

TAMIL NADU ELECTRICITY REGULATORY COMMISSION

Draft Notification No. TNERC/SC/7 –..... dated .07.2019.

(Comments invited by 7.8.2019)

The following draft of amendments to the Tamil Nadu Electricity Supply Code, which it is proposed to make in exercise of the powers conferred by section 181 read with section 50 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 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 Lakshmi pathy Salai, Egmore, Chennai – 600 008.

AMENDMENTS

In the said Supply Code,-

(1) in regulation 5, in sub-regulation(2), in clause (ii) (c), for sub-clause (I), the following shall be substituted, namely:-

“(I) Where the recorded demand does not exceed 112 KW, for every KW or part thereof in excess of the sanctioned demand, at the rate of 1% of the total energy charges.

Explanation: 'Total energy charges' shall have the same meaning as the term 'charges of electricity supplied' which includes both fixed/demand charges and energy charges.

(2) in regulation 5, in sub-regulation(5),

(i) in clause (ii), for sub-clause (a), the following sub-clause shall be substituted, namely:-

“(a) For the categories of consumers under monthly billing, the Security Deposit is equivalent to two times of the monthly average of the electricity charges for the preceding twelve months prior to April.

Provided in the case of open access consumers who have a contracted demand with the distribution licensee and partially draw energy through open access, the security deposit will be equivalent to two times the charges of electricity for the maximum net energy supplied by the Distribution licensee in any month in the preceding twelve months prior to April”

(ii) for clause (v), the following clause shall be substituted:-

“(v) Where, on review, the amount of Security deposit held is found to be in excess of the requirement, the excess shall be adjusted against two future demands for the electricity supplied. Where, after such adjustment in future two demands, there is balance to be refunded, the refund shall be made by cheque before the due date for payment of the third demand. Where a request is made by the consumer to adjust the excess security deposit above future two demands, the distribution licensee shall adhere to such requests.”

(3) in regulation 19A, for sub-regulation (4), the following sub-regulation shall be substituted, namely:-

“(4) In case of suspected unauthorized use of electricity, provisional assessment order in Form 12 shall be issued within 24 hours on detection of such unauthorised use in the manner prescribed under the rules made by the State Government under section 126 (2) of the Act and final assessment order in Form 13 shall be issued by the assessment officer by following the procedure stipulated in section 126 of the Act. In respect of a tariff where different rates are adopted based on the slabs of consumption, the highest tariff rate specified in the tariff structure for the relevant category of service may be adopted.”

(4) in the Appendix,

(i) for Form-8, the following shall be substituted, namely:-

“Form 8

[See Regulation 23 (AA) (7)]

FORMULA TO ASSESS THE QUANTUM OF ENERGY IN CASE OF THEFT OF ELECTRICITY

I.(A) *The following factors are to be considered to arrive at a formula for the assessment of quantum of energy in case of theft of electricity other than illegal restoration of supply to a disconnected service connection ”*

(i) Nature of Service

(ii) Connected load / Contracted demand

(iii) Load factor

(iv) Nature of feeder (Rural / Urban / Industrial) and supply restrictions in the feeder

(v) *Per day usage hours for which assessment has to be made.*

(B) *The authorized officer may take into account the following and arrive at the least period (duration) of theft:*

(i) *for the period of twelve months*

(ii) *for the period from the date of prior inspection if any by the Enforcement or meter testing wing to the date of detection*

(iii) *from the date of service connection to the date of detection*

(iv) *wherever electronic meters are installed and the load curves are studied periodically the period of theft could be limited to the exact period as could be determined scientifically.*

(v) *Based on the document produced by the accused person.*

(vi) *For any other reasonable period as assessed by the authorized officer to the best of his judgment.*

(C) *The formula for assessment of quantum of energy consumption is:*

$$U = \frac{L \times LF \times H \times D}{DF}$$

Where

U = Quantum of energy Assessed in Units

L = Load / demand in KW

LF = Load factor

H = Number of hours the load is considered to be used in a day

D = Duration of assessment in days

DF = Diversity Factor

(D) The following tables give the Load Factor, and the Number of hours per day usage for different categories of usage of the pilfered Energy.

