted after clause 7.17 of the Principal Code, namely:**

“Provided that in case of LT domestic and LT single phase non-domestic consumers there shall be no requirement of agreement and connection shall be served on furnishing a self-declaration in the Application cum Declaration form as specified by the Commission in this Code.”

**5.6 Amendment to clause 7.24 of the Principal Code:**

**Clause 7.24 of the Principal Code shall be substituted by new clause as follows, namely:**

“7.24 Where the consumer's installation is temporarily disconnected from the licensee's supply as per direction of the Government or the Electrical Inspector or other appropriate authority, the supply shall be reconnected with the approval of the Government or the Electrical Inspector or other appropriate authority on payment of specified reconnection charges, as necessary. During the period of temporary disconnection, the consumer shall be liable to pay such charges as may be applicable as per retail supply tariff order except when the disconnection is executed on the orders of the District Collector.”

**5.7 Amendment to clause 7.25 of the Principal Code:**

**Clause 7.25 of the Principal Code shall be substituted by new clause as follows, namely:**

“7.25 Any amendment for the purpose of change of name, change in premises, merger of connections, shifting of premises, change in connected load, change in tariff category etc., shall be done if both, consumer and the licensee agree to these amendments and same shall be incorporated in supplementary agreement:

Provided that the supplementary agreement shall have no agreement period:

Provided further that for changeover of supply voltage form LT to HT and vice versa, fresh agreement shall be executed in the format applicable for changed supply voltage.”

**5.8 Amendment to clause 7.27 of the Principal Code:**

**Clause 7.27 of the Principal Code shall be substituted by new clause as follows, namely:**

“7.27 If power supply to a consumer remains disconnected for a continuous period of sixty days for non-payment of charges or dues or non-compliance of any direction issued under this Code, the licensee shall issue a fifteen days’ notice to the consumer for termination of the agreement. In case no effective steps are taken by the consumer for removing the cause of disconnection and for restoration of power supply, the agreement of the licensee with the consumer for power supply shall be terminated on expiry of the period of notice, provided the initial period of the agreement is over. The connection shall also be disconnected permanently, and supply network shall be removed for that particular connection without affecting supply to other consumers. During temporary disconnection, the consumer shall be liable to pay such charges as may be applicable as per retail supply tariff order. In such cases, the connection be disconnected permanently, and agreement may be terminated after the completion of initial period of agreement or after expiry of notice period if the initial agreement period is already over.”

**6 Amendment to chapter 8 of the Principal Code:**

**6.1 Clause 8.30 of the Principal Code shall be substituted by new clause as follows, namely:**

“8.30 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 authorised 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 (Short Message Services), etc. Consumers having smart pre-payment meters may also be given the data access for checking their consumption and balance amount at least on daily basis.”

**6.2 Amendment to clause 8.35 of the Principal Code:**

**Clause 8.35 of the Principal Code shall be substituted by new clause as follows, namely:**



“8.35 Bills shall be prepared for each category on the basis of the prevailing tariff order. Tariff for each category of consumers shall be displayed on distribution licensee’s website and consumers shall be notified of change in tariff excluding Fuel and Power Purchase Price Adjustment Surcharge (FPPAS) and other charges, at least a billing cycle ahead of time, through distribution licensee’s website as well as through energy bills or SMS (Short Message Services) or Mobile Application etc.”

**6.3 Amendment to clause 8.39 of the Principal Code:**

**Clause 8.39 of the Principal Code shall be omitted.**

**6.4 Amendment to clause 8.40 of the Principal Code:**

**Clause 8.40 of the Principal Code shall be substituted as follows, namely: -**

“8.40 Whenever bills are to be issued for Audit Recovery or by Vigilance and for other recoveries etc. except demand for additional security deposit, such bills should be issued monthly and accompanied with the written details of basis of billing, period of billing etc. In case of non-payment of above bills in full within the stipulated time (not less than 15 clear days), the balance amount due (except for vigilance recoveries) shall be added in the ensuing current bills of the consumer continuously till either full bill is paid or settled otherwise:

Provided that the licensee can show the outstanding amount of vigilance recoveries alongwith applicable interest as per provisions of Act in electricity bills of the consumer but such outstanding amount of vigilance recoveries shall not be considered for working out delayed payment surcharge as per retail supply tariff order and payment made by consumer shall be adjusted in the priority specified in clause 9.11 of the Principal Code for total outstanding excluding the vigilance recoveries and interest accrued thereon.”

**6.5 Amendment to clause 8.44 of the Principal Code:**

**6.5.1 Sub clause (b) of clause 8.44 of the Principal Code, shall be substituted by new sub clause (b) as follows, namely:**

“(b) In case of non-seasonal consumers, if during the period when the main meter is defective and the check meter is not installed or the check meter is also found defective, the quantity of electricity supplied shall be determined on the basis of average monthly consumption of previous three-meter reading cycles. However, if the meter is found defective within three months of the date of connection, the quantity of electricity may be assessed on the basis of average monthly consumption of subsequent three-meter reading cycles recorded by new meter:

Whereas, in case of seasonal consumers, if during the period when the main meter is defective, the check meter is not installed or is also found defective the quantity of electricity supplied shall be determined on the basis of consumption recorded in the same months during previous year. However, if the meter is found defective within three months during initial season, the quantity of electricity may be assessed on the basis of average monthly consumption of the remaining months in that season.”

