



TAMIL NADU ELECTRICITY REGULATORY COMMISSION

TAMIL NADU ELECTRICITY SUPPLY CODE (As amended upto 31-03-2024)

WHEREAS the Tamil Nadu Electricity Regulatory Commission have published in the *Tamil Nadu Government Gazette* on different dates the following, namely:—

- (1) The Tamil Nadu Electricity Supply Code (TNESC)
(Notification No.TNERC/SC/7/1, dated 21-07-2004)
- (2) The Tamil Nadu Electricity Supply (Amendment) Code, 2005
(Notification No.TNERC/SC/7-1, dated 22-11-2005)
- (3) The Tamil Nadu Electricity Supply (Amendment) Code, 2006
(Notification No.TNERC/SC/7-2, dated 19-05-2006)
- (4) The Tamil Nadu Electricity Supply Code (Amending Regulation),
(Notification No.TNERC/SC/7-2(1), dated 20-09-2006)
- (5) The Tamil Nadu Electricity Supply (Amendment) Code, 2007
(Notification No.TNERC/SC/7-3, dated 10-04-2007)
- (6) The Tamil Nadu Electricity Supply (Amendment) Code, 2007
(Notification No.TNERC/SC/7-4, dated 25-05-2007)
- (7) The Tamil Nadu Electricity Supply (Second Amendment) Code, 2007
(Notification No.TNERC/SC/7-5, dated 23-08-2007)
- (8) The Tamil Nadu Electricity Supply Code, Distribution Code and
Standard of Performance (Amendment) Regulations, 2007
(Notification No.TNERC/SC/7-6, dated 03-12-2007)
- (9) The Tamil Nadu Electricity Supply (Second Amendment) Code, 2007
(Notification No.TNERC/SC/7-7, dated 14-12-2007)
- (10) The Tamil Nadu Electricity Supply (Second Amendment) Code, 2008
(Notification No.TNERC/SC/7-8, dated 06-06-2008)
- (11) The Tamil Nadu Electricity Supply Code (TNESC)
(Notification No.TNERC/SC/7-9, dated 31-07-2008)
- (12) The Tamil Nadu Electricity Supply (Amendment) Code, 2008
(Notification No.TNERC/SC/7-10, dated 31-07-2008)
- (13) The Tamil Nadu Electricity Supply (Amendment) Code, 2008
(Notification No.TNERC/SC/7-11, dated 15-12-2008)
- (14) The Tamil Nadu Electricity Supply (Amendment) Code, 2009
(Notification No.TNERC/SC/7-12, dated 27-02-2009)
- (15) The Tamil Nadu Electricity Supply (Amendment) Code, 2009
(Notification No.TNERC/SC/7-13, dated 15-06-2009)

- (16) The Tamil Nadu Electricity Supply (Amendment) Code, 2009
(Notification No.TNERC/SC/7-14, dated 29-06-2009)
- (17) The Tamil Nadu Electricity Supply (Amendment) Code, 2009
(Notification No.TNERC/SC/7-15, dated 09-10-2009)
- (18) The Tamil Nadu Electricity Supply (Amendment) Code, 2009
(Notification No.TNERC/SC/7-16, dated 29-12-2009)
- (19) Tamil Nadu Electricity Supply Code (as amended upto 31-12-2009)
(Notification No.TNERC/SC/7-17, dated 20-01-2010)
- (20) Tamil Nadu Electricity Supply Code
(Notification No.SC/7-18 Dt. 03-05-2010-Errata to Notification
SC/7-14 Dt. 29-06-2009 in Tamil Version)
- (21) Tamil Nadu Electricity Supply Code (Amendment) 2010
(Notification No.TNERC/SC/7-19, dated 06-05-2010)
- (22) Tamil Nadu Electricity Supply Code (Amendment) 2010
(Notification No.TNERC/SC/7-20, dated 30-06-2010)
- (23) Tamil Nadu Electricity Supply Code (Amendment) 2010
(Notification No.TNERC/SC/7-21, dated 25-10-2010)
- (24) Tamil Nadu Electricity Supply Code (Amendment) 2011
(Notification No.TNERC/SC/7-22, dated 21-02-2011)
- (25) Tamil Nadu Electricity Supply Code (Amendment) 2011
(Notification No.TNERC/SC/7-23, dated 14-3-2011)
- (26) Tamil Nadu Electricity Supply Code (as Amended upto 31-12-2010)
(Notification No.TNERC/SC/7-24, dated 18-3-2010)
- (27) Tamil Nadu Electricity Supply Code (Amendment) 2011
(Notification No.TNERC/SC/7-25, dated 18-3-2011)
- (28) Tamil Nadu Electricity Supply Code (Amendment) 2011
(Notification No.TNERC/SC/7-27, dated 27-5-2011)
- (29) Tamil Nadu Electricity Supply Code (Amendment) 2011
(Notification No.TNERC/SC/7-28, dated 5-9-2011)
- (30) Tamil Nadu Electricity Supply Code (Amendment) 2011
(Notification No.TNERC/SC/7-29, dated 16-12-2011)
- (31) Tamil Nadu Electricity Supply Code (Amendment) 2011
(Notification No.TNERC/SC/7-30, dated 17-02-2012)
- (32) Tamil Nadu Electricity Supply Code (Amendment) 2011
(Notification No.TNERC/SC/7-31, dated 29-11-2012)
- (33) Tamil Nadu Electricity Supply Code (Amendment) 2013
(Notification No.TNERC/SC/7-32, dated 12-09-2013)
- (34) Tamil Nadu Electricity Supply Code (Amendment) 2013
(Notification No.TNERC/SC/7-33, dated 29-09-2013)
- (35) Tamil Nadu Electricity Supply Code (Amendment) 2013
(Notification No. TNERC/SC/7-34, dated 25-11-2013).

- (36) Tamil Nadu Electricity Supply Code (Amendment) 2014
(Notification No. TNERC/SC/7-35, dated 03-06-2014)
- (37) Tamil Nadu Electricity Supply Code (Amendment) 2014
(Notification No. TNERC/SC/7-36, dated 01-07-2014).
- (38) Tamil Nadu Electricity Supply Code (Amendment) 2014
(Notification No. TNERC/SC/7-37, dated 05-11-2014-Errata)
- (39) Tamil Nadu Electricity Supply Code (Amendment) 2015
(Notification No. TNERC/SC/7-38, dated 22-4-2015)
- (40) Tamil Nadu Electricity Supply Code (Amendment) 2018
(Notification No. TNERC/SC/7-39, dated 02.3.2018)
- (41) Tamil Nadu Electricity Supply Code (Amendment) 2019
(Notification No. TNERC/SC/7-40, dated 18.12.2019)
- (42) Tamil Nadu Electricity Supply Code (Amendment) 2020
(Notification No. TNERC/SC/7-41, dated 09.6.2020)
- (43) Tamil Nadu Electricity Supply Code (Amendment) 2020
(Notification No. TNERC/SC/7-42, dated 27.6.2020)
- (44) Tamil Nadu Electricity Supply Code (Amendment) 2020
(Notification No. TNERC/SC/7-43, dated 16.7.2020)
- (45) Tamil Nadu Electricity Supply Code (Amendment) 2020
(Notification No. TNERC/SC/7-44, dated 24.12.2020)
- (46) Tamil Nadu Electricity Supply Code (Amendment) 2021
(Notification No. TNERC/SC/7-45, dated 26.05.2021)
- (47) Tamil Nadu Electricity Supply Code (Amendment) 2022
(Notification No. TNERC/SC/7-46, dated 26.07.2022)
- (48) Tamil Nadu Electricity Supply Code (Amendment) 2022
(Notification No. TNERC/SC/7-47, dated 29.03.2022)
- (49) Tamil Nadu Electricity Supply Code (Amendment) 2023
(Notification No. TNERC/SC/7-48, dated 02.09.2023)

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Sl No.	Notification		Description	Regulation amended	Gazette	
	Number	Date			Number	Date
1	SC 7/1	21-07-2004	Principal Regulation	Tamil Nadu Electricity Supply Code	34A	01-09-2004
2	SC 7-1	22-11-2005	Addition/Reduction of Load in HT/LT services, Surcharge, BPSC for HT/LT	5(2)(iv),5(4)(iv),5(4)(v),	47	07-12-2005
3	SC 7-2	19-05-2006	Reconnection of disconnected services	22(6), 22(7)	1	
4	SC 7-2(1)	20-09-2006	Refund of Tariff minimum	22(6)	1	03-01-2007
5	SC 7-3	10-04-2007	Reduction of demand	17(6)	16	25-04-2007
6	SC 7-4	25-05-2007	Definitions, service connection charges & Power theft, Unauthorised use of electricity, testing of meters, etc.	2(aa), 2(hh), 2(i), 2(pp), 4(1)(i), 4(2), 5(1), 5(2), 5(3), 5(4), 5(6), 5(7), 6, 7, 8, 9, 10, 14, 15, 17, 18, 19A, 22, 23(i), 23AA, 23BB, 27(3), Form 8,9,10,11.		25-04-2007
7	SC 7-5	23-08-2007	Theft of energy	23AA, 23BB, Form 9,10,11		
8	SC 7-6	03-12-2007	Refund of deposit	17(7)	3	27-01-2010
9	SC 7-7	14-12-2007	Belated payment surcharge	5(4)	23	13-06-2007
10	SC-7-8	06-06-2008	Refund of excess amount collected	12(2)		
12	SC 7-9	31-07-2008	Supply code with all amendments incorporated up to 31.07.2008	Consolidated Supply Code Regulations incorporating all upto date amendments.	33A	20-08-2008
11	SC 7-10	31-07-2008	Disconnection of services for non-payment of dues	17(8)	33A	20-08-2008
13	SC 7-11	15-12-2008	Introduction of excess demand & energy charges during R&C measures	4(2), 5(13),	3A	28-01-2009
14	SC 7/12	27-02-2009	Restriction period lifted for reduction of demand	17(6) Omitted		
15	SC 7-13	15-06-2009	Acceptance of payment through electronic mode.	15		
16	SC 7-14	29-06-2009	Revision of nomenclature for appointment of CRP Members.	27	28A	22-07-2009
17	SC 7-15	09-10-2009	Unauthorised use of electricity	19(3),19(4),19(5), 19(6), 23(A)(1), Form-6	46	25-11-2009
18	SC 7-16	04-12-2009	Acceptance of payment from consumers	15(3)		

Sl No.	Notification		Description	Regulation amended	Gazette	
	Number	Date			Number	Date
19	SC 7/17	21-01-2010	Consolidated Supply Code (as amended upto 31-12-2009)	Consolidated Supply Code Regulations incorporating all upto date amendments.		
20	SC 7/24	18-03-2010	Consolidated Supply Code (as amended upto 31-12-2010)	Consolidated Supply Code Regulations incorporating all upto date amendments.	13A	13-04-2011
21	SC 7/18	03-05-2010	Errata to Notification No. SC/7-14 in Tamil Gazette	1(a)		
22	SC 7/19	06-05-2010	Compounding of theft of energy offences	24(1), 24(2)	40	13-10-2010
23	SC 7/20	30-06-2010	Amendment of Regulation 5 of the Tamil Nadu Electricity Supply Code			
24	SC 7/21	25-10-2010	Dispensation of incentive for high power factor	4, 5	46	24-11-2010
25	SC 7/22	21-02-2011	Meter reading entry for LT/HT consumers, mode of payment, service charges for dishonoured cheque etc.	8(1), 8(3)omitted, 10(2), 10(4), 15(2), 15(3), 15(4)	11	23-03-2011
26	SC 7/23	14-03-2011	Revision of nomenclature for appointment of CRP Members.	27(1)	12A	30-03-2011
27	SC 7/25	18-03-2011	Provision of installments for outstanding dues for reconnection of disconnected services.	17(9)	13	13-04-2011
28	SC 7/27	27-05-2011	Assessment formula for unauthorised use of electricity	23(AA), Form-8A	22	15-06-2011
29	SC 7/28	05-09-2011	Payment of Interest for advance payment of Current Consumption Charges	16	36	21-09-2011
30	SC 7/29	16-12-2011	Security deposit for consumers not submitting consent letter from the owners	5(5)(vii)	1	04-01-2012
31	SC 7/30	17-02-2012	Categories of supply, Excess demand charges, ABT compliance meter for OA consumers, serving of bills etc	3, 5(2), 5(5)(ii)(d), 7(3A), 13(1)	11	21-03-2012
32	SC 7/31	29-11-2012	Explanation clause for additional demand services effected before 21.3.2012	3(2)		
33	SC 7/32	12-09-2013	Minimum charges to be collected	6(b)	41	23-10-2013

Sl No.	Notification		Description	Regulation amended	Gazette	
	Number	Date			Number	Date
34	SC 7/33	23-09-2013	Withdrawal of provision of commercial tariff for construction of houses	4(1)(i)	41	23-10-2013
35	SC 7/34	25-11-2013	Supply at lower voltage level subject to technical feasibility.	3(4)	49	18-12-2013
36	SC 7/35	03-06-2014	Reconnection of disconnected services	22(4)Omitted, 22(5), 22(6)	24	25-06-2014
37	SC 7/36	01-07-2014	Charges for restoration of cheque payment, testing equipments and application registration charge. Inclusion of average losses of DT for LT side metering, procedure for cheque dishonour, etc.,	4(2), 5(6)(1), 5(12), 7(2), 7(7), 7(8), 15(4) & 27.	30	06-08-2014
38	SC 7/37	05-11-2014	Erratta to Notification SC 7/36	5(6)(1)	46	03-12-2014
39	SC 7/38	22-04-2015	Enhancement of cash payment by consumers and restoration of cheque payment facility	15(3), 15(4),	20	20-05-2015
40	SC 7-39	02-03-2018	Advance CC charges and excess demand charges for temporary supply. Requirement of safety certificate for reconnection of HT services.	4(1)(vi)omitted, 5(2)(iii), 22(3)	14	04-04-2018
41	SC 7-40	18-12-2019	Excess demand charges, Security deposit for OA consumers, adjustment of excess security deposit and provisional assessment order for unauthorised use of electricity	5(2)(ii)(c), 5(5)(ii)(a), 5(5)(v), 19A(4), Form-8, 12 & 13.	5	29-01-2020
42	SC 7-41	09-06-2020	LT demand limit enhanced to 150 kW	3(1), 5(2)(ii)(c), 5(2)(iii),	27	01-07-2020
43	SC 7-42	27-06-2020	Regarding Smart Meter assessment	14A	29	15-07-2020
44	SC 7-43	16-07-2020	Simplified procedure for shifting of existing agricultural service connection	5(6)(3)	32	05-08-2020
45	SC 7-44	24-12-2020	Minimum charges applicable to the LT consumers	6	4	27-01-2021
46	SC-7-45	26-05-2021	Wheeling Charges and Network Charges	4(1)(ia)	23	09-06-2021
47	SC-7-46	26-07-2022	Proof of Occupancy for New LT/HT services and Name transfer.	5(7)(ii), 17(5), 22(6)(i), Form1 and 2	33	17-08-2022

SI No.	Notification		Description	Regulation amended	Gazette	
	Number	Date			Number	Date
48	SC-7-47	29-03-2022	Current harmonic control for consumers/prosumers above 11kV level	4(1)(iv)	38	21-09-2022
49	SC-7- 48	02-09-2023	Incorporations of provisions of Electricity(Rights of consumer)Rules, 2020 and other amendments	2(s), 3(3), 4(2), 5(2), 5(5), 5(12), 7(1)(2)(3)(3A), 7(7), 7(9), 7(10), 8(3), 8(4), 8(5), 8(6), 9(1), 10(5), 11(1), 11(6), 14A, 15(1), 15(2), 15(3), 16, 17(7), 17(8), 19(6), 22(1), 22(6), 23(AA), Form-8, 8A, 9, 10, 11, 12 & 13.	335	08-09-2023

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Tamil Nadu Electricity Regulatory Commission

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Notification No. TNERC / SC / 7 / 1 Dated 21.07.2004

WHEREAS under the Electricity Act, 2003 (Central Act 36 of 2003) the State Electricity Regulatory Commission shall specify an Electricity Supply Code to provide for recovery of electricity charges, intervals for billing of electricity charges, disconnection of supply of electricity for non-payment thereof, restoration of supply, tampering, distress or damage to electrical plant, electric lines or meter, entry of distribution Licensee or any person acting on his behalf for disconnecting supply and removing the meter, entry for replacing, altering or maintaining electric lines or electrical plant or meter;

AND WHEREAS the regulations providing for, among others, the Electricity Supply Code shall be subject to the condition of previous publication; and has accordingly undergone previous publication;

NOW, THEREFORE, under section 50 of the said Electricity Act, 2003, read with section 181 thereof and all other powers enabling in that behalf, the Tamil Nadu Electricity Regulatory Commission hereby specifies the following Code.

Chapter 1: PRELIMINARY

1. Short title and commencement

- (1) This Code may be called the Tamil Nadu Electricity Supply Code (TNESC).
- (2) It shall come into force on the date of publication of this Code in the Tamil Nadu Government Gazette.

2. Definitions

In this Code, unless the context otherwise requires:

- (a) "Act" means the Electricity Act 2003 (Act No. 36 of 2003)
- (aa) "Board" means, a State Electricity Board, constituted before the commencement of the Act, under sub-section (1) of section 5 of the Electricity (Supply) Act, 1948 (54 of 1948).

(Inserted vide Notification. No. TNERC/SC 7-4 dated 25.05.2007 – w. e. from 13.06.2007)

- (b) "Code" means the Tamil Nadu Electricity Supply Code.
- (c) "Commission" means the Tamil Nadu Electricity Regulatory Commission.
- (d) "**Connected Load**" means the aggregate of the manufacturer's rating of all equipments connected to the consumer's installation and of all portable equipments and also the capacity of the power source required to test manufactured products and repaired equipment in the installation.

Explanation : Where the rating is in terms of KVA, it shall be converted to KW by multiplying it by a power factor of 0.9 and where the rating is in terms of HP, it shall be converted to KW by multiplying it by a factor of 0.746.

- (e) "**Contracted Load**" means the load specified in the agreement between the consumer and the Licensee engaged in the business of supplying electricity to him.
- (f) "**Contracted Demand**" means the demand specified in the agreement between the consumer and the Licensee engaged in the business of supplying electricity to him.
- (g) "**Consumer**" means any person who is supplied with electricity for his own use by a Licensee, the Govt. or by any other person engaged in the business of supplying electricity to the public under the Act or any other law for the time being in force and includes any person whose premises are for the time

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being connected for the purpose of receiving electricity with the works of a Licensee, the Govt. or such other person, as the case may be;

(h) "**Consumer Meter Card**" means a card provided at the low tension consumer's premises for the purpose of recording the measurements relating to consumption of electricity and the charges for electricity consumed and other related charges. It shall also serve the purpose of a notice to the consumer of the due dates for payment and notice period for disconnection.