TABLE – A

<i>Usage Categories of pilfered energy</i>	<i>Diversity factor</i>	<i>Load Factor</i>	<i>Number of hours per day</i>
<i>Domestic (without Air conditioning load) and Huts</i>	<i>1</i>	<i>30%</i>	<i>12</i>
<i>Domestic (with Air conditioning load)</i>	<i>1</i>	<i>March to September</i> <i>70%</i>	<i>12</i>
		<i>Other months</i> <i>30 %</i>	
<i>Industrial including cottage industries, power looms etc.,</i>	<i>1</i>	<i>80%</i>	<i>As per Table - B</i>
<i>Public lighting and water supply</i>	<i>1</i>	<i>100%</i>	<i>8</i>
<i>Agricultural</i>	<i>1</i>	<i>100%</i>	<i>10</i>
<i>All other categories</i>	<i>1.1</i>	<i>90%</i>	<i>12</i>

TABLE – B

	<i>Category</i>	<i>Number of hours per day.</i>
<i>1</i>	<i>Fed by High Tension rural feeders having only 14 hours of supply per day :-</i>	

	<i>i. Day Shift only</i>	6
	<i>ii. Night Shift only</i>	8
	<i>iii. Both day and night shifts</i>	14
2.	<i>Fed by High Tension feeders having 24 hours of supply :-</i>	
	<i>i. Day shift only</i>	8
	<i>ii. 2 Shifts</i>	16
	<i>iii. 3 Shifts</i>	24

(E) i. The term “Usage Categories” given in Table - A refers to the purpose for which the suspected pilfered energy is used. For example if the pilfered energy in a hut service connection is used for domestic purpose, the assessment shall be made under “domestic category”, if it is used for commercial purpose, it shall be assessed under “all other categories” as mentioned in the above Table - A.

ii (a) For High Tension Service connections, the maximum demand shall be assessed as 75% of the total connected load at the time of inspection subject to a minimum of the contracted demand. A power factor of 0.90 lag may be used for conversion of KVA or KW.

(b) Assessment of demand charges:-

Twice the appropriate H.T. tariff rate for maximum demand.

II. *Assessment of quantum of energy consumption in a case of illegal restoration of supply to a disconnected service connection shall be as follows:*

(A) The period of assessment will be for twelve months immediately preceding the date of detection of the violation or for the period from the date of disconnection of the service connection to the date of detection of the illegal restoration, whichever period is less:

(B) The quantum of energy consumed for assessment of charges for theft of electricity in accordance to sub-regulation 7 of regulation 23AA shall be as follows:

(i) When the meter is healthy:- Units recorded from the date of disconnection of the service connection to the date of detection

(ii) When the meter is found defective:- Quantum of energy computed (U) using the formula above.

(C) The assessment shall be at two times the applicable energy charges and two times the applicable demand charges where applicable.

(iv) Form 12 shall be added, namely:-

“Form-12

Provisional Assessment order for unauthorised use of electricity under section 126 of the Electricity Act, 2003.

From

(The Assessment Officer),

To

(Full address of the person in whose name the service connection stands

(or) occupier

(or) enjoyer, etc.)

Letter No.....dated.....

Sir,

*Sub:- Unauthorised use of Electricity detected in SC No..... of HT/LT Tariff
No..... - Section 126 of the Electricity Act, 2003 – Issue of Provisional
Assessment Order - Reg.*

Ref:- Inspection Report dated

*1.0 On..... (the day, month, year of inspection) at
(time) hours, the electricity service connection No..... located at Door
No....., in SF No..... (Full address of the service connection) which
is/was in the name of Thiru/Thirumathy was inspected by me in the
presence of you/your representative Thiru/Thirumathy
.....*

2.0 During the inspection, unauthorised use of electricity was noticed as detailed below:

.....
.....
.....(describe the actual mode of unauthorised use of
electricity as per the section 126 of the Act). The above said unauthorised use of
electricity is punishable under section 126 of the Electricity Act 2003.

*3.0 A copy of the inspection report is enclosed. A copy of the mahazar prepared at your
premises and acknowledgement obtained from you / your representative has already been*

furnished to you / your representative. A copy of the statement recorded and signed by you / your representative is also enclosed.

4.0 You are hereby called upon to stop the said unauthorised use of electricity and also remove the equipment used for the said unauthorised use of electricity immediately.

5.0 The provisional assessment works out to Rs..... as per the sub-sections (5) and (6) of section 126 of the Electricity Act, 2003 and a working sheet is enclosed herewith. The amount shall be deposited within seven days from the date of receipt of this order. Otherwise, the Service Connection is liable to be disconnected without further notice.

