

Bhopal, dated 20th December 2005

No.3051/MPERC/2005 In exercise of powers under sub-section (1) of section 181 of the Electricity Act, 2003 (36 of 2003) and all powers enabling in that behalf and also in compliance of the notification dated 09th June 2005 issued by the Ministry of Power , Government of India vide number S.O. 798 (E) by issuing an order " The Electricity (Removal of difficulties)(Eighth) order, 2005 " for inclusion of terms and Conditions for "supply of electricity at single point by the Distribution licensee to a Group user (Cooperative Group Housing Society and also to a person for his employees)" in Electricity Supply Code , the Madhya Pradesh Electricity Regulatory Commission, hereby makes following amendments/ addendum to the Madhya Pradesh Electricity Supply Code prescribing terms and conditions for Supply of electricity at single point by the Distribution licensee to a Group user (Cooperative Group Housing Society and also to a person for his employees):

**AMENDMENT/ ADDENDUM TO MADHYA PRADESH ELECTRICITY
SUPPLY CODE , 2004**

Short Title and Commencement

- (i) This Code may be called the "**Madhya Pradesh Electricity Supply Code, 2004 (Third Amendment) (No. AG-1(iii) of 2005)** "
- (ii) This Code shall come into force with effect from the date of their publication in the official gazette.
- (iii) This Code shall extend to the entire State of Madhya Pradesh.

In the **Madhya Pradesh Electricity Supply Code, 2004** hereinafter called the Principal Code in clause 2.1 at the end of serial no. (kk), the following definition shall be added namely:

“ **(II) “ Group user”** means Cooperative Group Housing Society registered under the M.P Cooperative societies Act or a person representing his employees.”

In the Principal Code at the end of clause 4.76, the following clauses shall be added namely:

“4.77 Terms and conditions of supply to Group user :

Eligibility of any Group user: The Group users defined under sub clause (II) above shall be eligible to opt supply by a distribution licensee at a single point provided that the use of electricity for non-domestic activities is not more than 10% of the connected load against the total connected load declared in the agreement.

4.78 The supply shall be primarily used for residential purpose including the loads of common amenities for the group user like lift, pumps for pumping water supply and lighting of common area. The use of electricity for more than 10% of the declared connected load for commercial/non-domestic purposes shall not be permitted from this connection. The Group user shall inform the details of every non-domestic activity along

with the connected load to the licensee at the time of seeking connection or at the time of enhancement in contract demand. The licensee may undertake physical checking of non-domestic load for the purpose of ensuring that the non-domestic load is within permissible limit i.e. 10% of declared connected load. In case the use for commercial activity is observed for a load more than the permitted load, it shall be treated as unauthorised use.

4.79 On receipt of requisition in manner specified under clause 4.13 to 4.18 of M.P. Electricity Supply Code' 2004 from the applicant group user, the licensee shall verify the application and the enclosed documents at the time of receipt of application. In case of a Cooperative Group Housing Society, a certified copy of the registration of the applicant Cooperative Group Housing Society shall also be annexed along with the application requiring supply at single point.

4.80 The manner to process the application for single point HT supply to Group user shall be followed as per clause 4.64 of M.P. Electricity Supply Code.

4.81 **System of supply and metering:** The system of supply shall be either HT or EHT according to the range of contract demand specified in Chapter 3 of M.P. Electricity Supply Code.

4.82 The HT metering shall be installed at the point of supply to the Group user for the purpose of recording of units sold by the licensee and billing to the Group user.

- (a) The Distribution sub station and other required infrastructure like LT lines, cables, feeder pillars, metering panels for individual meters and service lines etc shall be laid by the applicant Group user and the Group user shall retain the ownership of all such assets.
- (b) The Group user shall be fully responsible for maintenance of complete infrastructure network after the HT metering point i.e., point of supply. The Group user shall also be responsible for maintaining all construction and safety standards in respect of all assets and works being retained and executed by the Group user.

4.83 The Group user shall be fully responsible for various commercial and technical activities related to distribution of electricity.

4.84 The extension of lines and up-gradation of system up to the point of supply of the Group user, notwithstanding that it has been paid for by the Group user, shall be the property of the licensee. The licensee shall maintain it at its cost and shall also have the right to use the same service connection/ extension for supply of energy to any other person but such extension or service connection shall not adversely effect the supply to the Group user who paid for the extension of the distribution supply network.

4.85 The Group user can execute the work of extension of his own distribution network from the point of supply to the individual premises through a 'C' or higher class licensed electrical contractor, and the work of extension of HT line and / or HT sub-station and LT lines through an 'A' class contractor. In such case, the Group user itself shall procure the material.

4.86 The land/ accommodation required for installation of metering at supply point shall be provided by the Group user free of cost for which rent or premium shall not be paid by the licensee.

4.87 For the purpose of considering the criteria of a Group user, for development of infrastructure and for the sake of load calculations for recovering charges by the licensee, if any, the load of the housing colony shall be calculated on the same basis as is provided in Chapter 4 of this code.

4.88 The electrical energy supply to the Group user shall not be utilized by the Group user in any manner pre-judicial to the licensee and all usage must be in accordance with the provisions of the agreement and the Acts as applicable.

4.89 The Group user shall not divert the use of energy other than purpose mentioned in the agreement. The Group user shall not extend the supply beyond its premises other than that for which it was sanctioned by the licensee, until and unless prior sanction of the licensee is obtained for such diversion or extension.

5.0 AGREEMENT

5.1 The maps clearly indicating the plots/ building and the electrical distribution network with indexing on each pole and transformer or any other equipment shall be submitted by the Group user, agreed upon and signed by both the Group user and the licensee shall form a part of the agreement.

5.2 If there is a need to modify/ amend the agreement signed between the licensee and the Group user, it will be done by a supplementary agreement.

5.3 All other conditions of this code (M.P. Electricity Supply Code) as applicable other than the terms and conditions specified in this amendment/ addendum shall also be applicable to Group user.

6.0 Tariff applicable:

6.1 The licensee shall raise the electricity bills on the units sold to the Group user at the applicable rate approved by the Commission.

7.0 Demand of supply from the licensee of the area by any person residing in the housing unit sold or leased by the Cooperative Group Housing Society:

7.1 The provisions of this regulation shall not in any way affect the right of a person residing in the housing unit sold or leased by **Cooperative Group Housing Society** to demand supply of electricity directly from the distribution licensee of the area on the following terms and conditions:

- (i) The Cooperative Group Housing Society must permit any person of the society to avail supply of electricity from the Distribution licensee directly. The Cooperative Group Housing Society shall have no objection in respect of the following:

- (a) The electricity supply by the licensee to such person shall be served from the licensee's distribution network.
 - (b) Extension of adequate distribution network by the licensee to release the supply to such person.
 - (c) Providing access for the licensee's representative to approach at any point of time to network of licensee in the premises of the group user including the point of supply to such consumer to discharge service obligations without any resistance.
- (ii) The meter shall be installed by the licensee at the appropriate place of the premise of such consumer and the reading and billing of electricity to such person shall be executed by the licensee.
 - (iii) The licensee shall recover the charges for the electricity consumed by such person at the approved applicable domestic rates.”

By order of the Commission

Ashok Sharma, Deputy Secretary