(hh) "**Distribution licensee**" means a licensee authorised to operate and maintain a distribution system for supplying electricity to the consumers in his area of supply.

(Inserted vide Notification. No. TNERC/SC 7-4 dated 25.05.2007 – w. e. from 13.06.2007)

As existed from 01.09.2004 to 12.06.2007

(i) "Engineer" means an engineer, by whatever name designated, employed by the Licensee possessing such qualifications as are approved by the Commission and is in charge of the local area of supply and includes any other person duly authorized by him or his superiors, to exercise any power of an engineer under this Code

(i) "**Engineer**" means an engineer, by whatever name designated, employed by the licensee and is in charge of the local area of supply and includes any other person duly authorized by him or his superiors, to exercise any power of an engineer under this Code.

(Substituted vide Notification. No. TNERC/SC 7-4 dated 25.05.2007 – w. e. from 13.06.2007)

(j) "**Extra High Tension (EHT) consumer**" means a consumer who obtains supply from the Licensee at Extra High Voltage.

(k) "**High Tension (HT) consumer**" means a consumer who obtains supply from the Licensee at High Voltage.

(l) "**Low Tension (LT) consumer**" means a consumer who obtains supply from the Licensee at Low or Medium Voltage:

(m) "**Load**" means connected load or contracted load, as the case may be.

(n) "**Load Factor**" means the ratio of the Average Demand for the month in terms of Kilowatts to the Maximum Demand for the month in terms of Kilowatts and the 'Load Factor' shall be calculated to three decimal places and rounded off to two decimal places.

(o) "**Month**" unless the context otherwise requires, shall mean a month reckoned according to the British Calendar. With reference to billing and payment, it shall mean the period between the date of meter reading in a particular month and the corresponding date of meter reading of the immediately succeeding or preceding month as the context requires.

(p) "**Occupier**" means the person in occupation (whether as owner or otherwise) of the premises where electricity is used or intended to be used;

(pp) "**Person**" shall include any company or body Corporate or association or body of individuals, whether incorporated or not, or artificial juridical person.

(Inserted vide Notification. No. TNERC/SC 7-4 dated 25.05.2007 – w. e. from 13.06.2007)

(q) "**Power Factor**" means the ratio of the real power to the apparent power and average power factor means the ratio of the Kilowatt-hours to the Kilovolt-ampere-hours consumed during the billing month.

(r) "**State Transmission Utility**" means the Board or the Government Company specified as such by the State Government

(s) "**Supply**", in relation to electricity, means the sale of electricity to a Licensee or consumer.

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(t) "Unauthorised use of electricity" has the same meaning as assigned to it under section 126 of the Act. The unauthorised use of electricity dealt under section 135 of the Act is applicable only to the theft of energy / illegal restoration of supply.

(Inserted vide Notification. No. TNERC/SC 7-48 dated 02.09.2023 – w. e. from 08.09.2023)

Words and expressions used in this Code but not defined either in this Code or the Act or the General Clauses Act 1897 (Central Act 10 of 1897) shall have the same meanings as understood in the Engineering and Commercial circles.

Words and expressions used in this Code but not defined either in this Code or the Act or the Electricity (Rights of Consumer Rules), 2020 or any other Regulations of the Commission or the General Clauses Act, 1897 (Central Act 10 of 1897) shall have the same meanings as commonly understood in the Engineering and Commercial parlance.

(Substituted vide Notification. No. TNERC/SC 7-48 dated 02.09.2023 – w. e. from 08.09.2023)

Chapter 2: ELECTRICITY CHARGES- BILLING AND RECOVERY

3. Categories of supply

As existed from 01.09.2004 To 20.03.2012 Supply of electricity available to the consumer is of the following categories:-

- a. Single-phase 2 wire 240 volts between phase and neutral for supply to a total connected load not exceeding 4000 watts (including power loads).
- b. Three-phase 4 wire 415 volts between phases and 240 volts between phase and neutral for supply to a total connected load exceeding 4000 watts but not exceeding a demand of 112 KW.
- c. The consumer may elect to avail supply under any one of the above categories where the connected load does not exceed 4000 watts.
- d. Three-phase 3 wire, 11,000 volts and above between phases for power installation exceeding a demand of 112 KW, the minimum demand however being 63 KVA.
- e. The consumer shall avail supply at 33 kV and above when the demand is 5 MVA and above.

(1) Supply of electricity shall be availed by the consumer under the following categories:-

- a) Single-phase 2 wire 240 volts between phase and neutral for supply to a total connected load not exceeding 4000 watts (including power loads);

- b) Three-phase 4 wire 415 volts between phases and 240 volts between phase and neutral for supply to a total connected load exceeding 4000 watts but exceeding a demand of 112 KW;

From 01.07.2020

- (b) Three –phase 4 wire 415 volts between phases, and 240 volts between phase and neutral for supply to a total connected load exceeding 4000 Watts but not exceeding a demand of 150 KW.

Provided that for a consumer requiring a sanctioned demand above 112 KW but below or upto 150KW, availing of supply shall be subject to the following conditions:

- (i) Space for erection of a Distribution Transformer by the Licensee shall be provided by the consumer free of cost and such space for erecting the Distribution Transformer shall either be provided within the consumer's premises or in a private land within a radius of 50 metres from the consumer's premises. The site provided for erection of Distribution Transformer should have free access for inspection and maintenance.
- (ii) Where possible, the licensee may erect a single pole Distribution Transformer in the consumer's premises with separate mounting arrangement that can support and hold the Distribution Transformer like providing a stud/plinth or concrete pillar like arrangement etc. Works for mounting arrangements shall be carried out by the consumer at consumer's cost.

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- (iii) Installation of Distribution Transformer with associated equipments/ accessories viz. AB Switch, HG Fuse, DT structure/ pole shall be carried out by the Licensee at Licensee's cost.
- (iv) The cost of installation works from the Distribution Transformer to the Consumer's meter, portion of any HT line within the consumer's premises when the Distribution Transformer is erected inside the consumer's premises shall be borne by the consumer. Works of erection of OH lines/ laying of cables, equipments/ accessories necessary for supply of electricity to the consumer's premises may be carried out in compliance of safety norms notified by the Authority and by the Commission, and other relevant regulations of the Distribution Code.
- (v) The fixed/demand charges of electricity for the sanctioned demand shall be at the rates applicable to the relevant HT category of service notified in the Commission's Tariff orders issued from time to time, that is to say, the rate notified per KVA shall be applied on per KW basis without any conversion of the sanctioned demand in KW to KVA. To illustrate, for a sanctioned demand of 130 KW, the fixed/demand charges shall be 130 multiplied by (Rs.350/-) demand charges applicable per KVA for the HT category. The energy charges shall be the applicable LT Tariff rates notified in the Commission's tariff orders. The losses in the Distribution Transformer shall be borne by these consumers of the LT category as per the formula prescribed in sub-regulation (7) of regulation 7 of this code.

Explanation: -

- (i) Existing consumers i.e. LT consumers prior to the notification of amendment in the Government Gazette which is the effective date of coming into force of this regulation, whose demand exceeds 112 KW but less than or equal to 150 KW or who require additional demand over and above 112 KW may opt to avail supply under LT Category subject to the above conditions in the above proviso to clause (b) of this sub-regulation. Existing LT Consumers whose demand exceeds 112 KW and who do not opt to avail supply as per the conditions in the proviso to clause (b) of this sub-regulation shall pay excess demand charges in accordance to clause (ii) (c)I in sub-regulation (2) of Regulation 5 of this Code.
- (ii) New consumers who require demand above 112 KW but less than or equal to 150KW and who are unable to comply with the conditions in the proviso to clause (b) of this sub-regulation shall obtain supply under HT category. This is also applicable for existing consumers with sanctioned demand of 112 KW and below who require additional demand over and above 112 KW.

(Clause1 (b) substituted vide Notification No. TNERC/SC/7-41 dated 09.06.2020 W.E. from 01.07.2020)

- c) The consumer may elect to avail supply under any one of the above categories where the connected load does not exceed 4000 watts;

Explanation: If the connected load or demand of a LT consumer exceeds 50 KW, the consumer shall be provided with LTCT metering.

- d) Three-phase three wire supply at 11 KV or 22 KV depending on the voltage level existing in the area of supply shall be provided for a demand limit upto 3 MVA or 5 MVA as the case may be. However, the minimum demand shall be 63 KVA;
- e) The consumer shall be provided supply at 33 KV for a demand exceeding 3 MVA and up to 10 MVA if the area of supply is fed through 11 KV system and if the area of supply is fed through 22 KV system, supply at 33 KV shall be provided for a demand exceeding 5 MVA and up to 10 MVA;
- f) The consumer shall be provided supply at 110 KV for a demand above 10 MVA and

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upto 50 MVA;

- g) The consumer shall be provided supply at 230 KV for a demand above 50 MVA.
- (2) In case of existing service connection / installation not conforming to the provisions mentioned in Sub-Regulation (1), conversion of such service connection / installation to higher / lower voltage may be carried out based on the mutual consent between the Distribution Licensee and the Consumer duly considering the capacities of the existing line/cable, transformer, etc. and the cost-benefit analysis of such conversion.

Explanation: For this purpose of this sub regulation, existing service connection means the service connection or additional demand to the existing service connection, effected on or before 21-03-2012, the date on which the sub regulation (2) came into force.

(Explanation inserted vide Notification No. TNERC/SC/7-31 dated 29-11-2012.)

- (3) If the consumer opts for higher levels of voltages for demands less than that specified, the consumer shall bear the (extra- Omitted – SC/7-48) expenses to be incurred by the licensee to provide supply at such higher voltages.

(Regulation 3 Substituted vide Notification No. TNERC/SC/7-30 dt. 17.02.2012. w.e.f. 21.03.2012)

- (4) Notwithstanding anything contained in sub-regulation (1), where there is no 33 KV network in a specified area and the Distribution Licensee has to incur heavy expenditure to create the 33 KV network, the Chief Executive Officer of the Distribution Licensee may permit in specific cases to effect supply or additional load in 11/22 KV itself subject to technical feasibility. Such cases shall be recorded and communicated to the Commission. As and when 33 KV network is created in the area, such 11/22 KV supply shall be converted into 33 KV supply.

(SR-4 Inserted vide Notification No.TNERC/SC/7-34 dated 25.11.2013 with effect from 18.12.2013)

4. Charges recoverable by the Licensee- The charges, recoverable by the Licensee from the consumers are:-

(1) Tariff related charges, namely,-

- (i) **The price of electricity supplied by him to the consumer** which shall be in accordance with the tariff rates as the Commission may fix from time to time, for HT supply, LT supply, temporary supply and for different categories of consumers. (*###*) Where it is intended to use Floor Polishing equipments, welding equipments for repairs/ maintenance and such other portable equipments temporarily in a premises having permanent supply, such use shall not be treated as temporary supply for purpose of levying charges. It shall be construed as regular consumption under the permanent supply tariff.

(*###*) In case the (*temporary) supply for construction of residential houses, housing complexes, the tariff shall be Commercial Tariff and till the completion construction and be changed to appropriate tariff on completion.

(Omitted as per Notification Ne TNERC/SC7-33 dated 23.09.2013- w.e. from 23.10.2013)

(*Temporary-omitted as per Notification. No. TNERC/SC7-4dated 25.05.2007.e. from 13.06.2007)

- (i-a) The wheeling charges / Network charges shall be payable by the HT/LT consumer category in accordance with the rates as the Commission may fix time to time for different category of consumers (to recover the cost incurred by the Licensee for its Distribution wire business).

Provided that the Wheeling charges/Network charges may be denominated in terms of Rs/kWh (or) Rs./kVAh (or) Rs./kW/month (or) Rs/kVA/month for the purpose of recovery from the Distribution network user, or any such denomination as may be stipulated by the Commission.

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(Clause (ia) Inserted vide notification No. TNERC/SC/7-45/dt. 26.05.2021 w.e.f. 09.06.2021)

(ii) **Demand charges for HT supply and fixed charges for LT supply** shall be payable by the consumer in accordance with the rates as the Commission may fix from time to time for different categories of consumers.

As existed from 01.09.2004 to 31.07.2010

(iii) **Disincentive for power factor**

Every consumer shall maintain a power factor-

In case of LT supply, of 0.85 lag and

In case HT supply, of 0.90 lag

failing which he shall be liable to pay compensation by way of disincentive at such rates as the Commission may declare from time to time. Likewise, the consumer who maintains the power factor above a specified level may be rewarded by way of incentive at such rates as the Commission may declare from time to time which shall be adjusted in the bill.

From 01.08.2010

(iii) **Disincentive for power factor**

Every consumer shall maintain a power factor-

In case of LT supply, of 0.85 and

In case HT supply, of 0.90

failing which he shall be liable to pay compensation by way of disincentive at such rates as the Commission may declare from time to time

(substituted vide TNERC/Notification. No.SC/7-21 dated 25.10.2010 w.e.from 01.08.2010)

(iv) **Additional charges for harmonics dumping**

Where any equipment installed by a consumer generates harmonics, the consumer shall provide adequate harmonic suppression units to avoid dumping of harmonics into Licensee's distribution system and the Licensee is at liberty to provide suitable metering equipment to measure the harmonic level pursuant to such harmonic. Where the consumer fails to provide such units, he shall be liable to pay compensation at such rates as the Commission may declare from time to time.

(iv) **Current Harmonic control :**

a) Nonlinear loads change the sinusoidal nature of the ac power current (and consequently the ac voltage drops), thereby resulting in the flow of harmonic currents in the ac power system that can cause many ill-effects to the power system and to the consumers' installations. Hence the harmonic currents generated by the loads of consumers/ prosumers connected to electricity system at 11kV, 22kV, 33kV and above and charging stations have to be brought within limits.

b) The CEA (Amendment) Regulations 2019 stipulate the same provision in respect of current harmonics that "the limits of injection of current harmonics at the point of common coupling by the user, method of harmonic measurement and other such matters, shall be in accordance with the IEEE Std. 519-2014, as amended, from time to time".

c) Measurement of current distortion / harmonic currents shall be made at the point of common coupling (PCC) of the Installation.

d) Power quality meter complying with the IEC Standard 61000-4-30 edition 3.0 class A – shall be used.

e) The Licensee shall use his portable power quality meter for one week for each installation of consumer/prosumer/charging station to measure the harmonic currents.

f) All three total demand distortion (TDD) values at 99th percentile very short time (3s) value, 99th percentile short time (10 min) value, 95th percentile short time (10 min) value shall be measured and compared with the values specified in IEEE Std. The highest value among the above three shall be

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considered for levying penalty.

g) If the measured values exceed the limits, a notice shall be issued to the consumer/prosumer/charging station by the Licensee to install adequate harmonic filters within 6 months. The notice shall also convey that in case of non – compliance, penalty at the rate mentioned in the following sub-regulation h) will be levied by the Licensee for the subsequent 12 months and there after supply to the service shall be disconnected in case of noncompliance even after the said 12 months.

h) A penalty of a maximum of 10% in steps of 1% increase will be levied on the monthly current consumption charges as shown below :

TDD excess over and above the limit	Penalty on the monthly current consumption charges
Up to 3%	1%
Above 3% up to 6%	2%
Above 6% up to 9%	3%
Above 9% up to 12%	4%
Above 12% up to 15%	5%
Above 15% up to 18%	6%
Above 18% up to 21%	7%
Above 21% up to 24%	8%
Above 24% up to 27%	9%
Above 27% up to 30%	10%
Above 30%	10%

If the excess TDD over and above the limit involves decimals and if the decimal is from 0.1 to 0.4, the whole number may only be reckoned. If it is from 0.5 and 0.9, the next whole number will be reckoned.

i) The levying of penalty shall be stopped by the Licensee upon installation of filters by the consumer/prosumer/charging station and testing by the Licensee. If it is confirmed by testing that the harmonic currents are brought within the limits specified in the IEEE Standards, the levy of penalty will have to be stopped from the date of intimation of the consumer/prosumer/charging station to the effect that the installation of filters are fully completed and ready for testing by the Licensee. If the measured values exceed the limits, the penalty would continue. The Licensee shall issue a notice to the consumer/prosumer/charging station forthwith to this effect. It is open to the consumer/ prosumer/charging station to rectify/re-install the filters again and intimate the Licensee forthwith for re-testing before expiry of said 12 months.

j) Even after 12 months penalty period, if the consumer/prosumer/charging station does not come forward to install the required harmonic filters or unable to bring the values within prescribed limits, the Licensee shall issue a 30 days disconnection of supply notice to the consumer/prosumer/charging station for non – compliance. If the consumer/prosumer/charging station installs the filters and makes them ready for testing by the Licensee during the notice period, the Licensee shall test them before disconnection. If the measured value are within limits, the supply shall not be disconnected. If the measured values exceeds limits, supply to the service shall be disconnected by the Licensee after expiry of the 30 days' disconnection notice period under report to the Commission.

(k) During subsequent measurement by the Licensee, if the current distortion limit as specified in IEEE standard is not maintained, the Licensee is at liberty to disconnect the supply to the consumer/prosumer /charging station service by issuing 30 days' disconnection of supply notice under report to the

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Commission.

l) In case of new supply connectivity, a self-declaration by the applicant that adequate harmonic filters will be installed, shall be enclosed with the application requesting supply. The supply may be initially given and after 12 months the current distortion shall be measured and if it is found to be exceeding the limit, the further course of action shall be as per sub-clauses from (g) to (k), summarized above.

(m) The Licensee is at liberty to conduct current harmonic distortion measurement at any time at the installation of consumer/prosumer/charging station to check as to whether the current harmonic distortion is maintained within the limit by the consumer/prosumer/charging station.

(n) This Regulation shall apply to all bulk consumers at 33kV and above, consumers and prosumers at 11kV and 22kV and charging stations. This regulation is not applicable to HT tariff IV (Lift Irrigation).

Clause (iv) of SR (1) substituted vide Notification No. TNERC/SC/7-47 d 29.03.2022 effective from 21.09.2022

(v) The tax or duty, if any, on electricity supplied or consumed as may be levied by the State Government which shall be credited to the Government account as per the directions received from Government from time to time.

(vi) At the time of extension of period of temporary supply, it shall be ensured that the advance current consumption (CC) charges are adequate. The CC charges shall be adjusted against the advance CC charges.