6.0 If you are desirous of filing objections, if any, against this provisional assessment, you may send your explanation to the address of the undersigned with sufficient proof, within seven days from the date of receipt of this order. You may also choose to appear in person or through an authorised representative with relevant documents for an enquiry before the undersigned.

7.0 If no objection is received from you against this provisional assessment order within the stipulated period or if the objection received is found to be not convincing, further action to pass final order of assessment shall be taken without further notice.

8.0 You are requested to acknowledge the receipt of this order with other enclosures immediately.

Yours faithfully,

Assessment Officer

Encl: Copies of

1. Report
2. Statement Recorded (if any)
3. Mahazar

Copy submitted to:

Copy to:

He is instructed to arrange to serve this order to the consumer/occupier/enjoyer with dated acknowledgement and send the acknowledgement to this office.

(v) Form 13 shall be added, namely:-

“Form-13

***Final order of Assessment for unauthorised use of electricity under section 126 of the
Electricity Act, 2003.***

From

(The Assessment Officer),

To

(Full address of the person in whose
name the service connection stands

(or) occupier

(or) enjoyer, etc.)

Letter No.....dated.....

Sir,

*Sub:- Unauthorised use of Electricity detected in SC No..... of HT/LT Tariff
No..... - Section 126 of the Electricity Act, 2003 – Issue of Final
Assessment Order - Reg.*

*Ref:- 1. Provisional Assessment Order Lr.No.....
2. Your Explanation Letter dated.....*

*1.0 On..... (the day, month, year of inspection) at
(time) hours, the electricity service connection No..... located at Door
No....., in SF No..... (Full address of the service connection) which
is/was in the name of Thiru/Thirumathy was inspected by
..... (Designation of the Assessment Officer) in the presence of you/your
representative Thiru/Thirumathy During the
inspection, unauthorised use of electricity was noticed as detailed below:*

*.....
.....
.....(describe the actual mode of unauthorised use of
electricity as per the section 126 of the Act).*

*2.0 A provisional Assessment notice has been issued by the
(Designation of the Assessment Officer) vide reference (1) cited above as to why you
should not be held liable for the above unauthorised use of electricity and as to why
compensation charges should not be levied and collected as per the sub-sections (5) and
(6) of the section 126 of the Electricity Act, 2003.*

3.0 On a detailed examination and on consideration of your explanation offered in your letter cited in reference (2) and with regard to the facts and records furnished by you, it is found that the unauthorised use of electricity has been committed as described below:

(A reasoned/detailed order to be passed by the Officer concerned taking into consideration the unauthorised use of electricity noticed, explanation and the findings. Reference to be made to the materials in support of the claim of the licensee about the existence of any type of irregularities, the involvement or the role of the consumer with reference to the said irregularities).

4.0 The Compensation charges payable by you under sub-sections (5) and (6) of the section 126 of the Electricity Act, 2003 is worked out to Rs.....
(Rupeesonly). The detailed working sheet is enclosed herewith. The said amount shall be paid to the TANGEDCO within 30 days from the date of receipt of this notice.

5.0 In case of default in payment of the assessed amount, the TANGEDCO shall after giving a fifteen days notice in writing, disconnect the supply of electricity.

6.0 If you choose to prefer an appeal against this order, you may prefer an appeal in Form 6 of the Tamil Nadu Electricity Supply Code to the Appellate authority (Executive Engineer/Superintending Engineer/Operation.....(address of the appellate authority)) within 30 days from the date of receipt of this order on deposit of half of the assessment amount with TANGEDCO as per section 127(2) of the Electricity Act, 2003 along with an appeal fee of Rs.100/- by Demand Draft. The Demand

*Draft shall be drawn in favour of Payable at
.....*

*7.0 You are requested to acknowledge the receipt of this assessment order with other
enclosures immediately.*

Yours faithfully,

Assessment Officer

Encl: Copy of the Working Sheet Report

Copy submitted to:

Copy to:

*He is instructed to arrange to serve this order to the consumer/occupier/enjoyer with
dated acknowledgement and send the acknowledgement to this office.*

(By order of the Tamil Nadu Electricity Regulatory Commission)

(S.Chinnarajalu)
Secretary
Tamil Nadu Electricity Regulatory Commission

EXPLANATORY STATEMENT

It has been decided to amend the Tamil Nadu Electricity Supply Code based on the proposal received from the Code Review Panel so as to-

- (1) make provision for levy of excess demand charges uniformly across all LT category of services;
- (2) provide for collection of additional security deposit from open access consumers based on net energy supplied by Distribution licensee
- (3) accept requests of consumers to adjust excess security deposit against demands more than two billing cycles;
- (4) specify a time limit for issue of provisional assessment order for unauthorised use of electricity and notify forms of provisional assessment and final assessment order for the act of unauthorised use of electricity under section 126 of the Electricity Act,2003;
- (5) spell out method of assessment of quantum of energy for cases of illegal restoration of supply to a disconnected service connection.

