

**TAMIL NADU ELECTRICITY REGULATORY COMMISSION**

**Notification No. TNERC/SPR/9/1– dated 25-11-2019.**

**(Comments invited by 24.12.2019)**

1. The following draft of amendment to the Tamil Nadu Electricity Distribution Standards of Performance Regulations, which is proposed to make in exercise of the powers conferred by clause (za) of sub-section (2) of section 181 of the Electricity Act, 2003 (Central Act 36 of 2003) read with section 57 of the Electricity Act 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 the draft amendment will be taken into consideration after expiry of thirty days from the date of publication of this Notification in the TNERC website and that any objection or suggestion, which may be received from any person 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 Lakshmipathy 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 within thirty days of violation of the guaranteed standard. The area engineer shall take a decision on the claim made by the consumer in accordance with the Distribution Standards of Performance regulations and if found in order, the compensation shall be paid through credit entry in the next/future bill of 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)

(K.Veeramani)  
(Secretary)i/c  
Tamil Nadu Electricity Regulatory Commission

## **EXPLANATORY STATEMENT**

The 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). Failure to pay compensation as per Tamil Nadu Electricity Distribution Standards of Performance Regulations, 2004 shall constitute a grievance and the affected consumer may approach the Consumer Grievance Redressal Forum for redressal. It is therefore proposed to amend the said Regulations suitably so that the Consumer Grievance Redressal Forum decides on the payment of eligible compensation in such matters after giving an opportunity of hearing to the licensee.

(By order of the Tamil Nadu Electricity Regulatory Commission)

(K.Veeramani)  
(Secretary)i/c  
Tamil Nadu Electricity Regulatory Commission

STATEMENT SHOWING THE EXISTING PROVISION AND THE PROVISION  
AS AMENDED

<b>Existing Provision (1)</b>	<b>Provision as amended (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 within thirty days of violation of the guaranteed standard. The area engineer shall take a decision on the claim made by the consumer in accordance with Distribution Standards of Performance regulations and if found in order, the compensation shall be paid through credit entry in the next/future bill of electricity charges within ninety days from the date of 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)

(K.Veeramani)  
(Secretary)i/c  
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