(Omitted vide Notification. No. TNERC/SC7-39 dated 2.3.2018-w.e.from 04.01.2018)

2) Miscellaneous charges, namely,-

- (i) Capacitor Compensation charge
- (ii) Excess demand charge;
- (iii) Excess contracted load charge
- (iv) Belated payment surcharge;
- (v) Additional security Deposit, when so called upon;
- (vi) Service/Line/shifting charges
- (vii) Name transfer charge
- (viii) Reconnection charge
- (ix) Consumer meter card replacement charge
- (x) Dishonored cheque service charge
- (xi) Meter related charges
- (xii) Application Registration charge
- (xiii) "Service connection charges"
(added vide Notification. No. TNERC/SC7-4 dated 25.05.2007-w.e. from 13.06.2007)
- (xiv) Excess demand and excess energy charges during Restriction and Control of supply" (added vide Notification No TNERC/SC7-11 dated 15.12.2008 w e. from 28.11.2008)

(2) Miscellaneous charges, namely,-

- (i) Capacitor Compensation charge;
- (ii) Excess demand charge;
- (iii) Excess contracted load charge
- (iv) Belated payment surcharge
- (v) Additional security Deposit, when so called upon;
- (vi) Service/Line/Structure/Equipments shifting charges
 - (a) Charges for dismantling temporarily or permanently
 - (b) Charges for re-erection in case of temporary dismantling.
- (vii) Name transfer charge
- (viii) Reconnection charge
- (ix) Consumer meter card replacement charge
- (x) Dishonored cheque service charge
- (xi) Meter related charges

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- (xii) Application Registration charge
- (xiii) Service connection charges
- (xiv) Excess demand and excess energy charges during Restriction and Control of supply
- (xv) Charges for restoration of cheque payment facility.
- (xvi) Charges for testing of equipments/installations.
- (SR 2 substituted vide Notification. No. TNERC/SC 7-36 dated 01.07.2014-w.e. from 06.08.2014)
- *(xvii) Charges for periodical inspection for installation testing other than routine inspections like mass raid etc..
- *(xviii) Charges for temporary disconnection at the request of consumer.
- *(xix) Charges for furnishing certified copies to the consumer.
- (*Inserted vide Notification. No, THERC/SC 7-48 dated 02.09.2023-w. e. from 08.09.2023)

(3) Minimum charges where applicable

5. Miscellaneous charges

(1) Capacitor Compensation charge

(a) No new LT service with a connected load of motors of 3 HP and above or for using welding transformers shall be given unless capacitors of adequate ratings with ISI marking are installed. The licensee shall specify appropriate capacitor ratings for different capacity motors/welding transformers. (sentence added vide Notification. No. TNERC/SC 7-4 dated 25.05.2007-w.e. from 13.06.2007)

(b) In the case of existing LT service connections which are not coming under the purview of power factor # [incentive/]disincentive scheme with connected load of motors of 3 HP and above or for using welding transformers (irrespective of their rating), the consumer shall install adequate capacitors within a period of two months *[from the date of issue of notice issued by the licensee in this connection] and shall be liable to pay a compensation charge of ten percent of the price of electricity supplied to him for the preceding four months of consumption till such time adequate capacitors are installed; and where Inadequate capacitors are installed or where some of the capacitors are defective, the ten percent shall be reckoned proportionate to the extent of inadequacy or defect, as the case may be;

(# 'incentive/' omitted vide Notification. No. TNERC/SC7-21 dated 25.10.2010-w. e. from 01.08.2010)
(*inserted vide Notification. No. TNERC/SC 7-4 dated 25.05.2007-w.e. from 13.06.2007)

(c) Where it is found that the capacitors installed are either inadequate or defective, the Licensee shall, in addition to the levy and collection of capacitor compensation charges, by notice in writing, call upon the consumer to install adequate capacitors or to rectify or to replace the defective capacitors, as the case may be, within two months from the date of notice.

(2) Excess demand charge

Whenever the consumer exceeds the sanctioned demand, excess demand charge shall be

(i) In the case of HT supply, the maximum demand charges for any month shall be based on the KVA demand recorded in that month at the point of supply or such percentage of sanctioned demand as may be declared by the Commission from time to time whichever is higher. The exceeded demand shall alone be charged at double the normal rate

(ii) In case of LT supply,

(a) For Domestic and Agricultural category of service, the excess demand charges shall not be applicable
(As existed from 01.09.2004 to 12.06.2007)

(b) For other categories of LT services where the contracted demand and connected load is equal in or less than 18.6 KW (25HP), the excess demand charges shall not be applicable.
(As existed from 01.09.2004 to 12.06.2007)

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Note: 1. Even if a consumer's contracted demand is equal to or less than 18.6 KW (25 HP), or the connected load is more than the contracted demand but less than 18.6 KW (25 HP) as the case may be, the licensee shall install meters with demand recording facility and bring the consumer under the scope of excess demand chargeable category. After installation of the meter, if the recorded demand is in excess of contracted demand the existing demand, shall, after intimation to the consumer, be revised to the level of recorded demand and all relevant charges applicable for extension of additional demand shall be included in the next bill. No excess demand charge is leviable till such time the licensee installs meter with demand recording facility and bring the consumer under the scope of excess demand chargeable category.

From 13.06.2007

(b) For other categories of LT services with contracted demand equal to or less than 18.6 KW (25 HP), the excess demand charges shall not be applicable where the connected load is equal to or less than the contracted demand.

Note: For services with contracted demand less than or equal to 18.6 KW (25 HP), whenever the consumer's connected load exceeds the contracted demand, the licensee shall install meters with demand recording facility and bring the consumer under the scope of excess demand chargeable category. After installation of the meter, if the recorded demand is in excess of contracted demand, the existing demand, shall, after intimation to the consumer, be revised to the level of recorded demand and all relevant charges applicable for extension of additional demand shall be included in the next bill. No excess demand charge is leviable till such time the licensee installs meter with demand recording facility and bring the consumer under the scope of excess demand chargeable category.

(Sub-clause (b) and Note Substituted vide Notification. No. TNERC/SC7-4 dated 25.05.2007 w. e. from 13.06.2007)

(c) For the remaining LT services other than those service connections covered in (a) and (b) above, when the contracted demand is in excess of 18.6KW (25HP) and for such of those consumers whose contracted demand is less than 18.6 KW (25HP) but opted for having meters with demand recording facility, the excess demand charges shall be -

(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. (Substituted vide Notification No. TNERC/SC/7-40/dt 18.12.2019 w.e.f. 29.01.2020)

(II) Where the recorded demand exceeds 112KW, for every KW or part thereof in excess of sanctioned demand:-

As existed from 01.09.2004 To 20.03.2012

- for the first two occurrences, at the rate of 1% of the charges for electricity supplied up to 112 kW;
- and 1.5% for every KW or part thereof over and above 112KW,
- and thereafter, that is, the third and subsequent occurrences at the rate of three percent for every KW or part thereof over and above 112KW.

From 21.03.2012 onwards:

- at the rate of 1% of the charges for electricity supplied upto 112 KW
 - and at the rate of 1.5% for every KW or part thereof over and above 112 KW for the first two occurrences;
 - and for the third occurrence, at the rate of 3% for every KW or part thereof over and above 112KW.
 - and thereafter, that is, the fourth and subsequent occurrences at the rate of 10% for every KW or part thereof over and above 112KW.;
- (Substituted vide Notification No. TNERC/SC/7-30, dated 17.02.2012, w.e.f. 21.03.2012)**

From 01.07.2020

(I) Where the sanctioned demand is less than and upto 112 KW:

(A) 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.

(B) Where the recorded demand exceeds 112 KW, for every KW or part thereof in excess of sanctioned demand:-

- at the rate of 1% of the charges for electricity supplied for every KW or part thereof up to 112 KW;
- and at the rate of 1.5% for every KW or part thereof over and above 112 KW for the first two occurrences;
- and for the third occurrence at the rate of 3% for every KW or part thereof over and above 112 KW;
- and thereafter, that is fourth and subsequent occurrences at the rate of 10% for every KW or part thereof over and above 112 KW;

(II) Where the sanctioned demand is above 112 KW but less than or equal to 150KW:

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(A) Where the recorded demand does not exceed 150 KW, for every KW or part thereof in excess of the sanctioned demand, at the rate of 1% of the charges for electricity supplied. The 'charges of electricity supplied' is the fixed/demand charges and energy charges as per proviso to clause (b) of sub-regulation (1) of Regulation 3 of this code.

(B) Where the recorded demand exceeds 150 KW, for every KW or part thereof in excess of the sanctioned demand :-

- at the rate of 1% of the charges for electricity supplied for every KW or part thereof up to 150 KW;
- and at the rate of 1.5% for every KW or part thereof over and above 150 KW for the first two occurrences;
- and for the third occurrence, at the rate of 3% for every KW or part thereof over and above 150 KW;
- and thereafter, that is the fourth and subsequent occurrences at the rate of 10% for every KW or part thereof over and above 150 KW;

(III) Where the recorded demand exceeds the sanctioned demand for the second and subsequent times,

(A) In case the recorded demand has not exceeded 112 KW, the existing load sanction shall, after intimation to the consumer, be revised within one month of the second occurrence to the level of recorded demand and all the relevant charges applicable to the additional load shall be included in the next bill;

(B) In case the recorded demand has exceeded 112 KW, the existing load sanction shall, after intimation to the consumer, be revised within one month of the second occurrence, to the level of 112 KW and all relevant charges applicable to the additional load shall be included in the next bill; if, however, the recorded demand has exceeded 112 KW for the third or more number of times, it is open to the consumer to opt for HT service.

From 01.07.2020

(III) Revision of sanctioned demand for consumers with sanctioned demand of 112 KW and below, change over to LT category of 112 KW but less than or 150 KW /HT category;

For consumers with a sanctioned demand of 112 KW and below, where the recorded demand exceeds the sanctioned demand for the second and subsequent times,-

(A) In case the recorded demand has not exceeded 112KW, the existing load sanction shall, after intimation to the consumer, be revised within one month of the second occurrence to the level of maximum recorded demand and all the relevant charges applicable to the additional load shall be included in the next bill.

(B) In case the recorded demand has exceeded 112 KW but less than or equal to 150KW, the existing load sanction shall be revised upto the level of maximum recorded demand subject to acceptance of the conditions in the proviso to clause (b) of sub-regulation (1) of Regulation 3 on payment of all relevant charges applicable. If, however the consumer does not opt to switch over to LT category limit of 150 KW under the proviso to clause (b) of sub-regulation (1) of Regulation 3, the existing load sanction shall, after intimation to the consumer, be revised within one month of the second occurrence, to the level of 112 KW and all relevant charges applicable to the additional load shall be included in the next bill; For the third and subsequent occurrences of recorded demand exceeding the sanctioned demand of 112 KW, the Licensee shall issue one month's notice for conversion of LT service to HT service indicating all relevant charges to be paid for a HT service connection for the level of recorded demand.

(IV) Revision of Sanctioned demand for consumers with sanctioned demand above 112 KW but less than or equal to 150 KW, conversion to HT category:

For consumers with a sanctioned demand above 112 KW but less than or equal to 150 KW, where the recorded demand exceeds the sanctioned demand for the second and subsequent times,-

(A) In case the recorded demand has not exceeded 150 KW, the existing load sanction shall, after intimation to the consumer, be revised within one month of second occurrence to the level of maximum recorded demand and all the relevant charges applicable to the additional load shall be included in the next bill.

(B) In case the recorded demand has exceeded 150 KW, the existing load sanction shall, after intimation to the consumer, be revised within one month of the second occurrence, to the level of 150 KW and all relevant charges applicable to the additional load shall be included in the next bill. If, however, the recorded demand has exceeded 150KW for the third or more number of times, the licensee shall issue one month's notice for conversion of LT service to HT service indicating all relevant charges to be paid for a HT service connection for the level of recorded demand.

(Substituted vide Notification No. TNERC/SC/7-41 dt.09.06.2020 w.e. from 01.07.2020)

(iii) In the case of temporary supply, the excess demand charges shall be the difference between the minimum charge for temporary supply computed at the rate notified, for a back period of six months or date of supply whichever is lesser, and the corresponding current

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consumption charges already recovered from the consumer.

(Substituted vide TNERC/SC 7-39 dated 2.3.2018- w. e. from 04.04.2018)

(iii) In the case of temporary supply, the excess demand charges shall be as follows.

(a) For HT supply, the demand in excess of the sanctioned demand shall be charged at double the normal rate.

(b) For LT supply, when the recorded demand does not exceed 112kW. the excess demand charges for every kW or part there of excess of the sanctioned demand shall be at the rate of 1 % of the total energy charges, and when the recorded demand exceeds 112kW, the excess demand charges shall be as specified in Para (II) of sub-regulation (2)(ii)© of this regulation.

(iii) In the case of Temporary supply, the excess demand charges for HT/LT supply as specified in clause (i) and (ii) of this regulation, as the case may be.

(Substituted vide Notification No. TNERC/SC/7-41 dt.09.06.2020 w.e. from 01.07.2020)

(iv) No addition or reduction of load in case of LT service and no addition or reduction of demand in case of HT service, may be sanctioned unless the outstanding dues in the same service connection had been paid.

(Sub-clause (iv) added vide Notification No. TNERC/SC/7-1/ dated 22.11.2005- w.e. from 07.12.2005)

(v) In all the above cases, the cost of any modifications in the metering system which may arise due to addition / reduction of loads may be dealt with in accordance with the provisions of the Act and Codes/ Regulations made thereon.

(Substituted vide Notification No. TNERC/SC/7-30, dated 17.02.2012, w.e.f. 21.03.2012)

From 08.09.2023

Whenever the consumer exceeds the sanctioned demand, excess demand charge shall be:—

(i) In the case of HT supply, the maximum demand charges for any month shall be based on the kVA demand recorded in that month or such percentage of sanctioned demand as may be declared by the Commission from time to time whichever is higher. The exceeded demand shall alone be charged at double the normal rate.

(ii) In case of LT supply,

(a) The excess demand charges shall be applicable to the consumers other than domestic and agricultural categories.

(b) The demand recorded in services of domestic category shall be assessed during regular assessment. In case the recorded demand exceeds the sanctioned demand for the third time within a period of 12 months preceding the date of regular assessment of any billing cycle, the same shall be regularized as specified in the following explanation.

(c) For all services covered under the scope of regulation of excess demand, the Licensee shall install meters with demand recording facility. No excess demand charge is leviable till such time the Licensee installs meter with demand recording facility.

(d) The excess demand charges to the applicable category of consumers shall be at the rate of percentage of 'total energy charges' for every kW or part thereof over and above the sanctioned demand, as tabulated below:

Sanctioned Demand	Recorded demand over and above the sanctioned demand	First occurrence	Second occurrence	Third occurrence	Subsequent occurrences
Up to 112 kW	Up to 112 kW	1%	1%	1%	Should have been regularised on 3rd occurrence

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Up to 112 kW	Above 112 kW & Up to 150 kW	1.5%	1.5%	3%	Should have been regularised on 3rd occurrence and all the conditions stipulated under Supply Code regulation 3(1) (b) shall be applicable
Above 112 kW & Up to 150 kW	Up to 150 kW	1%	1%	1%	Should have been regularised on 3rd occurrence
	Above 150 kW	1%	1.5%	3%	10% (Unit HT service is availed)

Explanation:

1. 'Total energy charges' means the total charges of electricity supplied which includes both fixed / demand charges and energy charges.

2. The first, second, third and consequent occurrences specified in the above table mean the occurrences within a period of 12 months preceding the date of regular assessment of any billing cycle. Counting of occurrences shall begin only from the first occurrence that has taken place within the said period of twelve months irrespective of number of recurrences happened in the past before the commencement of this period.

3. The Licensee shall issue a notice to the consumer pursuant to the first and second occurrences of excess demand over and above the sanctioned demand, advising the consumer to control the recorded demand within the sanctioned demand. The notice shall also contain the entire terms and conditions of this sub-regulation to create awareness to the consumer and to sensitize him to take remedial measures in time.

4. The consumer shall take timely remedial measures to control the recorded demand within the sanctioned demand and avoid recurrence.

5. On third occurrence, besides billing excess demand charges, the existing sanctioned demand shall be revised to the level of recorded demand during the third occurrence rounding off to next kW.

In case of domestic consumers, the excess demand charge is not applicable for any occurrence. However, on third occurrence, the existing sanctioned demand shall be revised to the level of recorded demand during the third occurrence rounding off to next kW.

For all the above cases, the development charges pertaining to the quantum of demand exceeded during third occurrence and regularized as above rounding off to next kW shall be included in the next bill with an intimation to the consumer with details of excess demand charges billed, regularization of demand to the level of recorded demand and the development charges payable.

6. The infrastructural development required if any pursuant to the regularization of excess demand shall be carried out by Licensee.

7. Only the development charges in force at the time of third occurrence of excess demand shall be payable.

8. If the recorded demand exceeds 150kW for the third time in the period of twelve months, the Licensee besides collecting excess demand charges shall issue 'one month notice' to the consumer for conversion of LT service into HT service connection indicating all relevant charges to be paid for the level of maximum recorded demand during third occurrence.

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9. The sanctioned demand shall be re-fixed to the level of 150kW until conversion of HT service connection. All further occurrences after the third occurrence will be counted cumulatively irrespective of number of further blocks of 12 months period. Accordingly, the excess demand charges of 10% to the level of exceeding 150kW on each occurrence after the third occurrence shall be payable until the HT service is availed.

10. In all services which are newly to be brought under the scope of this sub-regulation, the relevant provisions are applicable only after the date of notification of this order or the date of installation of meter with demand recording facility, whichever is later.

11. For the cases where the recorded demand had exceeded the sanctioned demand in the past, prior to this notification and settled back within the level of originally sanctioned demand for a continuous period of twelve months as on the date of this notification but remaining unregularised, may be allowed to continue with the original sanctioned demand.

(iii) In case of temporary supply, the excess demand charges for HT/LT supply shall be as specified in clause (i) and (ii) of this sub-regulation as the case may be.

(iv) No addition or reduction of demand in any category of service shall be sanctioned unless the outstanding dues in the same service connection and other service connections of the same consumer had been paid.

(v) In all the above cases, the cost of any modifications in the equipment / line / metering system which may arise due to addition / reduction / regularization of demand shall be dealt with in accordance with the provisions of the Act and Codes / Regulations made thereon.

(SR 2 Inserted vide Notification. No. TNERC/SC 7-48 dated 02.09.2023 w. e. from 08.09.2023)

(3) Excess Contracted load charge

These charges are applicable to the subsidized category of Agricultural service connections, which need to be regulated with a view to-

(i) comply with the contracted load until the cross subsidy from other sources are eliminated and a viable tariff is implemented for agricultural services.

(ii) comply with the directives of Government towards restriction on exploitation of ground water for irrigation and environmental constraints.

Accordingly, special provisions have been made in this Code in relation to agricultural service connections as below and they shall remain in force until cross subsidy from other sources / categories are eliminated

(a) No electric motor shall be used in Agricultural service connections without its manufacturer's nameplate indicating its rating/capacity permanently affixed on it.

As existed from 01.09.2004 to 12.06.2007

(b) If, at the time of effecting service connections under Agricultural category, it is found that the assessed capacity is in excess of the capacity applied for by the consumer, the Engineer shall refuse to effect supply. If the intending consumer challenges the decision regarding the assessed capacity of the motor made by the Engineer, he may make an appeal to the next higher officer, furnishing certificate regarding capacity of motor issued by any agency acceptable to the Licensee. The decision of the next higher officer shall be final and binding on the consumer.