The proposed amendments seek to give effect to the above proposals.

(By order of the Tamil Nadu Electricity Regulatory Commission)

(S.Chinnarajalu)
Secretary
Tamil Nadu Electricity Regulatory Commission

**STATEMENT SHOWING THE EXISTING PROVISION AND THE
PROVISION EMBODYING AMENDMENT**

Tamil Nadu Electricity Supply Code

Sl. No.	Existing Provision (1)	Provision embodying amendment (2)
1	<p>5. Miscellaneous charges</p> <p>(1) xxx</p> <p>(2) Excess demand charge</p> <p>Whenever the consumer exceeds the sanctioned demand, excess demand charge shall be:-</p> <p>(i) xxx</p> <p>(ii) xxx</p> <p>(a) xxx</p> <p>(b) xxx</p> <p>(c) xxx</p> <p><i>“(I) Where the recorded demand does not exceed 112 KW, for every KW or part thereof in excess of the sanctioned demand, at the rate of 1% of the total energy charges.”</i></p>	<p>5. Miscellaneous charges</p> <p>(1) xxx</p> <p>(2) Excess demand charge</p> <p>Whenever the consumer exceeds the sanctioned demand, excess demand charge shall be:-</p> <p>(i) xxx</p> <p>(ii) xxx</p> <p>(a) xxx</p> <p>(b) xxx</p> <p>(c) xxx</p> <p><i>“(I) Where the recorded demand does not exceed 112 KW, for every KW or part thereof in excess of the sanctioned demand, at the rate of 1% of the total energy charges.</i></p> <p><i>Explanation: ‘Total energy charges’ shall have the same meaning as the term ‘charges of electricity supplied’ which includes both fixed/demand charges and energy charges</i></p>
2	<p>5. Miscellaneous charges</p> <p>(1) xxx</p> <p>(2) xxx</p> <p>(3) xxx</p> <p>(4) xxx</p> <p>(5) Additional Security Deposit</p> <p>(i) xxx</p> <p>(ii) <i>The adequacy of security deposit shall be</i></p>	<p>5. Miscellaneous charges</p> <p>(1) xxx</p> <p>(2) xxx</p> <p>(3) xxx</p> <p>(4) xxx</p> <p>(5) Additional Security Deposit</p> <p>(i) xxx</p> <p>(ii) <i>The adequacy of security deposit shall be</i></p>

	<p><i>based on the periodicity of billing for the respective category.</i></p> <p><i>(a) For the categories of consumer under monthly billing, the Security Deposit is equivalent to two times of the monthly average of the electricity charges for the preceding twelve months prior to April.</i></p>	<p><i>based on the periodicity of billing for the respective category.</i></p> <p><i>(a) For the categories of consumers under monthly billing, the Security Deposit is equivalent to two times of the monthly average of the electricity charges for the preceding twelve months prior to April.</i></p> <p><i>Provided in the case of open access consumers who have a contracted demand with the distribution licensee and partially draw energy through open access, the security deposit will be equivalent to two times the charges of electricity for the maximum net energy supplied by the Distribution licensee in any month in the preceding twelve months prior to April.”</i></p>
<p>3</p>	<p>5. Miscellaneous charges</p> <p>(1) xxx</p> <p>(2) xxx</p> <p>(3) xxx</p> <p>(4) xxx</p> <p>(5) Additional Security Deposit</p> <p>(i) xxx</p> <p>(ii) xxx</p> <p>(iii) xxx</p> <p>(iv) xxx</p> <p>(v) <i>Where, on review, the amount of Security deposit held is found to be in excess of the requirement, the excess shall be adjusted against two future demands for the electricity supplied. Where, after such adjustment in future two demands, there is balance to be refunded, the refund shall be made by cheque before the due</i></p>	<p>5. Miscellaneous charges</p> <p>(1) xxx</p> <p>(2) xxx</p> <p>(3) xxx</p> <p>(4) xxx</p> <p>(5) Additional Security Deposit</p> <p>(i) xxx</p> <p>(ii) xxx</p> <p>(iii) xxx</p> <p>(iv) xxx</p> <p>“(v) <i>Where, on review, the amount of Security deposit held is found to be in excess of the requirement, the excess shall be adjusted against two future demands for the electricity supplied. Where, after such adjustment in future two demands, there is balance to be refunded, the refund shall be</i></p>

