

**TAMIL NADU ELECTRICITY REGULATORY COMMISSION**

**Draft Notification No. TNERC/DSOP/9 – . dated -2014.**

*Comments/suggestions invited upto 15 /4 /2014*

1. The following draft of amendment to regulation 22 of the TNERC – Tamil Nadu Electricity Distribution Standards of Performance Regulations, 2004, which it is proposed to make in exercise of the powers conferred by section 181 read with sub section (5) of section 42 and section 97 of the Electricity Act, 2003 (Central Act 36 of 2003) and all other powers enabling it in this behalf, is hereby published for information of all persons likely to be affected thereby, as required by sub-section (3) of section 181 of the said Act.
2. Notice is hereby given that action will be taken to publish the proposed amendment in the Tamil Nadu Government Gazette after thirty days from the date of hosting it in the website of the Commission and that any objection or suggestion which may be received from any person with respect thereto before the expiry of the aforesaid period will be considered by the Commission.
3. Objection or suggestion, if any, should be addressed in duplicate to the Secretary, Tamil Nadu Electricity Regulatory Commission, 19-A Rukmini Lakshmi pathy Salai, Egmore, Chennai – 600 008.

## AMENDMENT

In the said Regulations, for regulation 22, the following shall be substituted, namely:-

### ***“22. Procedure for payment of Compensation***

*(1) A consumer who is aggrieved by the non-compliance of the Standards of Performance specified in this regulation may make a written claim to the area engineer of the licensee. The area engineer shall take a decision on the claim made by the consumer and inform him within thirty days from the date of receipt of the claim. The compensation shall be paid through credit entry in the next/future electricity charges within ninety days from the date of the claim.*

*(2) If the grievance of the consumer is not redressed fully or if there is a dispute in the payment of compensation, the affected consumer may approach the Consumer Grievance Redressal Forum of the Circle for relief.*

(By order of the Tamil Nadu Electricity Regulatory Commission)

(S.Gunasekaran)  
Secretary

## **EXPLANATORY STATEMENT**

Clause(I) of regulation 22 of the TNERC – Tamil Nadu Electricity Distribution Standards of Performance Regulations, 2004, specifies the automatic mode of payment of compensation to the affected consumer by the licensee for non-compliance of a particular standard through credit entry in the next consumption bill. Section 57(1) of the Electricity Act 2003, (Central Act 36 of 2003), empowers the appropriate Commission to specify Standards of Performance while section 57(2) inter alia provides that the licensee shall be liable to pay such compensation to the person affected as may be determined by the appropriate Commission after giving a reasonable opportunity of being heard to the concerned licensee. As such an automatic mode of compensation as provided in the said regulation 22(1) is not consistent with the provisions of the Electricity Act 2003, (Central Act 36 of 2003). Further, section 97 of the said Act enables the Commission to delegate any of its powers other than those specified therein to any other person. It is therefore proposed to amend the said Regulations suitably so as to empower the CGRF to determine compensation in such matters after giving an opportunity of being heard to the licensee.

(By order of the Tamil Nadu Electricity Regulatory Commission)

(S.Gunasekaran)  
Secretary

STATEMENT SHOWING THE EXISTING PROVISION AND THE PROVISION  
AS AMENDED

<b>Existing Provision (1)</b>	<b>Proposed Amendment (2)</b>
<p><b>“22. Procedure for payment of Compensation</b></p> <p><i>The claim for compensation shall be dealt with in the following manner:</i></p> <p><b>I. Automatic</b> – <i>This mode of payment requires the Licensee to pay the compensation amount to the affected consumer automatically, following the non-compliance to a particular standard in the next billing cycle through credit entry in the consumption bill.</i></p> <p><b>II. Upon claim:</b> <i>An aggrieved consumer has the right to claim the compensation for non-compliance of the standards if the Licensee fails to pay the compensation in the next billing period by representing to the designated employee of the Licensee ”</i></p>	<p><b>“22. Procedure for payment of Compensation</b></p> <p><i>(1) A consumer who is aggrieved by the non-compliance of the Standards of Performance specified in this regulation may make a written claim to the area engineer of the licensee. The area engineer shall take a decision on the claim made by the consumer and inform him within thirty days from the date of receipt of the claim. The compensation shall be paid through credit entry in the next/future electricity charges within ninety days from the date of the claim.</i></p> <p><i>(2) If the grievance of the consumer is not redressed fully or if there is a dispute in the payment of compensation, the affected consumer may approach the Consumer Grievance Redressal Forum of the Circle for relief.</i></p>

(By order of the Tamil Nadu Electricity Regulatory Commission)

(S.Gunasekaran)  
Secretary