(b) If, at the time of effecting service connections under Agricultural category, it is found that the assessed capacity is in excess of the capacity applied for by the consumer, the Engineer shall refuse to effect supply. If the intending consumer challenges the decision regarding the assessed capacity of the motor made by the Engineer, he may make an appeal to the next higher officer, furnishing certificate regarding capacity of motor issued by Government /Government Laboratory/any agency

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accredited/approved by Bureau of Energy Efficiency. The decision of the next higher officer shall be final and binding on the consumer.

(Sub-clause (b) Substituted vide Notification. No. TNERC/SC 7-4 dated 25.05.2007 w. e. from 13.06.2007)

(c) If during periodical check or inspection of an existing Agriculture service connection by the Engineer, it is found that the name plate of any motor does not show the correct capacity of the motor or the name plate is missing or the rating of such motor as assessed by the Engineer authorized in this behalf is in excess of the rating noted in the Test Report, action shall be taken under this Code *to recover the excess contracted load charges on the basis of the assessed capacity of the motor.

(*Added as per Notification. No. TNERC/SC 7-4 dated 25.05.2007 w. e. from 13.06.2007)

As existed from 01.09.2004 from 12.06.2007

(d) If the existing consumer challenges the decision regarding the assessed capacity of the motor made by the Engineer, a letter may be issued to the consumer asking him to test the motor for its capacity at Government Laboratory or by any other agency acceptable to the Licensee at the cost of the consumer and produce the same to the officer concerned within two months from the date of issue of such letter.

(d) If the existing consumer challenges the decision regarding the assessed capacity of the motor made by the Engineer, a letter may be issued to the consumer asking him to test the motor for its capacity at Government Laboratory or by any other agency accredited by Bureau of Energy Efficiency at the cost of the consumer and produce the test report of such Government Laboratory or agency to the officer concerned within two months from the date of issue of such letter. However, after producing such test report, the charges shall be adjusted to the certified load in the subsequent Consumption Charge bills.

(clause (d) substituted as per Notification. No. TNERC/SC 7-4 dated 25.05.2007 w. e. from 13.06.2007)

The excess contracted load charges for both metered and unmetered supply shall be sixty rupees per HP per month prospectively and as long as the excess contracted load remains connected.

(4) Belated payment surcharge (BPSC)

(i) All bills are to be paid in the case of HT consumers, within the due date specified in the bill and in the case of LT consumers, within the due date and notice period specified in the consumer meter card.

As existed from 01.09.2004 to 13.03.2007

(ii) Where any HT consumer neglects to pay any bill by the due date, he shall be liable to pay belated payment surcharge from the day following the due date for payment.

Where any LT consumer neglects to pay any bill by the last day of the notice period, he shall be liable to pay belated payment surcharge from the day following the last day of the notice period. The surcharge shall be for a minimum period of fifteen days and where the delay exceeds fifteen days but does not exceed one month, it shall be for one whole month and where the delay exceeds one month, it shall be for the number of whole months and for any fraction of a month it shall be proportionate to the number of days

(ii)(a) Where any HT consumer neglects to pay any bill by the due date, he shall be liable to pay belated payment surcharge from the day following the due date for payment. Where any LT consumer (except services relating to Public lighting and water supply and other services belonging to Local Bodies) neglects to pay any bill by the last day of the notice period, he shall be liable to pay belated payment surcharge from the day following the last day of the notice period.

(b) Where the local bodies neglect / fail to pay any bills in respect of LT services for Public Lighting and Public Water Works, and other services of Local Bodies the belated payment surcharge shall be applicable for the payments made beyond 60 days from the date of demand. In case of payment made beyond 60 days from the date of demand, the belated payment surcharge shall be payable from the day following the 60th day of demand.

(c) The surcharge shall be for a minimum period of fifteen days and where the delay exceeds fifteen days but does not exceed one month, it shall be for the number of whole months, and for any fraction of a month, it shall be proportionate to the number of days.

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(Clause ii (a) (b) & (c) substituted vide Notification No.TNERC/SC/7-7 Dated 14.12.2007 w.e.from 13.03.2007)

(iii) If the due date in the case of HT consumers and the last day of the notice period in the case of LT consumers falls on a holiday, the surcharge is payable from the day following the next working day.

As existed from 01.09.2004 to 06.12.2005 (iv) In the case of LT consumers, the surcharge shall be 1.5 % per month for the sum outstanding towards the price of electricity supplied.

modified vide Notification No. TNERC/SC/7-1/dated 22.11.2005- w.e. from 07.12.2005

As existed from 07.12.2005 to 12.03.2007

(iv) "In case of LT consumers (except Local Bodies and Government Departments) the surcharge shall be 1.5% per month for the sum outstanding towards the price of electricity. In case of Local Bodies and Government Departments, the surcharge shall be 1% per month for the sum outstanding towards the price of electricity"

(iv) In the case of LT Consumers (except Local Bodies) the surcharge shall be 1.5% per month for the outstanding arrears towards the price of electricity supplied. In respect of LT services belonging to Local Bodies, the surcharge shall be 0.5% per month for the outstanding arrears towards the price of electricity supplied.

(Clause iv substituted vide Notification No. TNERC/SC/7-7 dated 14.12.2007 w.e from 13.03.2007)

As existed from 01.09.2004 to 06.12.2005)

(v) In the case of HT consumers the surcharge shall be 1.5% per month .for the notice period. However, for the consumers who are availing of extension of time beyond the notice period, on an application to the Licensee, the BPSC shall be at 3% per month from the expiry of the due date allowed for payment for a full month irrespective of number of days delayed. Where no extension of time is granted or the delay continues after the expiry of extended time, the surcharge shall be at 1.5 % per month.

As existed from 07.12.2005 to 12.06.2007

(v) "In case of HT consumers, the surcharge shall be 1.5% per month for the notice period, However, for the consumers who are availing of extension of time beyond the notice period upto the end of the due month, (on an application to the licensee) BPSC shall be 2% per month from the expiry of the due date allowed for payment of a full month irrespective of number of days delayed. When no extension of time is granted or the delay continues after the expiry of extended time, the surcharge shall be at 1.5% per month"

(modified vide Notification No. TNERC/SC/7-1/dated 22.11.2005- w.e.from 07.12.2005)

(v) In the case of HT consumers except Local Bodies and Government Departments the surcharge shall be 1.5% per month for the notice period. In the case of Local Bodies and Government Departments, the surcharge shall be 1% per month for the notice period. However for the consumers who are availing of extension of time beyond the notice period up to the end of the due month, on an application to the licensee, the BPSC shall be at 2% per month from the expiry of the due date allowed for payment, for a full month irrespective of the number of days delayed. When no extension of time is granted or the delay continues after the expiry of the extended time, the surcharge shall be at 1.5% per month.

(Substituted as per Notification. No. TNERC/SC 7-4 dated 25.05.2007 w. e. from 13.06.2007)

(vi) In case of sums other than price of electricity supplied which are outstanding, surcharge shall be leviable at the discretion of the Licensee at a rate not exceeding 1.5 % per month.

(vii) In the case of short assessment included in a subsequent bill, surcharge shall accrue in the case of HT consumers, after the due date for the payment of the subsequent bill wherein the short assessment is included and in the case of LT consumers, it shall accrue from the day following the last day of the notice period.

(viii) In the case of short assessment permitted to be payable in installments, the surcharge shall accrue only when there is default in the payment schedule and the surcharge shall be worked out from the day following the day on which the installment fell due and shall be payable along with the amount of installment due.

(ix) Where the service connection stands terminated, the amount of Security Deposit and the interest

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accrued thereon shall first be adjusted against belated payment surcharge and the remainder if any, against other dues.

(x) The belated payment surcharge is payable only on any outstanding amount excluding belated payment surcharge component.

(xi) The belated payment surcharge shall not be levied on electricity tax and electricity tax shall not be levied on the belated payment surcharge

Explanation. In this regulation and other Regulations of this Code, the reference to the expression "H.T. Consumer" shall be deemed to include a reference to the expression 'EHT consumer also.

(Explanation added vide Notification No.TNERC/SC/7-4 dated 25.05.2007 w.e/from 13.06.2007)

(5) Additional Security Deposit

i) The adequacy of security deposit may be reviewed and refixed once in a year in case of HT consumers and once in every two years in case of LT consumers taking into account the interest due for credit. Such reviews shall be made in the month of April / May .The rate of interest on the security deposit shall be on the basis of the Commission's directive to the Licensees in this regard.

ii) The adequacy of security deposit shall be based on the periodicity of billing for the respective category.

(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.

Provided that 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.

(Proviso added vide Notification No.TNERC/SC/7-40 dated 18.12.2019 w.e.f. 29.01.2020)

(b) For the categories of consumer under bi-monthly billing, the Security Deposit is equivalent to three times of the monthly average of the electricity charges for the preceding twelve months.

(c) For the categories of consumer under half yearly billing, the security deposit is equivalent to seven times of the average charges per month.

(d) The security deposit in the above categories shall exclude incidental charges like operation and maintenance of lines/sub-stations of generators, charges for purchase of power from third parties, but shall be inclusive of all other charges specified by the Commission from time to time.

(d - Inserted vide Notification No.TNERC/SC/7-30 dated 17.02.2012 w.e.f. 21.03.2012)

iii) Interest at Bank rate or more as specified by the Commission shall be calculated and credited to the Security Deposit accounts of the consumers at the beginning of every financial year i.e. April and the credit available including the interest shall be informed to each consumer before the end of June of every year.

As existed from 01.09.2004 Substituted vide Notification No.TNERC/SC/7-20 dated 30.06.2010

iv) If available deposit is less than the revised Security deposit, the balance shall be collected as Additional Security deposit either through a separate notice or by a distinct entry in the consumer meter card for LT services. Thirty days notice period shall be allowed for the payment. If the payment is not received within the above period of thirty days, the service is liable for disconnection.

(iv) If available deposit is less than the revised Security Deposit, the balance shall be collected as Additional Security Deposit. Intimation of such Additional Security Deposit shall be through a separate notice in the case of HT services and by a distinct entry in the consumer meter card or separate notice in the case of LT services. Thirty days notice period shall be allowed for the payment. However, on request

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by consumers, the Licensee is permitted to collect such Additional Security Deposit in three instalments commensurate with the billing cycle.

(Substituted vide Notification No.TNERC/SC/7-20 dated 30.06.2010 w.e. from 30.06.2010)

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.

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 two future demands, the distribution licensee shall adhere to such requests.

(Substituted vide Notification No.TNERC/SC/7-40 dated 18.12.2019 w.e. f. 29.01.2020)

(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 or direct credit to the account of consumer under advice to him, if bank account details are provided, before the due date for payment of the third demand. No other documents are required. Where a request is made by the consumer to adjust the excess Security Deposit above two future demands, the Distribution Licensee shall adhere to such requests.

(Substituted vide Notification No.TNERC/SC/7-48 dated 02.09.2023 w.e. f. 08.09.2023)

vi) In the event of the consumer failing to pay to the Licensee any sum that may become due for payment to the Licensee on the dates fixed for payment thereof, the Licensee may, in addition to and without prejudice to the other rights of the Licensee, appropriate a part or whole of the Security Deposit and interest thereon towards the sum due from the consumer.

(vii) (a) For the consumers under monthly billing who are not the owners of the premises and are unable to produce the consent letter in Form 5 of (Annexure III-SC 7/48) Appendix-III to the Distribution Code from the owner of the Premises for availing supply, the Security Deposit shall be equivalent to four times of the monthly average of the electricity charges for the preceding twelve months prior to April;

(b) For the consumers under bi-monthly billing who are not the owners of the premises and are unable to produce the consent letter in Form 5 of (Annexure III-SC 7/48) Appendix-III to the Distribution Code from the owner of the premises for availing supply, the Security Deposit shall be equivalent to six times of the monthly average of the Electricity charges for the preceding twelve months prior to April; and

(c) The provisions in (a) and (b) above shall be applicable to existing service connections when review of security deposit is undertaken. In regard to effecting of new service connections where the applicant is not the owner of the premises and is unable to produce consent letter in Form 5 of (Annexure III-SC 7/48) Appendix-III to the Distribution Code from the owner of the premises for availing supply, collection of security deposit shall be governed by the orders on Non-Tariff related Miscellaneous Charges of the Commission as amended from time to time and regulation 27(4) of the Tamil Nadu Electricity Distribution Code. Such new consumers will be reviewed for adequacy of security deposit under (a) or (b) above, as the case may be.

(Clause VII a, b & c added vide Notification No. TNERC / SC / 7-29/dated 16.12.2011. w.e.f. 04.01.2012)

(6) Service / Line, * Structures and equipments shifting charge.

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(1) The cost of shifting service / line *Structures and equipments shall be borne by the consumer. The consumer shall pay the estimate of shifting in advance in full. The shifting work will be taken up only after the payment is made. The estimate will cover the following: ted co-

- i. Charges for dismantling at the old site.
- ii. Charges for transport from the old site to the new site.
- iii. Charges for (re-erection) * erection at the new site.
- iv. Depreciation on retrievable old materials, if ny, not re-used at the site
- v. Cost of new materials, if required *including transport
- vi. Cost of irretrievable materials.
- vii. Overhead charges

(*modified and added as per as per Notification No. TNERC/SC7-4 25.05.2007 w.e.from13.06.2007)

(1) The cost of shifting service / line, structure and equipments shall be borne by the consumer. The consumer shall pay the estimated cost of shifting in advance in full. The copy of the estimate shall be given to the consumer. The shifting work will be taken up only after the payment is made. The estimate will cover the following:

- (i) Materials dismantled in the old site and reusable shall be used in the new site as far as possible.
- (ii) 10% of the present value of the dismantled and reusable materials towards charges for dismantling and charges for loading, unloading, transport to the new site / store.
- (iii) Cost of the new materials required for the shifting work.
- (iv) Add 5% of the cost of new materials towards loading, unloading and transport to new site.
- (v) Add 10% of the present value of all the materials to be erected in the new site towards erection charges.
- (vi) 5% of the present value of retrievable scrap materials towards transport charges.
- (vii) Due credit shall be given to the consumer / applicant as below but however limited to the total estimated cost of new work:
 - (a) Book value / written down value subject to a minimum of 20% of the cost of retrievable and reusable materials but not used in the new site.
 - (b) Scrap value on the retrievable but not reusable materials at not less than 10% of its original value
- (viii) After completion of the work, a revised estimate shall be prepared with a copy to the consumer based on the actual cost of materials, loading, unloading, transport and erection charges. If the original estimate cost is more than the revised estimate, the balance shall be refunded to the applicant / consumer within 3 months. If the original estimate cost is less than the revised estimate, the difference shall be collected from the applicant / consumer.

(Clause (1) Substituted vide Notification No. TNERC/SC/7-36/dated 01.07.2014.w.e.f. 06.08.2014)

(2) Temporary dismantling and re-erection (or) shifting of a service connection within the same premises necessitated due to remodeling of premises will be carried out on payment of the required charges for the same.

(3) Shifting of an existing service connection involving change in door number of sub-door number survey field number, shall be considered as a new service connection only.

(*Substituted as per Notification No. TNERC/SC7-4 25.05.2007 w.e.from13.06.2007)

*3 (1) Shifting of an existing service connection, other than an agricultural service connection, involving change in door number or sub door number or survey field number, shall be considered as a new service connection only.

(2) (i) Shifting of an existing agricultural service connection may be permitted within the licensee's

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jurisdiction. The charges of dismantling in the existing location and erection in the newly proposed location towards the shifting shall be borne by the consumer under Deposit Contribution Works (DCW) basis.

(ii) Shifting of the existing agricultural service connection will be considered only under the following conditions:

- (a) Shifting is permissible after one year from the date of effecting the service connection in the existing location or from the date of previous shifting if any.
- (b) The applicant should have ownership in the well and the service connection at the existing location and the ownership of the well in the proposed location
- (c) The well at the existing location owned by co-owner(s), should be having separate service connection(s). If the well at the existing location is owned by co-owner(s), but not having separate service connection(s), the consent of co-owner(s) shall be obtained and enclosed with the application.
- (d) The well and service in the original location should be owned by the applicant(s) on the date of application and they should continue to be owned by the applicant(s) till the date of shifting the service to the new location.

(iii) Shifting shall be considered irrespective of the reasons, put forth by the consumer.

(iv) Shifting shall be considered, even if the well/ bore well ceased to exist.

(v) Shifting shall be considered even if the land alone is sold for non - agricultural purpose retaining the well and service.

(vi) The request for shifting shall be accompanied with a fresh application in form 2 of annexure III appended to the Tamil Nadu Electricity Distribution Code, with relevant documents and registration fee.

(vii) Before taking up the work in the newly proposed location, the applicant shall make payment of shifting charges and report readiness of motor-pump set with installation to avail supply in the new location and execute an agreement in Form-6 appended to Tamil Nadu Electricity Distribution Code, with the distribution licensee for the new location. On compliance, the licensee shall complete the work and give supply and take a test report.

(Clause Substituted vide Notification No. TNERC / SC / 7-43 / dated 16.07.2020 . w.e.f. 05.08.2020)

No shifting of an existing service connection is permissible unless all arrears in the service connection are paid, if so demanded by the Licensee.

(7) Name Transfer charge

***(I)** Every application for transfer of name consequent to the death of the consumer shall be in Form (1)

*** Appendix to this code** accompanied by :

(a) Legal heirship certificate from the Tahsildar concerned or proof of ownership such as local body tax receipts (latest)

(b) No objection certificate from other legal heirs, if any, (or) an indemnity bond in Form (3) in Appendix to this Code on non-judicial stamp paper for a value of Rs.80/- and a sworn-in affidavit and authenticated by a Notary Public or by a gazetted officer to show the status of other legal heirs.

(c) Fresh application with fee to be specified by the Commission and agreement form.

***(ii)** Every application for transfer of name, in other cases **such as Sale including auction sale / Registered Lease of Property or any other lawful occupation, etc., shall be in Forms (1) and (2) in

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Appendix to this Code accompanied by–

- (a) The document supporting the transfer with an undertaking in Form (4) in Appendix to this Code
- (b) Consent letter from the consumer for the transfer of the Security Deposit * **if it is not included in the document supporting the transfer.** Where no such consent letter can be produced, the applicant shall pay fresh Security Deposit,
- (c) Fresh application with fee to be specified by the Commission and agreement form.

Explanation:

(i) The name transfer is effected only for such services which are not under disconnection.

** (ii) No name transfer shall be effected unless the outstanding dues in the service connection had been paid.

** (iii) The proof for the Lawful occupation shall be registered power of attorney or registered lease deed or possession order from appropriate authority or decree or judgment of Court of law of competent jurisdiction.