	<p><i>date for payment of the third demand</i></p>	<p><i>made by cheque before the due date for payment of the third demand. Where a request is made by the consumer to adjust the excess security deposit above future two demands, the distribution licensee shall adhere to such requests.”</i></p>
	<p>19 A Procedure for disconnection of supply of electricity and removal of the unauthorized usage of electricity</p> <p>(1) xxx</p> <p>(2) xxx</p> <p>(3) xxx</p> <p><i>(4) In case of suspected unauthorized use of electricity, provisional assessment order shall be issued in the manner prescribed under the rules made by the State Government under section 126 (2) of the Act and final assessment order shall be issued by the assessment officer by following the procedure stipulated in section 126 of the Act. In respect of a tariff where different rates are adopted based on the slabs of consumption, the highest tariff rate specified in the tariff structure for the relevant category of service may be adopted.</i></p>	<p>19 A Procedure for disconnection of supply of electricity and removal of the unauthorized usage of electricity</p> <p>1) xxx</p> <p>(2) xxx</p> <p>(3) xxx</p> <p><i>(4) In case of suspected unauthorized use of electricity, provisional assessment order in Form 12 shall be issued within 24 hours on detection of such unauthorised use in the manner prescribed under the rules made by the State Government under section 126 (2) of the Act and final assessment order in Form 13 shall be issued by the assessment officer by following the procedure stipulated in section 126 of the Act. In respect of a tariff where different rates are adopted based on the slabs of consumption, the highest tariff rate specified in the tariff structure for the relevant category of service may be adopted.</i></p>
	<p style="text-align: center;">Appendix “Form 8 [See Regulation 23 (AA) (7)] FORMULA TO ASSESS THE QUANTUM</p>	<p style="text-align: center;">Appendix “Form 8 [See Regulation 23 (AA) (7)] FORMULA TO ASSESS THE QUANTUM</p>

<p style="text-align: center;">OF ENERGY IN CASE OF THEFT OF ELECTRICITY</p>	<p style="text-align: center;">OF ENERGY IN CASE OF THEFT OF ELECTRICITY</p>
<p><i>The following factors are to be considered to arrive at a formula for the assessment of quantum of energy in case of theft of electricity</i></p> <ul style="list-style-type: none"> (i) <i>Nature of Service</i> (ii) <i>Connected load / Contracted demand</i> (iii) <i>Load factor</i> (iv) <i>Nature of feeder (Rural/ Urban / Industrial) and supply restrictions in the feeder</i> (v) <i>Per day usage hours for which assessment has to be made.</i> <p><i>The authorized officer may take into account the following and arrive at the least period (duration) of theft:</i></p> <ul style="list-style-type: none"> (i) <i>for the period of twelve months</i> (ii) <i>for the period from the date of prior Inspection if any by the Enforcement or meter testing wing to the date of detection</i> (iii) <i>from the date of service connection to the date of detection</i> (iv) <i>wherever electronic meters are installed and the load curves are studied periodically the period of theft could be limited to the exact period as could be determined scientifically.</i> (v) <i>Based on the document produced by the accused person.</i> (vi) <i>For any other reasonable period as assessed by the authorized officer to the best of his judgment.</i> $U = \frac{L \times LF \times H \times D}{DF}$ <p><i>Where</i> <i>U = Quantum of energy Assessed in Units</i> <i>L = Load / demand in KW</i> <i>LF = Load factor</i> <i>H = Number of hours the load is considered to be used in a day</i></p>	<p><i>1.(A) The following factors are to be considered to arrive at a formula for the assessment of quantum of energy in case of theft of electricity other than illegal restoration of supply to a disconnected service connection :</i></p> <ul style="list-style-type: none"> (i) <i>Nature of Service</i> (ii) <i>Connected load / Contracted demand</i> (iii) <i>Load factor</i> (iv) <i>Nature of feeder (Rural/ Urban / Industrial) and supply restrictions in the feeder</i> (v) <i>Per day usage hours for which assessment has to be made.</i> <p><i>(B) The authorized officer may take into account the following and arrive at the least period (duration) of theft:</i></p> <ul style="list-style-type: none"> (i) <i>for the period of twelve months</i> (ii) <i>for the period from the date of prior inspection if any by the Enforcement or meter testing wing to the date of detection</i> (iii) <i>from the date of service connection to the date of detection</i> (iv) <i>wherever electronic meters are installed and the load curves are studied periodically, the period of theft could be limited to the exact period as could be determined scientifically.</i> (v) <i>Based on the document produced by the accused person.</i> (vi) <i>For any other reasonable period as assessed by the authorized officer to the best of his judgment.</i> <p><i>(C) The formula for assessment of quantum of energy consumption is:</i></p> $U = \frac{L \times LF \times H \times D}{DF}$ <p><i>Where</i></p>