**6.5.2 Following Proviso shall be inserted after sub clause (b) of clause 8.44 of the Principal Code, namely:**

“Provided that if in the opinion of the licensee, the conditions in the consumer's installation during the month in question were such as to render billing on such average consumption of preceding or succeeding three months in case of non-seasonal consumers, or same month during previous year consumption in case of seasonal consumers, as the case may be, is not equitable either to the consumer or to the licensee, the electricity supplied during such period shall be determined by an officer of the distribution licensee not below the rank of Superintending Engineer in charge of the local area circle in case of EHT/HT consumers and Junior Engineer in charge of distribution centre in case of LT consumers by recording reasons thereof in writing. In the event of consumer not being satisfied with such determination, he may appeal to the Regional Chief Engineer, in charge of local region in case of EHT/HT consumers and Executive Engineer, in charge of the Division in case of LT consumer whose decision shall be final.”

**6.6 Amendment to clause 8.51 of the Principal Code:**

**Clause 8.51 of the Principal Code shall be substituted as follows, namely:**

“8.51 The licensee shall arrange a special reading to be done and deliver the final bill, including arrears till the date of billing, at least 7 days before expected date of the vacancy of the premises. The final bill shall also include payment for the period between the date of special reading and expected date of vacancy of premises on prorata basis. The charges towards special reading shall be recovered from consumer as per MPERC (Recovery of expenses and other charges for providing electric line or plant used for the purpose of giving supply) (Revision-II) Regulations, 2022 as amended from time to time. The distribution licensee shall issue a No-Dues Certificate on receiving final payment, within a time period not exceeding seven days from the receipt of such final payment. However, issuing of no dues certificate shall not extinguish the rights of distribution licensee to raise additional recoveries as legally applicable.”

**6.7 Addendum to clause 8.55 of CHAPTER 8: METERING & BILLING of the Principal Code:**

**A new clause 8.56 shall be inserted after clause 8.55 as follows, namely:**

**“Procedure to be followed for implementation of the Smart Prepaid Metering & Billing.**

8.56 Subject to the provisions of the Act and this Code, the Commission may, from time to time, issue orders and practice directions in regard to the procedure to be followed for implementation of the Smart Prepaid Metering & Billing.”

**7 Amendment to chapter 9 of the Principal Code:**

**Clause 9.11 of the Principal Code shall be Substituted as follows, namely:**

“9.11 All payments made by the consumer shall be adjusted in the following order of priority:

- (a) Tax collected at source under section 206 C of Income Tax Act, 1961 (No. 43 of 1961)
- (b) Arrears of Tax collected at source under section 206 C of Income Tax Act, 1961 (No. 43 of 1961)
- (c) Electricity Duty and Cess on the current consumption
- (d) Arrears of Electricity Duty plus arrears of Cess.
- (e) Delayed payment surcharge
- (f) Balance of arrears of previous bills
- (g) Balance of current bill amount
- (h) Balance of security deposit
- (i) Balance miscellaneous charges, other than above mentioned charges, if any,”

**8 Amendment to chapter 11 of the Principal Code:**

**Three new provisos shall be inserted after clause 11.2, namely:**

“Provided that, if further use of electricity is not possible by the consumer during initial period of agreement due to force majeure conditions, notwithstanding anything to the contrary contained in this Code,

the consumer shall be entitled to terminate the agreement within initial period of agreement also. The consumer shall give a 15 days’ notice of such termination of agreement. The Licensee’s authorised representative shall verify the force majeure conditions within 15 days of receipt of such notice and shall either accept or reject the application based on the findings and convey its decision regarding termination of the agreement to the consumer in writing immediately and in any case not later than 7 days from the date of verification:

Provided further that if the request is accepted, licensee shall arrange for a special meter reading and prepare a final bill till the date of termination of the agreement and no billing shall be made for the unexpired initial period of agreement. The connection shall be permanently disconnected immediately after termination of agreement:

Provided also, that rejection of request shall be conveyed to the consumer in writing clearly stating the grounds on which the request has been rejected.”

**9 Amendment to annexure 1 of the Principal Code:**

**Title of Annexure 1 shall be substituted by new title as under: -**

**“Application cum Declaration form for domestic and single phase non-domestic low tension service connections.”**

Standard Agreement Form for Supply of Electrical Energy to Low Tension Consumers appended with Annexure 1 shall be deleted.

**10 Amendment to annexure 2 of the Principal Code:**

**Title of Annexure 2 shall be substituted by new title as under: -**

**“Application form for other than domestic and single phase non-domestic low tension service connection”**

In clause 9 of standard agreement form appended with Annexure 2, first sentence shall be deleted and words “Other consumers” in 3<sup>rd</sup> line of clause 9 of standard agreement, words “Consumer” shall be substituted.

By order of the Commission,  
UMAKANTA PANDA, Commission Secy.