(* added/inserted as per Notification. No. TNERC/SC 7-4 dated 25.05.2007 w. e. from 13.06.2007)

(** inserted as per Notification. No. TNERC/SC 7-46 dated 26.07.2022 w. e. from 17.08.2022)

(8) Reconnection Charge: The Licensee shall collect reconnection charge from LT/HT consumers at the rates specified by the Commission from time to time.

(9) Consumer Meter Card Replacement Charge: The Licensee shall collect charges at the rate specified by the Commission for replacement of consumer meter card if lost or damaged. Wherever the space in the card is used up, the replacement shall be free of cost.

(10) Dishonoured cheque service charge: The Licensee shall collect service charges as specified by the Commission from time to time from the consumer, when a Cheque given by consumer is returned by the Bank for any reason whatsoever.

(11) Meter Related Charges: Meter rental charges shall be payable by the consumer, unless the consumer elects to purchase a meter, in accordance with the rates as the Commission may fix from time to time for different categories of consumers. The Licensee shall, besides meter rent where payable, collect charges towards changing of meters and boards, testing of meters, testing of installations, inspection charges etc., at the rates specified by the Commission from time to time.

(12) Application Registration Charges:

The Licensee shall collect registration charges from LT/HT consumers for the following, at the rates specified by the Commission from time to time.

- (a) Application Registration charge at the appropriate rates for conversion of a service from L.T. to H.T. and vice versa and also wherever the consumers apply for additional loads both for H.T. and L.T. Services.
- (b) Applications for reduction of demand/load in respect of H.T. and L.T. Services.
- (c) Application for shifting of HT/LT Services
- (d) Application for street light service
- (e) Replacement due to accident for poles broken etc., due to dashing of vehicle or any accident under Deposit Contribution Works (DCW).
- (f) Shifting of line and deviation of line under Deposit Contribution Works.
- (g) Application for temporary supply

The Licensee shall collect application registration charges from the applicants for the following, at the rates specified by the Commission from time to time:

- (a) Application for new HT/LT services.
- (b) Application for addition/reduction of demand/load in respect of HT and LT services.
- (c) Application for temporary service.

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- (d) Application for conversion of a service from L.T. to H.T. and vice versa
 - (e) Application for shifting of HT/LT services.
 - (f) Application for shifting of lines/structures/equipments under Deposit Contribution Works for LT/HT.
 - (g) Application for change of tariff.
 - (h) Application for replacement of defective meters.
- (Substituted vide Notification No. TNERC/SC/7-36/ dated 01.07.2014 . w.e.f. 06.08.2014)

The Licensee shall collect application registration charges from the applicants for the following, at the rates specified by the Commission from time to time.

- (a) Application for new HT/LT services.
- (b) Application for addition/reduction of demand/load in respect of HT and LT Services.
- (c) Application for temporary service.
- (d) Application for conversion of a service from LT to HT and vice versa.
- (e) Application for shifting of HT / LT services under Deposit Contribution Works basis.
- (f) Application for shifting of HT/LT lines/ structures/ equipment under Deposit Contribution Works basis.
- (g) Application for change of tariff.
- (h) Application for repair or replacement of Licensee's properties damaged due to dashing of vehicles etc., by the third parties chargeable under Deposit Contribution Works basis.

(Substituted vide Notification No. TNERC/SC/7-48 dated 02.09.2023 w.e.from 08.09.2023)

(13). Excess demand charge and excess energy charge during Restriction and Control of supply:

(i) The maximum demand charges for HT supply shall be based on the actual recorded demand at the point of supply or at 90% of the demand quota as fixed from time to time through restriction and control measures whichever is higher. In case the maximum recorded demand is in excess of the quota fixed, the demand in excess of the quota fixed shall be charged at rates specified by the Commission from time to time.

(ii) The energy consumption over and above the energy quota fixed shall be charged at the rates specified by the Commission from time to time in respect of such class of consumers upon whom the restriction and control measures apply.

(iii) The services which draw electricity from TNEB Grid for using welding sets during the restricted hours shall be charged at the rates specified by the Commission from time to time.

(sub-regulation 13 added vide Notification No. TNERC/SC/7-11 DATED 15.12.2008 w.e.from 28.11.2008)

6. Minimum Charges

The consumer shall pay to the Licensee a (minimum charge) * **minimum charges** in respect of every connection as detailed below. The minimum monthly charges are payable even when no electricity was consumed or supply disconnected by orders of Court or when the price of electricity supplied is less than the minimum charges.

*(substituted vide Notification. No. TNERC/SC 7-4 dated 25.05.2007 w. e. from 13.06.2007)

6. Minimum Charges-The consumer shall pay to the Licensee minimum charges / fixed charges in respect of every connection as detailed below :

The monthly minimum charges / fixed charges are payable even when no electricity was consumed or in the event of disconnection of services for any reasons including the reasons by orders of Court or when the price of electricity supplied is less than the minimum charges.

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Explanation: The term 'monthly minimum charges / minimum charges' wherever it occurs in the Tamil Nadu Electricity Supply code/Distribution code refer to the minimum charges / fixed charges as prescribed in the Commission's Tariff orders from time to time. For the LT services of sanctioned demand above 112KW, the monthly minimum charges / fixed charges shall be as applicable to HT services but for full sanctioned demand.

***(substituted vide Notification. No. TNERC/SC 7-44 dated 24.12.2020 w. e. from 27.01.2021)**

(a) For the H.T. services disconnected as per Licensee's right to disconnect supply, the following monthly minimum charges based on the KVA demand shall be collected.

(i) If the disconnection is for the full month then 20% of the sanctioned demand.

(ii) If the disconnection is for part of a month, the actual recorded demand or such percentage of sanctioned demand as declared by the Commission whichever is higher.

(b) For the H.T services disconnected on the request of the consumer, the monthly minimum charges based on the KVA demand shall be the actual recorded demand (when the disconnection is for part of a month) or such percentage of sanctioned demand declared by the Commission whichever is higher :

From 01.09.2004 to 22.10.2013 Provided that where the Licensee is prevented from supplying electricity owing to cyclone, floods, storms, fire, strike or lockout in the Licensees' establishment or other occurrences beyond the control of the Licensee, or if the Licensee is satisfied that the consumer has been prevented from consuming electricity either in whole or in part for similar reasons, the Licensee may recover from the consumer (a minimum charges) * **minimum charges** at twenty percent of the billable demand or recorded demand whichever is higher besides charges for the actual consumption of electricity :

From 23.10.2013

Provided that where the Licensee is prevented from supplying electricity owing to cyclone, floods, storms, fire, strike or lockout in the Licensees' establishment or other occurrences beyond the control of the Licensee, or if the consumer is prevented from consuming electricity either in whole or in part for similar reasons, the Licensee may recover from the consumer a minimum charge at twenty per cent of the contracted demand or recorded demand whichever is higher besides charges for the actual consumption of electricity.;

(Substituted vide Notification .No. TNERC/SC/7-32 dated 12.09.2013 with effect from 23.10.2013)

Provided further that where the consumer has been prevented from consuming electricity.-

(i) the consumer shall produce a certificate from the Labour Officer to that effect, indicating the period of lockout or strike or temporary closure and the date on which it was called off.

(ii) the consumer shall give prompt intimation of the commencement of the lockout or strike so that the Maximum Demand meter can be reset. In the case of temporary closure the consumer shall give intimation of the closure. The consumer shall give intimation to the Licensee immediately after lifting of the strike, lockout or temporary closure.

Provided also that, in the case of steel industries having more than one electric furnace in a HT service and when one or more electric furnaces are under total strike / closure, then the benefit of billing on the actual recorded demand or the percentage as may be notified by the Commission from time to time of the sanctioned demand less the KVA load of the furnaces under total strike or closure whichever is higher shall be given. This provision is not applicable when there is lockout.

(c) for the LT services disconnected as per the Licensee's right to disconnect the supply or at the request of the consumer to disconnect supply, the monthly minimum charges shall be recovered by the Licensee till the agreement is terminated.

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7. Installation of Meter

(1) Sub section (1) of section 55 of the Act provides for the use of meters and reads as

“ No Licensee shall supply electricity, after the expiry of two years from the appointed date, except through installation of a correct meter in accordance with the regulations to be made in this behalf by the Authority:

Provided that the Licensee may require the consumer to give him security for the price of a meter and enter into an agreement for the hire thereof, unless the consumer elects to purchase a meter :

Provided further that the State Commission may, by notification, extend the said period of two years for a class or classes of persons or for such area as may be specified in the notification

(2) All new service connections shall be extended with meters only. For all new LT service connections other than domestic and agricultural category, when the contracted demand is in excess of 18.6 KW (25 HP), the Licensee shall install meters with demand recording facility. For existing services, when the contracted demand is in excess of 18.6 KW (25 HP), this facility will have to be extended by the Licensee to enable implementation of excess demand charges as per regulation 5(2) of this Code.

(2) All new service connections shall be extended with meters only. For all new LT service connections, the Licensee shall install meters with demand recording facility.

(Substituted vide Notification No. TNERC/SC/7-36/ dated 01.07.2014 . w.e.f. 06.08.2014)

(3) Unless the consumer elects to purchase his own meter, the Licensee shall provide meter of high quality, high precision and accuracy and may require the consumer to give adequate security for the price of the meter and pay the hire charges therefor. Where the consumer elects to purchase his own meter, the Licensee shall ensure that such meter is of high quality, high precision and accuracy and shall arrange to recalibrate the same at consumer cost.

(3A) In case of open access consumer, ABT compliant meter with facilities to record export and import of energy shall be provided both at the generator and consumer ends in accordance with the Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006.

(Inserted vide Notification No. TNERC/SC/7-30, dated 17.02.2012, w.e.f. 21.03.2012)

(1) No new service connection shall be given without meter. For all new LT service connections, the Licensee shall install meters with demand recording facility.

(2) At the time of seeking a new connection / temporary service connection, the applicant shall have the option either to purchase a meter on his own as per prescribed standards, specifications and relevant Regulations or require that meter to be supplied by the Distribution Licensee. Unless the consumer elects to purchase his own meter, the Licensee shall provide meters complying statutory standards and relevant Regulations and may require the consumer to give adequate security for the price of the meter and pay the hire charges there for wherever applicable. Where the consumer elects to purchase his own meter, the Licensee shall ensure that such meter complies with relevant standards, specifications and Regulation.

The meters required shall be tested by the Licensee at manufacturer’s site and sealed duly recording their serial numbers. Such tested meters of respective serial numbers shall be made available in the open market. The details of serial numbers, make, capacity and vendor details shall be displayed in the Licensee’s web-portal for information of consumers. Sufficient quantity of meters of all categories shall be made available in the market all the time. The meters so purchased from the market need not be tested again after procurement by the applicant and can be fixed in the installation straightaway.

A tracking and recording software for all new seals shall be provided by the manufacturer of the meter so as to track total movement of seals starting from manufacturing, procurement, storage, record keeping, installation, series of inspections, removal and disposal. Only the patented seals (seal form the manufacturer who has official right to manufacture the seal) shall be used. The consumer shall claim the meter purchased by him as his asset only after it is permanently removed from the system of the Licensee.

The Licensee shall publish and keep on updating on their web-portal about type, single phase / three

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phase capacity rating with respect to demand applied, specification along with the list of approved meter manufacturers and information of the places from where the consumers can purchase those meters. It shall cover all categories of LT, LT CT, HT, Bidirectional metering, solar generation, pre paid metering, ToD metering etc., on a permanent basis without any restriction in terms of period of duration for purchase, quantity of meters to be purchased by a division / circle etc.,

(3) The Licensee shall endeavor to provide smart pre-payment meter or pre-payment meter in a phased manner giving priority to services of higher consumption / revenue. All Central / State Govt. and local body services shall be provided with smart meters with facility of pre-payment mode. In areas which do not have communication network, pre payment meters shall be provided. For temporary supply, pre-payment meters (Rechargeable card Model) shall be provided. The pre-payment meter shall comply with relevant standards, specifications and Regulations. For pre-payment meter, payment of Security Deposit is not required.

(3A) In case of open access consumer, the Interface meters with facilities to record export and import of energy and other parameters depending upon tariff requirement shall be provided both at the generator and consumer ends and other required locations. The meters shall comply with relevant standards and specifications in accordance with the Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006, as amended from time to time.

(Substituted vide Notification No. TNERC / SC / 7-48/ dated 02.09.2023 . w.e.f. 08.09.2023)

(4) The meter shall ordinarily be installed at the point of entry to the consumer's premises at a suitable and easily accessible place as the Engineer may decide. After installation, the security seals shall be affixed in the presence of the consumer or his representative on the meter box cover, current transformer chamber, terminal cover of the meter, test block, cut outs, air-break switch and gate and such other part of the installation as the Licensee may decide. The consumer shall be responsible to ensure that the meter and the seals are not stolen, damaged or tampered with.. The consumer shall run his wiring from such point of supply.

(5) The quantity of electricity recorded by such meter shall be taken as the quantity actually supplied by the Licensee.

(6) The Licensee will provide the Security seals in the meter box cover and the current transformer chamber after testing the meter. The seals on the terminal cover of meter (Low Tension and High Tension), test-block, metering set, meter box, cutouts, air-break switch and gate and other seals as desired by the Licensee will be provided at site in the presence of the consumer or his representative who shall satisfy himself that all the seals including the security seals are intact and the (meter disc) * **meter** is functional. It is the responsibility of the consumer to ensure that the seals are not damaged or tampered with.

(7) Where metering of the High Tension service connection is on the Low Tension side i.e. on the secondary side of the Transformer:

i) The average losses in the transformer shall be calculated as follows and added

to the energy consumption indicated by the meter :-

$$720 \times 1.0 \times C$$

Average loss = ----- Units per month

$$100$$

where C = KVA rating of the transformer

ii) The transformer loss arrived at by the above formula shall be added to the energy consumption, even when the recorded energy consumption is nil.

iii) 1% of the transformer capacity for transformer above 63 KVA. will be added to the recorded maximum demand on the Low Tension side to arrive at the equivalent High Tension demand

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(7) All HT services shall be provided with HT metering. Wherever existing metering of the High Tension service connection is on the Low Tension side i.e. on the secondary side of the Transformer

i) The average losses in the transformer shall be calculated as follows and added to the energy consumption indicated by the meter :-

$$\text{Average loss} = \frac{720 \times 1.0 \times C}{100} \text{ Units per month}$$

where C = KVA rating of the transformer

ii) The transformer loss arrived at by the above formula shall be added to the energy consumption, even when the recorded energy consumption is nil.

(ii) when the above formula is made applicable for the LT services of more than 112kW in accordance with sub-Regulation 3(1)(b) of this Code or the capacity of the feeding transformer is more than capacity required to feed the contracted demand of the individual consumer, the kVA rating of the transformer represented as 'C' in the above formula shall be limited to the lower capacity of the transformer of available rating being used by the Licensee which is actually required to meet the quantum of contract demand of the individual consumer.

The transformer loss arrived as above, shall be added to the energy consumption, even when the recorded energy consumption is nil.

(Substituted vide Notification No. TNERC / SC / 7-48/ dated 02.09.2023 . w.e.f. 08.09.2023)

iii) 1% of the transformer capacity for transformer above 63 KVA. will be added to the recorded maximum demand on the Low Tension side to arrive at the equivalent High Tension demand.

(Substituted vide Notification No. TNERC / SC / 7-36/ dated 01.07.2014 . w.e.f. 06.08.2014)

(8) At periodical intervals, the meters shall be recalibrated and standardized by means of standard instruments by the Licensee. In respect of High Tension service connections, however, such recalibration will be done in the presence of the Consumer's Electrical Engineer or his representative if the consumer so desires. If the meter is found defective/ incorrect, the adjustments in bills shall be made for error beyond permissible limits as laid down in the relevant rules made under the Act.* The instrument transformers shall be tested for accuracy periodically as specified in the Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006 and its amendment regulations.

(* Added vide Notification No. TNERC / SC / 7-36/ dated 01.07.2014 . w.e.f. 06.08.2014)

(9) If the consumer considers that the meter is defective, he may apply to the Licensee to have a special test carried out on the meters at any time and the cost of such a test shall be borne by the Licensee or the consumer according as the meter is found defective or correct as a result of such a test. *The aforementioned special test for the disputed energy meters including the suspected/ defective meters shall be carried out in the Third Party testing laboratory accredited by National Accreditation Board for Testing and Calibration Laboratories (NABL) and till such time the Third Party Meter Testing Arrangement is established, the licensee shall have the special test conducted by the Chief Electrical Inspector to Government of Tamil Nadu. The meter shall be deemed to be correct if the limits of error do not exceed those laid down in the relevant rules made under the Act. The consumer may also be allowed to install a check meter after recalibration by the Licensee. Such check meter shall be of high quality, high precision and high accuracy and sealed by the Licensee. Whenever the Licensee's meter becomes defective the check meter reading may be taken for billing.

(* inserted as per Notification. No. TNERC/SC 7-4 dated 25.05.2007 w. e. from 13.06.2007)

(9) If a consumer considers that the meter is defective or meter readings not being commensurate with his consumption of electricity, he may apply to the Licensee to get his meter tested at Licensees' lab. The test shall be carried out by Licensee within 30 days and the cost of such a test shall be borne by the

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Licensee or the consumer according to the result of such test as to whether the meter is defective or correct.

The Distribution Licensee shall convey the date and time for such test to the consumer for his presence during testing. After testing, the Licensee shall give a copy of test report to the consumer duly signed by both the Licensee and the consumer, and retain one copy as acknowledgment. However, if the consumer opts not to be present at the site for testing, the Distribution Licensee shall carry out such testing and send copy of the report to the consumer. If the consumer disputes the results of such testing and demands re-testing by third party by accepting to bear the charges for such test, the Licensee shall arrange the testing at third party testing laboratories accredited by NABL from the list of third party testing agencies approved by the Commission. If it is established that the errors are beyond the specified limits and contrary to the results of the test performed by the Distribution Licensee, the costs of carrying out the tests both by the Distribution Licensee and that of the third-party testing laboratories shall be reimbursed by the Distribution Licensee. However in case it is established that the results of the test are the same as the results of the test performed by the Distribution Licensee, the cost of carrying out such test shall stand to be borne by the consumer. The meter data and test results shall be issued to the consumer and said results are final and binding on both the consumer and Distribution Licensee. The approved list of third party agencies approved by the Commission shall be available in various offices and the website of the Distribution Licensee.