D = Duration of assessment in days

DF=Diversity Factor

(D) The following tables give the Load Factor, and the Number of hours per day usage for different categories of usage of the pilfered Energy.

TABLE – A

<i>Usage Categories of pilfered energy</i>	<i>Diversity factor</i>	<i>Load Factor</i>	<i>Number of hours per day</i>
<i>Domestic (without Air conditioning load) and Huts</i>	<i>1</i>	<i>30%</i>	<i>12</i>
<i>Domestic (with Air conditioning load)</i>	<i>1</i>	<i>March to September 70%</i>	<i>12</i>
		<i>Other months 30 %</i>	
<i>Industrial including cottage industries power looms etc.,</i>	<i>1</i>	<i>80%</i>	<i>As per Table - B</i>
<i>Public lighting and water supply</i>	<i>1</i>	<i>100%</i>	<i>8</i>
<i>Agricultural</i>	<i>1</i>	<i>100%</i>	<i>10</i>
<i>All other categories</i>	<i>1.1</i>	<i>90%</i>	<i>12</i>

TABLE – B

U = Quantum of energy Assessed in Units

L = Load / demand in KW

LF = Load factor

H = Number of hours the load is considered to be used in a day

D = Duration of assessment in days

DF=Diversity Factor

(D) The following tables give the Load Factor, and the Number of hours per day usage for different categories of usage of the pilfered Energy.

TABLE – A

<i>Usage Categories of pilfered energy</i>	<i>Diversity factor</i>	<i>Load Factor</i>	<i>Number of hours per day</i>
<i>Domestic (without Air conditioning load) and Huts</i>	<i>1</i>	<i>30%</i>	<i>12</i>
<i>Domestic (with Air conditioning load)</i>	<i>1</i>	<i>March to September 70%</i>	<i>12</i>
		<i>Other months 30 %</i>	
<i>Industrial including cottage industries power looms etc.,</i>	<i>1</i>	<i>80%</i>	<i>As per Table - B</i>
<i>Public</i>	<i>1</i>	<i>100%</i>	<i>8</i>

	<i>Category</i>	<i>Number of hours per day.</i>	<i>lighting and water supply</i>					
1	<i>Fed by High Tension rural feeders having only 14 hours of supply per day :-</i>		<i>Agricultural</i>	1	100%	10		
	<i>i. Day Shift only</i>	6	<i>All other categories</i>	11	90%	12		
	<i>ii. Night Shift only</i>	8	TABLE – B					
	<i>iii. Both day and night shifts</i>	14		<i>Category</i>		<i>Number of hours per day.</i>		
2.	<i>Fed by High Tension feeders having 24 hours of supply :-</i>		1	<i>Fed by High Tension rural feeders having only 14 hours of supply per day :-</i>				
	<i>i. Day shift only</i>	8		<i>i. Day Shift only</i>	6			
	<i>ii. 2 Shifts</i>	16		<i>ii. Night Shift only</i>	8			
	<i>iii. 3 Shifts</i>	24		<i>iii. Both day and night shifts</i>	14			
<p>(E) i. The term “Usage Categories” given in Table - A refers to the purpose for which the suspected pilfered energy is used. For example if the pilfered energy in a hut service connection is used for domestic purpose, the assessment shall be made under “domestic category”, if it is used for commercial purpose, it shall be assessed under “all other categories” as mentioned in the above Table - A.</p> <p>ii (a) For High Tension Service connections, the maximum demand shall be assessed as 75% of the total connected load at the time of inspection subject to a minimum of the contracted demand. A power factor of 0.90 lag may be used for conversion of KVA or KW.</p> <p>(b) Assessment of demand charges:-</p>			2.	<i>Fed by High Tension feeders having 24 hours of supply :-</i>				
				<i>i. Day shift only</i>	8		<i>i. Day shift only</i>	8
				<i>ii. 2 Shifts</i>	16		<i>ii. 2 Shifts</i>	16
				<i>iii. 3 Shifts</i>	24		<i>iii. 3 Shifts</i>	24
						<p>(E) i. The term “Usage Categories” given in Table - A refers to the purpose for which the suspected pilfered energy is used. For example, if the pilfered energy in a hut service connection is used for domestic purpose, the assessment shall be made under “domestic</p>		

	<p><i>Twice the appropriate H.T. tariff rate for maximum demand.</i></p>	<p><i>category”, if it is used for commercial purpose, it shall be assessed under “all other categories” as mentioned in the above Table - A.</i></p> <p><i>ii (a) For High Tension Service connections, the maximum demand shall be assessed as 75% of the total connected load at the time of inspection subject to a minimum of the contracted demand. A power factor of 0.90 lag may be used for conversion of KVA or KW.</i></p> <p><i>(b) Assessment of demand charges:-</i></p> <p><i>Twice the appropriate H.T. tariff rate for maximum demand.</i></p> <p><i>II. Assessment of quantum of energy consumption in a case of illegal restoration of supply to a disconnected service connection shall be as follows:</i></p> <p><i>(A) The period of assessment will be for twelve months immediately preceding the date of detection of the violation or for the period from the date of disconnection of the service connection to the date of detection of the illegal restoration, whichever period is less: (B) The quantum of energy consumed for assessment of charges for theft of electricity in accordance to sub-regulation 7 of regulation 23AA shall be as follows:</i></p> <p><i>(i) When the meter is healthy – Units recorded from the date of disconnection of the service</i></p>
--	--	---

		<p>connection to the date of detection</p> <p>(ii) When the meter is found defective: Quantum of energy computed (U) using the formula above.</p> <p>(C) The assessment shall be at two times the applicable energy charges and two times the applicable demand charges where applicable.</p>
		<p style="text-align: center;">Form-12</p> <p style="text-align: center;">Provisional Assessment order for unauthorised use of electricity under section 126 of the Electricity Act, 2003.</p> <p>From _____ To _____ (The Assessment Officer), Full address of the person in whose name the service connection stands (or) occupier (or) enjoyer, etc.)</p> <p><u>Letter No.....dated.....</u></p> <p>Sir,</p> <p>Sub:- Unauthorised use of Electricity detected in SC No..... of HT/LT Tariff No..... - Section 126 of the Electricity Act, 2003 – Issue of Provisional Assessment Order - Reg.</p> <p>Ref:- Inspection Report dated</p> <p style="text-align: center;">***</p> <p>I.0 On..... (the day, month, year of inspection) at (time) hours, the electricity service connection No..... located at Door No....., in SF No..... (Full</p>

		<p><i>address of the service connection) which is/was in the name of Thiru/Thirumathy was inspected by me in the presence of you/your representative Thiru/Thirumathy</i></p> <p><i>2.0 During the inspection, unauthorised use of electricity was noticed as detailed below:</i></p> <p><i>.....</i> <i>.....</i> <i>.....</i> <i>.....</i></p> <p><i>.....(describe the actual mode of unauthorised use of electricity as per the section 126 of the Act). The above said unauthorised use of electricity is punishable under section 126 of the Electricity Act 2003.</i></p> <p><i>3.0 A copy of the inspection report is enclosed. A copy of the mahazar prepared at your premises and acknowledgement obtained from you / your representative has already been furnished to you / your representative. A copy of the statement recorded and signed by you / your representative is also enclosed.</i></p> <p><i>4.0 You are hereby called upon to stop the said unauthorised use of electricity and also remove the equipment used for the said unauthorised use of electricity immediately.</i></p> <p><i>5.0 The provisional assessment works out to Rs..... as per the sub-</i></p>
--	--	--

sections (5) and (6) of section 126 of the Electricity Act, 2003 and a working sheet is enclosed herewith. The amount shall be deposited within seven days from the date of receipt of this order. Otherwise, the Service Connection is liable to be disconnected without further notice.

6.0 If you are desirous of filing objections, if any, against this provisional assessment, you may send your explanation to the address of the undersigned with sufficient proof, within seven days from the date of receipt of this order. You may also choose to appear in person or through an authorised representative with relevant documents for an enquiry before the undersigned.

7.0 If no objection is received from you against this provisional assessment order within the stipulated period or if the objection received is found to be not convincing, further action to pass final order of assessment shall be taken without further notice.