(Substituted vide Notification No. TNERC/SC/7-48/dated 02.09.2023. w.e.f. 08.09.2023)

(10) The procedure to be followed for replacement of defective/ damaged/ burnt meter shall be as follows

- It is the responsibility of the Licensor to replace all defective meters" belonging to the licensee at his cost.
- Since the safe custody of the meter is the consumer's responsibility, replacement of meter due to damages shall be at the cost of consumer.
- The cost of replacement for burnt meters shall be met by the Licensee unless it is proved otherwise that the burning out is due to the fault of the consumer.
- When the meter is owned by the consumer and becomes defective/damaged or when the meter is burnt due to the fault of the consume it is the responsibility of the consumer to replace the meter by a healthy one, if he elects to continue to have his own meter. Otherwise the Licensee shall replace the meter and enter into an agreement for hire and collect the specified deposits

("inserted as per Notification. No. TNERO/SC7-4 dated 25.05.2007 w.e.from 13.06.2007)

(10) The procedure to be followed for replacement of defective/ damaged/ burnt meter shall be as follows:

(i) It is the responsibility of the Licensee to replace all defective meters belonging to the Licensee at his cost. The meter with defects such as stoppage of recording, stoppage of display, damage to seal, burning or damage to meter etc. either on consumers complaint or upon inspection by the Distribution Licensee shall be replaced within the duration as specified by the Commission and restore supply through a new meter. The released defective meter shall be tested within 30 days in Licensee's laboratories. Wherever feasible, the data shall be downloaded. The records of all defective meters shall be accompanied with allied documentation of such test results. The important data downloaded such as meter reading and other data relevant to billing shall be documented. No defective meter shall be handed over to stores without testing in Licensee's laboratories.

(ii) Since the safe custody of the meter is the consumer's responsibility, replacement of meter due to damages shall be at the cost of consumer.

(iii) The cost of replacement for burnt meter shall be met by the Licensee unless it is proved otherwise that the burning out is due to the fault of the consumer.

If after investigation, it is found that the meter has become defective or burnt due to reasons attributable to the consumer, the cost of new meter and other applicable charges shall be recovered from the consumer through subsequent bills. No fee shall be charged from the consumer at the time of reporting by consumer or being noticed by Licensee that the meter is defective or burnt.

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Besides the said charges for replacement of defective/ burnt meter, necessary bill revision for the period of defect or inaccurate recording of consumption shall be made as per provisions of this Code and the excess or deficit charges shall be adjusted in the subsequent bills with due intimation to the consumer in writing along with test results and working sheet.

Sufficient rolling stock of meter shall be maintained in every section offices of the Licensee for timely replacement of defective meters.

(iv) When the meter is owned by the consumer and becomes defective/damaged or burnt due to the fault of the consumer, it is the responsibility of the consumer to replace the meter by a healthy one, if he elects to continue to have his own meter. Otherwise the Licensee shall replace the meter, collect the specified deposits/applicable Charges from the consumer.

(substituted vide Notification No.TNERC/SC/7-48 dated 02.09.2023 w.e. from 08.09.2023)

(11) In case of single phase meters, the consumer shall ensure there is no common neutral or phase or looping of neutral or phase of two or more consumers on consumer side wiring. If such common neutral or phase or looping of neutral or phase comes to the notice of the Licensee or if the earth leakage indication is displayed in the meter, the Licensee shall inform the consumer in writing advising him to rectify the defect to ensure proper recording of consumption.

(Inserted vide Notification No.TNERC/SC/7-48 dated 02.09.2023 w.e. from 08.09.2023)

8. Meter Reading, Billing and intervals

As existed from 01.09.2004 to 22.03.2011

(1) Reading of meter or meters shall be taken by the employees of the Licensee at such intervals or times the Licensee may consider expedient and they shall have access to the consumer's premises at all reasonable hours for the purpose of such reading as per the provisions contained in section 163 of the Act. The format of the meter cards containing all basic information to be made available to the consumer shall be get approved by the Commission. It is the responsibility of the Licensee to ensure that the details in the respective meter cards are entered without omission

(1) In the case of Low Tension service connections, the Licensee with the approval of the Commission shall decide the periodicity of meter readings, collection dates, modes etc. However, in the case of temporary supply, the meter reading shall be taken at the end of the period in case sanction is for less than a month and once in a month in case sanction is for a period more than a month. The Licensee shall have access to the consumer's premises at all reasonable hours for the purpose of such reading as per the provisions contained in section 163 of the Act. The format of the meter cards containing all basic information to be made available to the consumer shall be got approved by the Commission. It is the responsibility of the Licensee to ensure that the details in the respective meter cards are entered without omission.

(substituted vide Notification No.TNERC/SC/7-22 dated 21.02.2011 w.e. from 23.03.2011)

(2) In the case of High Tension Service Connections, the Licensee shall, within four days after the expiry of each billing month, cause to be delivered to every consumer a bill of charges stating the amount payable by the consumer in connection with supply of electricity by the Licensee.

As existed from 01.09.2004 to 22.03.2011

(3) In the case of Low Tension service connections, the Licensee in consultation with, and approval of the Commission shall decide the periodicity of meter readings, collection dates, modes etc. However, in the case of temporary supply, the meter reading shall be taken at the end of the period in case sanction is for less than a month and once in a month in case sanction is for a period more than a month.

Omitted vide Notification No.TNERC/SC/7-22 dated 21.02.2011 w.e.f. 23.03.2011

(3) The meter shall be read at least once in every billing cycle in urban as well as rural areas by an authorized representative of the Distribution Licensee. Services of all status such as existing services, newly released services during previous billing cycle, service remaining under disconnection etc., shall

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be covered in the regular assessment of such periodicity. In case of smart meters, the meters shall be read remotely at least once in every billing cycle and in case of other pre-payment meters; the meters shall be read by an authorized representative of the Distribution Licensee at least once in every three months. The data regarding remote assessment and billing shall be made available to the consumers, through website or mobile App or SMS, etc. Consumers having smart pre-payment meters may also be given the data access for checking their consumption.

(Newly Inserted vide Notification No.TNERC/SC/7-48 dated 02.09.2023 w.e. from 08.09.2023)

(4) In case of LT services the meter readings of last digit up to and inclusive of five units shall be rounded off to the lower multiple of ten units and the meter readings of last digit from six to nine units shall be rounded off to the higher multiple of tens units.

Omitted vide Notification No.TNERC/SC/7-48 dated 02.09.2003 w.e.f.08.09.2013

(5) In case of LT services, after taking the meter readings, the particulars of meter readings, energy consumption and charges payable will be incorporated in the consumer meter card.

Substituted vide Notification No.TNERC/SC/7-48 dated 02.09.2003 w.e.f.08.09.2013

(5) In case of LT services, after taking the meter readings, the particulars of meter readings, energy consumption and charges payable shall be incorporated in the consumer meter card.

Wherever the particulars of meter readings, energy consumption, charges payable and last date for payment etc., are sent to the consumer through SMS and Mail to the registered mobile number and e-mail id respectively, such communication shall also be construed as Bill-cum-Notice in relation to the provisions contained under Regulations 8, 13 and 14 of this Code.

The intimation of disconnection for any reason shall also be communicated to the consumer through SMS with details of disconnection such as date, final reading, reason for disconnection etc.

(6) Payment for energy supplied shall be made by the consumer according to the meter reading referred to above and on delivery of a bill there for in the case of High Tension consumers and incorporation of current consumption charges in the consumer meter card or assessment slip in the case of Low Tension consumers.

Substituted vide Notification No.TNERC/SC/7-48 dated 02.09.2003 w.e.f.08.09.2013

(6) Procedure of generation and issue of billing:

(a) Payment for energy supplied shall be made by the consumer according to the meter readings referred to above and on delivery of a bill there for in the case of High Tension consumers and incorporation of current consumption charges in the consumer meter card in the case of Low Tension consumers. In case of pre-payment metering, the Distribution Licensee shall issue the bill to the consumer on his request. Pre-payment meters shall be designed to automatically cut off supply when the amount credited is exhausted. This shall however not be treated as a disconnection and the supply will be resumed whenever the meter is recharged.

(b) The Distribution Licensee shall intimate the consumer about despatch of bill through SMS / mail, immediately after the despatch in case of HT services and within a period of not more than four working days from the date of the assessment in case of LT services. The intimation shall consist of the details of bill amount and the due date for payment

The Distribution Licensee shall also upload the bill on its website on the day of bill generation. The billing and payment details of minimum last one year for all consumers shall be made available on the Licensee's website.

(c) The Distribution Licensee shall issue the first bill in the same billing month for HT, LT CT services and temporary services. For other services the first bill shall be issued preferably in the same billing month but not exceeding two billing months from the date of effecting a new connection where post payment meters are installed.

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(d) In case the consumer does not receive the first bill within such period or any regular bill in subsequent periods, he shall complain in writing to the Distribution Licensee and the Distribution Licensee shall issue the bill within seven days. The consumer can also get his billing details from Licensee's website.

(e) The consumer is equally responsible to make the payment promptly and regularly for the electricity consumed by him from the Licensee.

(f) The Distribution Licensee shall not generate more than two provisional bills for a consumer during one financial year and if the provisional billing continues for more than two billing cycles except under extraordinary situation due to force majeure, the consumer may refuse to pay the dues until bill is raised by the Distribution Licensee as per actual meter reading.

(g) The information regarding the authority with whom grievance or complaint pertaining to bill can be lodged shall be provided along with the bill and the same shall also be made available on Distribution Licensee's website.

(h) In case of vacation of premises, the Distribution Licensee shall arrange to take a special reading of the meter on receiving the consumer's written request and issue a final bill including all arrears till the date of billing and issue a No-Dues certificate on receiving final payment, within seven days from the receipt of such payment

(7) The total of current consumption charges and other miscellaneous charges etc. in a bill/assessment shall be rounded off to the nearest rupee.

(8) In respect of High Tension service connections, the employee of the Licensee, in the presence of the consumer or his representative, will take the meter readings. The signature of the consumer or his representative will be taken in the meter card in token of being present at the time of taking the reading. If the consumer or his representative refuses to be present or refuses to sign in the meter card, the fact will be recorded. The meter readings and consumption will nevertheless be entered in the meter card.

(9) In respect of captive generation, including windmill, the Licensee shall ensure provision of a meter card to enter the generation and consumption details. The employee of the Licensee, in the presence of the *[representative of the generator or consumer], will take the meter readings. The signature of the *[representative of the generator or consumer] will be taken in the meter card in token of being present at the time of taking the reading. If the *[representative of the generator or consumer] refuses to be present or refuses to sign in the meter card, the fact will be recorded. The meter readings and consumption will nevertheless be entered in the meter card.

(*representative of the generator or consumer was substituted in place of consumer or his representative vide Notification. No. TNERC/SC 7-4 dated 25.05.2007 w. e. from 13.06.2007)

9. Meter readings when there is changes in sanctioned demand etc.,

(1) Whenever there is change in the sanctioned demand, the change shall be effected, as far as possible, to coincide with the next meter reading. If, however, it is not possible so to do, the meter shall be reset and the maximum demand charges shall be billed proportionately for the respective periods.

Substituted vide Notification No.TNERC/SC/7-48 dated 02.09.2003 w.e.f.08.09.2013

From 08.09.2023

"Whenever there is change in the sanctioned demand, the change shall be effected, as far as possible, to coincide with the next meter reading. However, if it is not possible to do so, the meter shall be reset and the maximum demand charges shall be billed proportionately for the respective periods.

Revised Test Report (RTR) shall be taken incorporating all relevant details of change in demand except temporary reduction of demand. The date of RTR shall be the date of effect of change in demand. The

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changes made in respect to meter/metering system such as meter details / CT details / C.T. ratio available / adopted, change in M.F meter/meter box seals etc shall be documented in the RTR clearly. However, for temporary reduction of demand effected on seasonal basis as requested by the consumer without any change in the metering system, the RTR is not necessary.

(1A) Dynamic reduction of demand to suit the seasonal requirement is applicable to Industries other than IT services covered under IIIB and also marriage halls covered under Tariff V. Dynamic reduction of demand shall be effected on application by willing consumers. Such application shall be made online in a simple format. No inspection is necessary.

The metering system need not be de-rated for such temporary reduction of demand. The reduction in demand shall take effect from the date of meter reading and MD reset of succeeding assessment following the date of application. Contracted demand shall remain the same and continue to be unaltered in their Test report and agreement. Revised test report is not necessary.

The reduction of demand shall be applicable for a minimum of one billing cycle. Reduction of demand is permissible four times in a block of one year. The period of one year block shall be reckoned from the commencement of first billing cycle from which reduction of demand from the contracted demand was sanctioned. After a particular sanction, the consumer can extend the period of reduction of demand, provided that the application is made before the date of expiry of billing cycle until which the reduction of demand stands sanctioned. Also the consumer shall have an option of applying increase in demand within the contracted limit from the date of expiry of existing sanction. In both cases such application for extension of period or revision of desired demand reduction shall also be counted for the purpose of reckoning the four times permissible in one year.

On expiry of above period of demand reduction, the reduced demand shall automatically be restored to the original level of contracted demand on the date of the expiry. In case the recorded demand exceeds the level of reduced temporary demand in a billing cycle, the fixed charges for the entire contracted demand shall be payable for that billing cycle. If the temporary reduction of demand is made or extended for a continuous period of one year by the consumer without restoring to the contracted demand at any point of time during that year, the reduced demand at the end of such block of one year period shall be made permanent as the contracted demand with revised RTR and agreement. The metering system shall also be de-rated if necessary. Thereafter if the consumer requires additional demand, he shall apply afresh for the additional demand and the terms and all charges payable at the time of such application shall be applicable. Such applications shall be given separate priority.

Licensee shall make required changes in the application and billing software for seamless processing and uniform implementation.*

(*Substituted vide Notification No.TNERC/SC/7-48 dated 02.09.2023 w.e. from 08.09.2023)

(2) Whenever a tariff change is to be effected in a service connection, such change shall be effected only after obtaining a Revised Test Report (RTR) and the reading taken shall be conclusive proof of the (electricity supplied) * electricity consumed till the change of tariff.

(substituted vide Notification. No. TNERC/SC 7-4 dated 25.05.2007 w. e. from 13.06.2007

10. Inaccessibility of meter for reading.

(1) When a Low Tension consumer leaves his installation connected to the Licensee's mains but makes it inaccessible for reading by the employees of the Licensee, the consumer shall, for the first occasion of such inaccessibility, be charged provisionally on the basis of the amount charged on the previous assessment. The employee of the Licensee will leave an assessment slip in the premises, wherever possible.

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(2) If, on the next occasion, the meter is accessible for reading, the consumer will be charged for the actual consumption less the amount already charged, subject to the minimum monthly charges for both the periods. If, on the other hand, the meter remains inaccessible on the second occasion also, the consumer will be served with a (24 hours) * **48 hours** notice to open his premises at a fixed time and date to enable an employee of the Licensee to read the meter. If the meter is now made accessible for reading, the consumer will be charged the actual consumption less the provisional amount charged and paid for the first period of inaccessibility subject to the minimum monthly charges for both the periods. If the meter remains inaccessible even after the (24 hours) * **48 hours** notice, the supply to the premises will be disconnected and for that period also provisional amount as in the case of previous occasion will be charged. **(48 hours was substituted in place of 24 hours vide TNERC/SC/7-4 dated 25.05.2007 w.e.from 13.06.2007)**

(2) If, on the next occasion, the meter is accessible for reading, the consumer will be charged for the actual consumption less the amount already charged, subject to the minimum monthly charges for both the periods. If, on the other hand, the meter remains inaccessible on the second occasion also, the consumer will be served with a 48 hours notice to open his premises at a fixed time and date to enable an employee of the Licensee to read the meter. In the said 48 hours notice, the consumer shall also be informed that the supply to his premises will be disconnected as per Section 163(3) of the Electricity Act, 2003, if he does not provide access to the meter. If the meter is now made accessible for reading, the consumer will be charged the actual consumption less the provisional amount charged and paid for the first period of inaccessibility subject to the minimum monthly charges for both the periods. If the meter remains inaccessible even after the 48 hours notice, the supply to the premises will be disconnected and for that period also provisional amount as in the case of previous occasion will be charged. **(substituted vide Notification No.TNERC/SC/7-22 dated 21.02.2011 w.e.from 23.03.2011)**

(3) If the meter is made accessible, subsequent to the disconnection, for purpose of reading the meter and settling accounts or for reconnection of the service as the case may be, the consumer will be charged the actual consumption subject to the minimum monthly charges payable for both periods less the two provisional amounts levied and paid for the two periods of inaccessibility. Reconnection charges, if any, shall also be levied. Any excess amount collected will be adjusted in future current consumption charges.

As existed from 01.09.2004 to 22.03.2011

(4) When a High Tension consumer leaves his installation connected to the Licensee's mains but makes the meter inaccessible for reading by the employees of the Licensee, the employees of the Licensee will serve the consumer with a (24 hours) * **48 hours** notice to open his premises for reading of the meter at a fixed time. If the meter is now made available for reading, the readings will be taken. If the meter remains inaccessible even after the (24 hours) * **48 hours** notice, the supply to the premises will be disconnected and the consumer will be charged provisionally on the basis of the amount charged for the previous month. If the meter is made accessible subsequent to the disconnection, the consumer will be charged the actual consumption less the provisional amount charged subject to minimum monthly charges. All reconnections shall attract reconnection charges over and above the other charges as are applicable.

(48 hours was substituted in place of 24 hours vide TNERC/SC/7-4 dated 25.05.2007 w.e.from 13.06.2007)

(4) When a High Tension consumer leaves his installation connected to the Licensee's mains but makes the meter inaccessible for reading by the employees of the Licensee, the employees of the Licensee will serve the consumer with a 48 hours notice to open his premises for reading of the meter at a fixed time. In the said 48 hours notice, the consumer shall also be informed that the supply to his premises will be disconnected as per Section 163(3) of the Electricity Act, 2003, if he does not provide access to the meter. If the meter is now made available for reading, the readings will be taken. If the meter remains inaccessible even after the 48 hours notice, the supply to the premises will be disconnected and the consumer will be charged provisionally on the basis of the amount charged for the previous month. If the meter is made accessible subsequent to the disconnection, the consumer will be charged the actual consumption less the provisional amount charged subject to minimum monthly charges. All reconnections shall attract reconnection charges over and above the other charges as are applicable.

(substituted vide Notification No.TNERC/SC/7-22 dated 21.02.2011 w.e.from 23.03.2011)

(5) Serving of notices to the consumers with regard to the provisions under the sections above, can be executed by pasting the same at a conspicuous place at the premises.

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“(6) In case of unforeseen constraints on the part of Licensee to carry out the assessment / force-majeure conditions, the Licensee may have the option of allowing the consumer to send the picture of meter display of the respective service connection that indicates the meter reading of billing parameters and the date of such readings, through registered mobile or email to the designated officer of the Licensee.

(Inserted vide Notification No.TNERC/SC/7-48 dated 02.09.2023 w.e.from 08.09.2023)

11. Assessment of billing in cases where there is no meter or meter is defective:

(1) Where supply to the consumer is given without a meter or where the meter fixed is found defective or to have ceased to function and no theft of energy or violation is suspected, the quantity of electricity supplied during the period when the meter was not installed or the meter installed was defective, shall be assessed as mentioned hereunder.