8.0 You are requested to acknowledge the receipt of this order with other enclosures immediately.

Yours faithfully,

Assessment Officer

Encl: Copies of

- 1. Report*
- 2. Statement Recorded (if any)*
- 3. Mahazar*

Copy submitted to:

Copy to:

He is instructed to arrange to serve this order to

		<p><i>the consumer/occupier/enjoyer with dated acknowledgement and send the acknowledgement to this office.</i></p>
		<p style="text-align: center;">Form-13</p> <p><i>Final order of Assessment for unauthorised use of electricity under section 126 of the Electricity Act, 2003.</i></p> <p><i>From</i> _____ <i>To</i> _____ <i>(The Assessment Officer), Full address of the person in whose name the service connection stands (or) occupier (or) enjoyer, etc.)</i></p> <p><u><i>Letter No.....dated.....</i></u></p> <p><i>Sir,</i></p> <p><i>Sub:- Unauthorised use of Electricity detected in SC No..... of HT/LT Tariff No..... - Section 126 of the Electricity Act, 2003 – Issue of Final Assessment Order - Reg.</i></p> <p><i>Ref:- 1. Provisional Assessment Order Lr. No.</i></p> <p><i>2. Your Explanation Letter dated.....</i></p> <p style="text-align: center;">***</p> <p><i>1.0 On..... (the day, month, year of inspection) at (time) hours, the electricity service connection No..... located at Door No....., in SF No..... (Full address of the service connection) which is/was in the name of Thiru/Thirumathy was inspected by</i></p>

		<p>..... (Designation of the Assessment Officer) in the presence of you/your representative Thiru/Thirumathy</p> <p>..... During the inspection, unauthorised use of electricity was noticed as detailed below:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....(describe the actual mode of unauthorised use of electricity as per the section 126 of the Act).</p> <p>2.0 A provisional Assessment notice has been issued by the (Designation of the Assessment Officer) vide reference (1) cited above as to why you should not be held liable for the above unauthorised use of electricity and as to why compensation charges should not be levied and collected as per the sub-sections (5) and (6) of the section 126 of the Electricity Act, 2003.</p> <p>3.0 On a detailed examination and on consideration of your explanation offered in your letter cited in reference (2) and with regard to the facts and records furnished by you, it is found that the unauthorised use of electricity has been committed as described below:</p> <p>(A reasoned/detailed order to be passed by the Officer concerned taking into consideration the unauthorised use of electricity noticed, explanation and the findings. Reference to be made to the materials in support of the claim of the licensee about the existence of any type of irregularities, the</p>
--	--	--

		<p><i>involvement or the role of the consumer with reference to the said irregularities).</i></p> <p><i>4.0 The Compensation charges payable by you under sub-sections (5) and (6) of the section 126 of the Electricity Act, 2003 is worked out to Rs..... (Rupeesonly). The detailed working sheet is enclosed herewith. The said amount shall be paid to the TANGEDCO within 30 days from the date of receipt of this notice.</i></p> <p><i>5.0 In case of default in payment of the assessed amount, the TANGEDCO shall after giving a fifteen days notice in writing, disconnect the supply of electricity.</i></p> <p><i>6.0 If you choose to prefer an appeal against this order, you may prefer an appeal in Form 6 of the Tamil Nadu Electricity Supply Code to the appellate authority (Executive Engineer/Superintending Engineer/ Operation(address of the appellate authority)) within 30 days from the date of receipt of this order on deposit of half of the assessment amount with the TANGEDCO as per section 127(2) of the Electricity Act, 2003 along with an appeal fee of Rs.100/- by Demand Draft. The Demand Draft shall be drawn in favour of Payable at</i></p> <p><i>7.0 You are requested to acknowledge the receipt of this assessment order with other enclosures immediately.</i></p> <p style="text-align: right;"><i>Yours faithfully,</i></p>
--	--	---

		<p style="text-align: right;"><i>Assessment Officer</i></p> <p><i>Encl: Copy of the Working Sheet Report</i></p> <p><i>Copy submitted to:</i></p> <p><i>Copy to:</i></p> <p><i>He is instructed to arrange to serve this order to the consumer/occupier/enjoyer with dated acknowledgement and send the acknowledgement to this office.</i></p>
--	--	---

(By order of the Tamil Nadu Electricity Regulatory Commission)

(S.Chinnarajalu)
Secretary
Tamil Nadu Electricity Regulatory Commission