11. Assessment of billing in cases where the meter is defective:

(1) Where the meter fixed is found defective or burnt or to have ceased to function and no theft of energy or violation is suspected, the quantity of electricity supplied during the period when the meter was defective, shall be assessed based on the data downloaded through CMRI from the defective meter and scrutiny of those data, load curve etc., besides taking into consideration of site condition to corroborate the assessment so made. Wherever such downloading of data could not be done, the reason for not getting the meter tested or the reason for not downloading the data from the defective or burnt meter shall be recorded and signed by the designated authority by the Licensee. Wherever the data could not be downloaded, the quantity of electricity supplied during the period when the meter was defective, shall be assessed as mentioned hereunder.

(SR1 Substituted vide Notification No.TNERC/SC/7-48 dated 02.09.2023 w.e.from 08.09.2023)

(2) The quantity of electricity, supplied during the period in question shall be determined by taking the average of the electricity supplied during the preceding four months in respect of both High Tension service connections and Low Tension service connections provided that the conditions in regard to use of electricity during the said four months were not different from those which prevailed during the period in question.

(3) In respect of High Tension service connections, where the meter fixed for measuring the maximum Demand becomes defective, the Maximum Demand shall be assessed by computation on the basis of the average of the recorded demand during the previous four months.

(4) Where the meter becomes defective immediately after the service connection is effected, the quantum of electricity supplied during the period in question is to be determined by taking the average of the electricity supplied during the succeeding four months periods after installation of a correct meter, provided the conditions in regard to the use of electricity in respect of such Low Tension service connections are not different. The consumer shall be charged monthly minimum provisionally for defective period and after assessment the actual charges will be recovered after adjusting the amount collected provisionally.

(5) If the conditions in regard to use of electricity during the periods as mentioned above were different, assessment shall be made on the basis of any consecutive four months period during the preceding twelve months when the conditions of working were similar to those in the period covered by the billing.

(6) Where it is not possible to select a set of four months, the quantity of electricity supplied will be assessed in the case of Low Tension service connections by the Engineer in charge of the distribution and in the case of High Tension service connections by the next higher level officer on the basis of the connected load and the hours of usage of electricity by the consumer. *In all above cases, the relevant test results and clear working sheet indicating the basis of computation of billing for the back period, the period during which the meter was found defective etc., shall be promptly communicated to the

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consumer in writing under acknowledgement *

(*Added vide Notification No.TNERC/SC/7-48 dated 02.09.2023 w.e from 08.09.2023)

(7) In case the consumer does not agree with the assessment made by the Engineer or the higher-level officer as the case may be, the matter may be referred to the next higher-level officer of the Licensee. In case the consumer is still not satisfied, the consumer is at liberty to approach the respective Consumer Grievance Redressal Forum of the Licensee.

12. Errors in billing

(1) In the event of any clerical errors or mistakes in the amount levied, demanded or charged by the Licensee, the Licensee will have the right to demand an additional amount in case of undercharging and the consumer will have the right to get refund of the excess amount in the case of overcharging.

(As existed from 01.09.2004 to 15.07.2008)

(2) Where it is found that the consumer has been over-charged, the excess amount paid in such cases will be adjusted against future current consumption charges. If, even after such adjustment against future current consumption charges for two assessment periods, there is still a balance to be refunded, the refund will be made by cheque.

(2) Where it is found that the consumer has been overcharged, the excess amount paid by such consumer shall be refunded along with interest at the rate applicable for security deposit. The interest shall be computed from the date on which the excess amount was paid. Such excess amount with interest may be paid by cheque in the month subsequent to the detection of excess recovery or may be adjusted in the future Current Consumption bills upto two assessments at the option of the consumer. The sum which remains to be recovered after two assessments may be paid by cheque. Interest shall be upto the date of last payment.

(Sub-regulation 2 substituted vide Notification No.TNERC/SC/7-8 dated 06.06.2008) w.e from 16.07.2008)

(3) Wherever the Licensees receive complaints from consumers that there is error in billing, etc. the Licensee shall resolve such disputes regarding quantum of commercial transaction involved within the due date for payment, provided the complaint is lodged three days prior to the due date for payment. Such of those complaints received during the last three days period shall be resolved before the next billing along with refunds / adjustments if any. However, the consumer shall not, on the plea of incorrectness of the charges, withhold any portion of the charges.

13. Servicing of bills

As existed from 01.09.2004 To 20.03.2012.

(1) For the HT services, bills shall normally be sent by post or by hand delivery but the Licensee takes no responsibility for loss in transit. The consumer should notify the concerned office of the Licensee, if no bill or assessment is received. Non-receipt of the bills/ assessments will not entitle the consumer to delay payment of the charges beyond the due date. For LT services, entry in consumer meter card shall be the bill of demand and there will be no separate issue of bill.

(1) For the HT services, bills shall normally be sent by post or by hand delivery or e-mail. Two e-mail ids shall be furnished by the consumer for this purpose. For the purpose of reckoning the due date of payment, the date of sending the e-mail alone will be the reference. The Licensee takes no responsibility for loss in transit. The consumer should notify the concerned office of the Licensee, if no bill or assessment is received. Non-receipt of the bills / assessments will not entitle the consumer to delay payment of the charges beyond the due date. For LT services, entry in consumer meter card shall be the bill of demand and there will be no separate issue of bill.

(Substituted vide Notification No. TNERC/SC/7-30 dated 17.02.2012, w.e.f. 21.03.2012)

(2) For any arrears other than the regular current consumption bill, it is the Licensee's obligation to inform the consumer by a separate communication with details.

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14. Due dates and notice periods

(1) The Licensee shall provide the following minimum days with regard to due dates, notice period for payment of tariff related electricity charges:

(a) For LT Services, the due date shall be not less than 5 days from the date of entry in the consumer meter card. 15 days clear notice period shall be allowed prior to disconnection for non-payment. Belated payment surcharge shall not be levied for LT services during the notice period.

(b) For HT Services, the due date shall be not less than 7 days from the date of billing. If the last day of the due date happens to be a holiday, the due date shall be extended to till the next working day. 15 days clear notice period shall be allowed prior to disconnection for non-payment. *In case the last day of the notice period happens to be a holiday, the period of notice will get extended and the last day for payment to avoid disconnection will be the next working day. Belated payment surcharge shall be levied for HT services during the notice period as specified in this Code.

(*inserted as per Notification. No. TNERC/SC 7-4 dated 25.05.2007 w. e. from 13.06.2007)

(2) In the case of Low Tension consumers who do not pay their current consumption charges as per the periods specified by the Licensee in the consumer meter card, the printed notice period in the consumer meter card shall be construed as the notice to the consumer. Payments may also be accepted during the notice period. If the last day included in the notice period happens to be a holiday, the period of notice will get extended and the last day for payment to avoid disconnection will be the next working day.

(3) Supply to such Low Tension consumers as specified above is liable to be disconnected after the expiry of the notice period.

(4) Bills rendered to High Tension consumers and the charges incorporated in the consumer meter cards of Low Tension consumers shall be paid as stipulated and are subject to BPSC, for delayed payment as stipulated in this Code.

(5) If the amount of any bill remains unpaid beyond the period specified, the Licensee may also, without prejudice to any of its rights under the agreement entered into by the consumer with the Licensee, order supply of electricity to the consumer to be discontinued forthwith without further notice and keep the service connection disconnected until full payment for all obligations pending and the charge for the work of disconnection and reconnection has been paid. Such discontinuance of supply of electricity shall not relieve the consumer of his liability to pay the minimum monthly charges nor shall such discontinuance affect any right, claim, demand or power which may have accrued to the Licensee hereunder.

14A Notice to consumers under automated meter reading system -

Notwithstanding anything contained in regulations 5, 8, 13, 14 and 16 of this Code or any provision in the Distribution Code, wherever the Licensee implements automated meter reading system through Automatic Meter Reading (AMR) Technology / Advanced Metering Infrastructure (AMI) Technology using smart meters / any other modern technology using smart meter, the billing details such as, Electricity Consumption, Consumption charges for electricity, the due date of payment, demand for additional Security Deposit, any other demand/information, etc., shall be communicated through email or SMS or Mobile App or any other electronic mode adopted by the TANGEDCO with prior intimation to the Commission and such communication shall be deemed to be the notice issued for such purposes.

(*inserted as per Notification. No. TNERC/SC 7-42 dated 27.06.2020 w. e. from 15.07.2020)

14A Notice to consumers under automated meter reading system-

Notwithstanding anything contained in regulations 5,8,13,14 and 16 of this code or any provision in the Distribution Code, wherever the Licensee implements automated meter reading system through Automated Meter Reading (AMR) Technology / Advanced Metering Infrastructure (AMI) Technology using smart meters/ any other modern technology using smart meter or computerized billing, the billing

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details such as, Electricity Consumption, Consumption charges for electricity, the due date of payment, demand for additional Security Deposit, tamper indications if displaced, any other demand/information etc., shall be communicated through e-mail or SMS to the registered mobile number/e-mail id or any other electronic mode adopted by the Licensee with prior intimation to the Commission and such communication shall be deemed to be the notice issued for such purposes.

For this purpose, all consumers have to register their mobile number/e-mail id with the Licensee and it is the responsibility of the consumer to ensure the correctness and periodical updation of mobile number and e-mail id, so registered. However, the Licensee has to provide appropriate facility for such verification and updation.

(R 14 Substituted vide Notification No.TNERC/SC/7-48 dated 02.09.2023 w.e from 08.09.2023)

15. Mode of payment

(1) *Consumer shall have option to pay bills online or offline.* The Licensee shall issue receipts for every recovery or payment from the consumers.

(*Added vide Notification No.TNERC/SC/7-48 dated 02.09.2023 w.e from 08.09.2023)

As existed from 01.09.2004 to 22.03.2011

(2) All High Tension bills, including those on account of miscellaneous charges, are to be paid within the due date fixed by the Licensee from the date of the bill. The High Tension Consumer shall pay the bills in cash or by demand draft on local bank or Cheque drawn on a bank at the headquarters of the (Engineer)* **designated authority of the distribution licensee**. Payment for amounts exceeding Rs. 2000/- is preferred by DD/ Cheque. Depending on the circumstances, the (Engineer) **#designated authority of the distribution licensee** shall however accept cash payments also and advise the consumer for future remittances by DD/ Cheque ***or through electronic payment as stipulated by the said distribution licensee**. In case the Cheque is dishonored for any reason whatsoever, the High Tension consumer will be required to pay the High Tension bills in cash or by demand draft thereafter. If the payment is not received within fifteen days (notice period) from the expiry of the due date allowed for payment, the supply will be disconnected. However the consumer may be allowed extension of time to make payment beyond the expiry of the notice period allowed for payment, on an application made to the designated authority of the Distribution Licensee, subject to the levy of BPSC as specified in this Code.

(# Designated authority of the Distribution Licensee was substituted in place of Engineer

Vide Notification No.TNERC/SC/7-4 dated 25.05.2007 w.e. from 13.06.2007)

*** or through electronic payment as stipulated by the said distribution licensee.**

*** The expression or through electronic payment as stipulated by the said distribution licensee was added vide Notification No.TNERC/SC7-13, dated 15.06.2009 w.e.from 08.07.2009**

(2) All High Tension bills, including those on account of miscellaneous charges, shall be paid within the due date fixed by the Licensee from the date of the bill. The High Tension Consumer shall pay the bills in cash or by demand draft on local bank or Cheque drawn on a bank at the headquarters of the designated authority of the distribution licensee or through electronic payment or collection through bank's branch counters or post office as stipulated by the distribution licensee. Payment for amounts exceeding Rs. 2000/- (Rupees two thousand only) is preferred by DD/ Cheque. Depending on the circumstances, the designated authority of the distribution licensee shall however accept cash payments also and advise the consumer for future remittances by DD/ Cheque. In case the Cheque is dishonored for any reason whatsoever, the High Tension consumer will be required to pay the High Tension bills in cash or by demand draft thereafter. If the payment is not received within fifteen days (notice period) from the expiry of the due date allowed for payment, the supply will be disconnected. However the consumer may be allowed extension of time to make payment beyond the expiry of the notice period allowed for payment, on an application made to the designated authority of the Distribution Licensee, subject to the levy of BPSC as specified in this Code.

(Substituted vide Notification No.TNERC/SC/7-22 dated 21.02.2011 w.e. from 23.03.2011)

(2) All High Tension bills, including those on account of miscellaneous charges, shall be paid within the due date fixed by the Licensee from the date of the bill. The High Tension consumer shall pay the bills through electronic mode such as RTGS / NEFT / Online money transfer for all payments of more than Rs.1000/-. Depending on the circumstances, the designated authority of the Distribution Licensee shall however accept cash payments on special occasions and unavoidable circumstances. If the payment is not received within fifteen days (notice period) from the expiry of the due date allowed for payment, the supply will be disconnected. However the consumer may be allowed extension of time to make payment

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beyond the expiry of the notice period allowed for payment, on an application made to the designated authority of the Distribution Licensee, subject to the levy of BPSC as specified in this Code.

(Substituted vide Notification No.TNERC/SC/7-48 dated 02.09.2023 w.e from 08.09.2023)

As existed from 01.09.2004 to 12.06.2007- 13.06.2007 to 07.07.2009- 08.07.2009 and 08.07.2009 to 26.01.2010

(3) Low Tension Consumers shall pay the amount due in cash or by money order or by demand draft on local bank, or by Cheque drawn on a bank where the Distribution Section Office is located or through electronic payment as stipulated by the said distribution licensee. However, local bodies and Railways may issue Cheque on the banks situated in the place of their office and the Licensee may claim the collection charges, if any, from such consumers. Payment for amounts exceeding Rs 2000 is preferred by DD/ Cheque. Depending on the circumstances, the (Engineer) **designated authority of the distribution licensee** shall however accept cash payments also and advise the consumer for future remittances by DD / Cheque. In case the Cheque is dishonored for any reason whatsoever the Low Tension Consumer will be required to pay thereafter the amount due by cash/ money order/ demand draft only. The Licensee shall have the powers to accord approval for restoring the Cheque facility for payment by the consumers after watching the performance of the consumers in regard to settlement of current consumption charges at least for the last three consecutive billing periods in respect of L.T. consumers and three months period in respect of H.T consumers. The Licensee shall have the powers for restoration of cheque payment facility (for a second occasion) **upto fourth occasion** after watching the performance of the consumers in regard to subsequent settlement of charges.

Such consumers shall pay service charges for dishonor of cheque as stipulated by the Commission in addition to the following:

- (a) Low Tension Consumers: Additional service charges @ 1% of the dishonored cheque amount subject to a minimum of Rs.500/-
- (b) High Tension Consumers: Additional service charges @ 1% of the dishonored cheque amount subject to a minimum of Rs.1000/-
- (c) This concession of restoration of cheque payment facility shall not be given thereafter for a service connection.

(Designated authority of the Distribution Licensee was substituted for the expression Engineer vide Notification No. TNERC/SC/7-4 dated 25.05.2007 - w.e.from 13.06.2007)

The expression or through electronic payment as stipulated by the said distribution licensee was added vide Notification No.TNERC/SC7-13, dated 15.06.2009 w.e.from 08.07.2009)

Upto fourth occasion in place of for a second occasion substituted vide Notification No.TNERC/SC7-13 dated 15.06.2009 w.e.from 08.07.2009

(As existed from 27.01.2010 to 22.03.2011)

(3) Low Tension Consumers shall pay the amount due in cash or by money order or by demand draft on local bank or by cheque drawn on a bank where the Distribution Section Office is located or through electronic payment as stipulated by the Distribution Licensee. However, Local bodies and Railways may issue Cheques on the banks situated in the place of their office and the Licensee may claim the collection charges, if any, from such consumers. Payment for amounts exceeding Rs.2,000 is preferred by DD/Cheque. Depending on the circumstances, the Engineer shall however accept cash payments also and advise the consumer for future remittances by DD/Cheque. In case the Cheque is dishonoured for any reason whatsoever, the Low Tension Consumer will be required to pay thereafter the amount due by cash/money order/demand draft only. The Licensee shall have the powers to accord approval for restoring the Cheque facility for payment by the consumers after watching the performance of the consumers in regard to settlement of Current Consumption charges atleast for the last three consecutive billing periods in respect of L.T. consumers and three months period in respect of H.T. consumers. However, the Licensee may accord approval for restoration of cheque facility in respect of Services in the name of Local bodies and Government Departments (both Central and State) without watching their performance for three consecutive billing periods. For consumers other than local bodies and government departments, the Licensee shall have the powers for restoration of cheque payment facility upto fourth occasion after watching the performance of the consumers in regard to subsequent settlement of charges. Such consumers shall pay service charges for dishonour of cheque as stipulated by the Commission in addition to the following:

- (a) Low Tension Consumers: Additional service charges @ 1% of the dishonoured cheque amount subject to a minimum of Rs.500/-.
- (b) High Tension Consumers: Additional service charges @ 1% of the dishonoured cheque amount subject to a minimum of Rs.1000/-.
- (c) This concession of restoration of cheque payment facility shall not be given thereafter for a service connection

(sub-regulation 3 substituted vide Notification No.TNERC/SC/7-16 dated 29.12.2009 w.e.from 27.01.2010)

(3) Low Tension Consumers shall pay the amount due in cash or by money order or by demand draft on local bank, or by Cheque drawn on a bank situated in the place where the Distribution Section Office is located or through electronic payment or collection through bank's branch counters or post office etc. as stipulated by the distribution licensee. However, local bodies and Railways may issue Cheque on the banks situated in the place of their office and the Licensee may claim the collection charges, if any, from such consumers. Payment for amounts exceeding Rs. 5000/-* (Rupees five thousand only) is preferred by DD/Cheque. Depending on the circumstances, the designated authority of the distribution licensee shall however accept cash payments also and advise the consumer for future remittances by DD / Cheque.

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(3) Low Tension consumers shall pay the amount due in cash or online or by money order or by demand draft on local bank, or by cheque drawn on a bank where the Distribution Section Office is located or through electronic payment or collection through bank's branch counters or post office, etc. as stipulated by the Distribution Licensee. However, local bodies and Railways may issue cheque on the banks situated in the place of their office and the Licensee may claim the collection charges, if any, from such consumers. Payment for amounts exceeding Rs.1000/- (Rupees one thousand only) is preferred by DD / cheque / online payment. Depending on the circumstances, the designated authority of the Distribution Licensee shall however accept cash payments also and advise the consumer for future remittances by DD / cheque/online payment.

(Substituted vide Notification No.TNERC/SC/7-48 dated 02.09.2023 w.e from 08.09.2023)

(*Rs. 2000/- modified as Rs. 5000/- vide Notification No.TNERC/SC/7-38 dated 22.04.2015 w.e. from 20.05.2015)

(sub-regulation 15 (3) substituted vide Notification No. TNERC/SC/7-22 dated 21.02.2011 w.e. from 23.03.2011)

(4) In case the Cheque issued by a consumer is dishonored for any reason whatsoever, the Low Tension Consumer will be required to pay thereafter the amount due by cash/money order/ demand draft only. The Licensee shall have the powers to accord approval for restoring the Cheque facility for payment by the consumers after watching the performance of the consumers in regard to settlement of current consumption charges at least for the last three consecutive billing periods in respect of L.T consumers and three months period in respect of H.T consumers. The Licensee shall have the powers for restoration of cheque payment facility upto fourth occasion after watching the performance of the consumers in regard to subsequent settlement of charges. Such consumers shall pay service charges for dishonor of cheque as stipulated by the Commission in addition to the following:-

- (a) Low Tension Consumers : Additional service charges @1% of the dishonored cheque amount subject to a minimum of Rs.500/-.
- (b) High Tension Consumers : Additional service charges @1% of the dishonored cheque amount subject to a minimum of Rs.1000/-.
- (c) This concession of restoration of cheque payment facility shall not be given thereafter for a service connection".

(sub-regulation 15 (4) substituted vide Notification No. TNERC/SC/7-22 dated 21.02.2011 w.e. from 23.03.2011)

From : 06.08.2014 to 19.05.2015

(4) In case the Cheque issued by a consumer is dishonored for any reason whatsoever, the Low Tension Consumer will be required to pay thereafter the amount due by cash/money order/ demand draft only. Such consumers shall pay service charges for dishonor of cheque as stipulated by the Commission. The Licensee shall have the powers to accord approval for restoring the Cheque facility for payment by the consumers after watching the performance of the consumers in regard to settlement of current consumption charges at least for the last three consecutive billing periods in respect of LT consumers and three months period in respect of HT consumers. The Licensee shall have the powers for restoration of cheque payment facility upto the fourth occasion after watching the performance of the consumers in regard to subsequent settlement of charges. This concession of restoration of cheque payment facility shall not be given thereafter for a service connection. The consumers who request for restoration of cheque payment facility shall pay charges as follows:

- (a) Low Tension Consumers: Rs.300/-
- (b) High Tension Consumers: Rs.1000/-

(Substituted vide Notification No.TNERC/SC/7-36 dated 01.07.2014 w.e. from 06.08.2014)

(4) In case the cheque issued by consumer is dishonoured due to insufficient funds, the Low Tension Consumer will be required to pay thereafter the amount due by cash/money order/demand draft only. The Licensee shall have the powers to accord approval for restoring the Cheque facility for payment by the consumers after watching the performance of the consumers in regard to settlement of current consumption charges at least for the last three consecutive billing periods in respect of LT consumers and three months period in respect of HT consumers. The Licensee shall have the powers for restoration of cheque payment facility upto fourth occasion after watching the performance of the consumers in regard to subsequent settlement of charges. But if the cheque is dishonoured due to the reason, other than insufficient funds, the licensee shall have the powers for restoration of cheque payment facility upto fourth occasion without watching the performance of the consumers in regard to subsequent settlement of charges. All such consumers shall pay service charges as stipulated by the Commission in addition to the following :-

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(a) Low Tension Consumers: Rs.300/-

(b) High Tension Consumers: Rs.1,000/-

(c) The concession of restoration of cheque payment facility shall not be given thereafter for a service connection.

(Substituted vide Notification No. TNERC/SC/7-38 dated 22.04.2015 w.e. from 20.05.2015)

16. Option to pay charges in advance

The consumers who opt for depositing electricity charges in advance shall be permitted to do so. Such deposits shall be recorded in the consumer meter card.

The consumers who opt for depositing electricity charges in advance shall be permitted to do so. Such deposits shall be recorded in the consumer meter card. Interest at Bank rate or such rate as specified by the Commission shall be calculated on such balance advance amount and credited to the consumer Ledger accounts.

(Notification No. TNERC/SC/7-28 dated 05.09.2011 w.e. from 21.09.2011)

If the meagre balance (difference between the billed electricity charges and higher amount paid by the consumer) could not be given to the consumer at the counter due to scarcity of small denomination of amount or the consumer had prepared cheque with excess amount inadvertently, the due balance may be credited to the advance of the consumer account with the oral consent of the consumer.

(Inserted vide Notification No. TNERC/SC/7-48 dated 02.09.2023 w.e. from 08.09.2023)

17. Agreement with respect to Supply : Issues on recovery of charges

(1) Every consumer shall pay to the Licensee, from the date of commencement of supply till the agreement is terminated, security deposit, minimum monthly charges, fixed charges, if any, and other charges as provided in the Tariff Orders, this Code and any other orders in this regard by the Commission, from time to time. However, any consumer, who has not availed of reconnection even after the expiry of termination of agreement period, the monthly minimum charges (may be limited to the date of disconnection) shall be payable upto the date of termination of such agreement.

(substituted as per Notification. No. TNERC/SC 7-4 dated 25.05.2007 w. e. from 13.06.2007)

(2) Notwithstanding the termination of the agreement, the consumer shall be liable to pay the arrears of current consumption charges or any other sum due to the Licensee on the date of disconnection and meter rent, if any, up to the date of termination of the agreement and Belated Payment Surcharge (BPSC) up to the date of payment.

(3) The Licensee may require the consumer, who, at any time during the currency of the agreement, intends to sell or otherwise dispose of or lease out in whole or in part of the premises or business to which supply is given or has been contracted for, to give three months' notice of his intention to the (Engineer of the Licensee) *designated authority of the distribution licensee and clear all dues up to the date of sale/ disposal/ lease. In the case of such notice, the agreement in so far as the consumer is concerned, will cease to operate with effect from the date specified in such notice, but without prejudice to any claim or right which may have accrued to the parties there under.

(Designated authority of the licensee is substituted for the expression Engineer of the Licensee as per Notification. No. TNERC/SC 7-4 dated 25.05.2007 w. e. from 13.06.2007)

(4) If the consumer fails to give advance intimation as aforementioned of his intention to sell or lease out or otherwise dispose of the properties or business to which supply is given or contracted for, the Licensee shall have the right to recover the charges for consumption and other charges due to the Licensee under the agreement even beyond the date of sale or lease out or otherwise disposal of the properties or

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business.

(5) If a service connection remains disconnected for a period of three months for non-payment dues to the Licensee, the Licensee shall issue a notice requiring the consumer to get supply restored within three months from the date of receipt of such a notice and intimating him that failure to avail supply within that period will result in termination of the agreement. After the expiry of notice period of three months, the agreement shall stand terminated.

(5) If a service connection remains disconnected for a period of three months due to-

(i) Non-payment of dues to the Licensee, or,

(ii) due to any statutory direction issued for disconnection by any Government authority in exercise of the orders of any Legal Forum or the direction issued by the Pollution Control Board which falls under regulation 21(2) of this Code or due to Orders of any court of law or any legal forum having competent jurisdiction, the Licensee shall issue a notice requiring the consumer to get the supply restored, by clearing the outstanding dues and duly obtaining the necessary clearance from the appropriate authorities who have ordered the disconnection, as the case may be, within three months from the date of receipt of such a notice duly intimating that failure to avail supply within that period would result in termination of the agreement, and after the expiry of notice period of three months, the agreement shall stand terminated provided that no disputed amount due to any other Court cases remains unpaid. However the monthly minimum charges shall be levied for the maximum of six months.

(substituted as per Notification. No. TNERC/SC 7-46 dated 26.07.2022 w. e. from 17.08.2022)

As existed from 25.04.2007 to 01.04.2009

*(6). (i) The initial agreement period shall be one year from the date of availing supply and shall not apply for any reduction in the contract demand.

(ii) The consumer may apply for and reduce his demand after expiry of initial agreement period of one year, once in an year without paying any charges for such reduction. For second and subsequent reduction in an year, the consumer shall be liable to pay one time charges of twice the demand charges for the demand surrendered.

(iii) The consumer shall apply for and reduce the demand only upto 50% of the then existing contracted demand at the time of applying for reduction in demand."

(Sub-regulation (6) added vide Notification No. TNERC/SC/7-3 dated 10/04/2007 with effect from 25.04.2007) (omitted vide Notification No. TNERC/SC/7-12 dated 27.02.2009 w.e. from 01.04.2009)

(7) The licensee shall on receipt of the notice referred to in sub - regulation (3) make such adjustment of the dues due to him from the consumer as may be necessary to clear the dues from the consumer against the security deposit or additional security deposit or any other deposit made by the consumer, and after making such adjustment, refund the balance deposit, if any, to the consumer within three months from the date of expiry of the notice period referred to in sub - regulation (3).

(Sub-regulation 7 added vide Notification No. TNERC/SC/7-6, dated 03.12.2007 w.e. from 19.12.2007)

(7) The Licensee shall on receipt of the notice referred to in sub-regulation (3) make such adjustment of the dues due to him from the consumer as may be necessary to clear the dues from the consumer against the Security Deposit or additional Security Deposit or any other deposit made by the consumer, and after making such adjustment, refund the balance deposit, if any, to the consumer within three months from the date of expiry of the notice period referred to in sub-regulation (3) by direct credit to the account of consumer under advice to him, if bank account details are provided.

(Substituted vide Notification No. TNERC/SC/7-48 dated 02.09.2023 w.e. from 08.09.2023)

(8) Where any consumer has more than one service connection, if he defaults in the payment of dues relating to any one of the service connections, the licensee may cause other service connections in the name of the consumer to be disconnected on issuing proper notice till all the arrears due for all the service connections are paid, notwithstanding the fact that the service connections are covered under separate agreements.

(Sub-regulation 8 added vide Notification No. TNERC/SC/7-10, dated 31.07.2008 w.e. from 20.08.2008)

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(8) Where any consumer has more than one service connection, if he defaults in the payment of dues relating to any one of the service connections that includes dues pointed out by validated audit, charges due to theft of energy, unauthorised use of electricity, violation, dues relating to deposit contribution works, etc., the Licensee may include such dues in other service connection(s) in the name of the consumer and cause those service connection(s) to be disconnected after issuing proper notice with working sheet and quoting the authority under which such dues are payable, till all the arrears due for all the service connections are paid, notwithstanding the fact that the service connections are covered under separate agreements.

(Substituted vide Notification No. TNERC/SC/7-48 dated 02.09.2023 w.e. from 08.09.2023)

9 (a) In case of service connections in a premises, which have been disconnected /dismantled for defaults in payment of dues whatsoever and if such service connections are to be reconnected or new service connections are to be obtained by other persons in such premises either by purchase or transfer or lease basis, the Distribution Licensee shall reconnect such service connections or effect new service connections, as the case may be, in such premises only after payment of dues attributed to such premises by the applicant:

Provided that in case such premises have legally been sub-divided, the outstanding dues attributed to such premises shall be divided in proportion to the area covered by that sub-division. A new service connection to any of such sub-divided premises shall be given only after the share of outstanding dues attributed to such sub-divided premises, is duly paid by the applicant. The Distribution Licensee shall not refuse connection to an applicant of such sub-divided premises only on the ground that, dues attributed to the other portion(s) of such sub-divided premises have not been paid, nor shall the licensee demand record of last paid bills of such other portion(s) from such applicants.

9 (b) The authorised officer of the licensee may permit such applicant to pay the outstanding dues in instalments and to avail the service on payment of 40% of the total arrears outstanding including BPSC in addition to the charges for reconnection of such service connections or effecting new service connections. The balance 60% of the outstanding dues shall be collected in 10 monthly installments.

9 (c) In case an intending buyer of a premises requests for the details of electricity charges due from the owner / occupier of the premises to the distribution licensee, the distribution licensee shall provide such details on payment of the charges as stipulated in the order of the Commission on non-tariff related miscellaneous charges for the time being in force.

(New clause 9. inserted Notification No. TNERC/SC/7-25 dated 18.03.2011 w.e. from 13.04.2011)

18. Consumer Grievance Redressal

All grievances of the consumers, relating to the provisions under regulations (3) to (17) of this Code shall be referred by the consumer to the respective Consumer Grievance Redressal Forum constituted under the Act.

(added as per Notification. No. TNERC/SC 7-4 dated 25.05.2007 w. e. from 13.06.2007)

19. Unauthorized use of Electricity – Investigation and Enforcement Provisions

Section 126 of the Act deals with the provisions for investigation and enforcement in cases of unauthorized use of electricity and reads as follows:

“Assessment

1) If on an inspection of any place or premises or after inspection of the equipments, gadgets, machines, devices found connected or used, or after inspection of records maintained by any person, the assessing officer comes to the conclusion that such person is indulging in unauthorized use of electricity, he shall provisionally assess to the best of his judgement the electricity charges payable by such person or by any

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other person benefited by such use.

2) The order of provisional assessment shall be served upon the person in occupation or possession or in charge of the place of premises in such manner as may be prescribed.

As existed from 01.09.2004 to 14.06.2007 3) The person, on whom a notice has been served under sub-section (2), shall be entitled to file objections, if any, against the provisional assessment before the assessing officer, who may, after affording a reasonable opportunity of hearing to such person, pass a final order of assessment of the electricity charges payable by such person.

(3) The person, on whom an order has been served under sub-section (2) shall be entitled to file objections, if any, against the provisional assessment before the assessing officer, who shall, after affording a reasonable opportunity of hearing to such person, pass a final order of assessment within thirty days from the date of service of such order of provisional assessment of the electricity charges payable by such person.

(sub-regulation 3 was substituted vide Notification No.TNERC/SC/7-15 dated 09.10.2009 Came into force on 15.06.2007)

4) Any person served with the order of provisional assessment may, accept such assessment and deposit the assessed amount with the Licensee within seven days of service of such provisional assessment order upon him:

As existed from 01.09.2004 to 14.06.2007

Provided that in case the person deposits the assessed amount, he shall not be subjected to any further liability or any action by any authority whatsoever.

The proviso to sub-section (4) shall be omitted vide Notification No.TNERC/SC/7-15 dated 09.10.2009 w.e.f 15.06.07

As existed from 01.09.2004 to 14.06.2007

5) If the assessing officer reaches to the conclusion that unauthorized use of electricity has taken place, it shall be presumed that such unauthorized use of electricity was continuing for a period of three months immediately preceding the date of inspection in case of domestic and agricultural services and for a period of six months immediately preceding the date of inspection for all other categories of services, unless the onus is rebutted by the person, occupier or possessor of such premises or place.

(5) If the assessing officer reaches to the conclusion that unauthorized use of electricity has taken place, the assessment shall be made for the entire period during which such unauthorized use of electricity has taken place and if, however, the period during which such unauthorized use of electricity has taken place cannot be ascertained, such period shall be limited to a period of twelve months immediately preceding the date of inspection.

(sub-section 5 was substituted vide Notification No.TNERC/SC/7-15 dated 09.10.2009 Came into force on 15.06.2007)

6) The assessment under this section shall be made at a rate equal to (one-and-half times) * twice the tariff applicable for the relevant category of services specified in sub-section (5).

(twice substituted vide Notification No.TNERC/SC/7-15 dated 09.10.2009 from 15.06.2007)

(6) The assessment under this section shall be made at a rate equal to twice the tariff applicable for the relevant category for which the load was found to have been misused for the period specified in sub-section (5) excluding the cost of supplied electricity already paid by the consumer for the units / demand recorded in the meter for the period for which such assessment is made. The formula for the assessment is given in Form 8-A in Appendix to this Code.

(Substituted vide Notification No. TNERC/SC/7-48 dated 02.09.2023 w.e. from 08.09.2023)

Explanation: For the purposes of this section,--

(a) "assessing officer" means an officer of a State Government or Board or Licensee, as the case may be, designated as such by the State Government;

(b) "unauthorized use of electricity" means the usage of electricity –

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- i) by any artificial means; or
- ii) by a means not authorized by the concerned person or authority or Licensee; or
- iii) through a tampered meter; or
- * (iv) for the purpose other than for which the usage of electricity was authorised; or
- (v) for the premises or areas other than those for which the supply of electricity was authorized"

(substituted vide Notification No.TNERC/SC/7-15 dated 09.10.2009 from 15.06.2007)

19 A Procedure for disconnection of supply of electricity and removal of the unauthorized usage of electricity.

(1) An assessing officer mentioned under section 126 of the Act, may either suo motu or on receipt of reliable information regarding unauthorized use of electricity in any premises conduct inspection of such premises.

(2) The assessing officer shall prepare a report giving details such as connected load, condition of seals, working of meter and record any irregularity noticed/ unauthorized use of electricity found.

(3) The report referred to in sub-regulation (2) shall clearly indicate whether conclusive evidence substantiating the fact that unauthorized use of electricity was found or not. The details of such evidence should be recorded in the report.

(4) In case of suspected unauthorised 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.

(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.

(substituted vide Notification No.TNERC/SC/7-40 dated 18.12.2019 w.e.f. 29.01.2020)

(5) If the person does not deposit the assessed amount with the licensee concerned as stipulated under sub-section (4) of section 126 of the Act, the licensee concerned may proceed to recover such assessed amount and take such further action as is permitted under the Act.

(6) The enforcement provisions of the Act and the procedures given in this code shall be followed to recover the assessed amount from the person. In case of default in payment of the assessed amount, including default in payment of any of the installment permitted by the licensee concerned and agreed by the person, the licensee concerned may, after giving a fifteen days' notice in writing disconnect the supply of electricity.

(7) The person shall remove the cause of unauthorized use immediately after its detection and give a written intimation to the licensee concerned. The licensee concerned shall check the claim of the person about the removal of the cause of unauthorized use of electricity, verified to his satisfaction. Failure of the person to remove the cause of unauthorized use shall result in levy of charges on account of unauthorized use of electricity till the cause of such unauthorised use of electricity is removed and verified and recorded by the licensee concerned or the onus of allegation of unauthorized use of electricity is rebutted by the person and accepted by the licensee concerned.

(Regulation 19 A inserted vide Notification. No. TNERC/SC 7-4 dated 25.05.2007 w. e. from 01.09.2004)

20. Appeal under Section 127 (1) of the Act

1. Every appeal petition made to the Appellate Authority prescribed under section 127 (1) of the Act shall be in Form 6 and shall be accompanied by a Demand Draft for an amount of Rs.100/- (Rupees one

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hundred only)

2. Verification of the Appeal Petition:

(a) Every appeal petition referred to above shall be verified by an Affidavit and every such Affidavit shall be in Form 7

(b) Every affidavit shall be drawn up in the first person and shall state the full name, age, occupation and address of the deponent and the capacity in which he is signing and shall be signed and sworn before a person lawfully authorized to take and receive affidavits.

(c) Every affidavit shall clearly and separately indicate statements, which are true to the (i) belief of the deponent. (ii) knowledge of the deponents and (iii) Information received by the deponent.

(d) Where any statement in the affidavit is stated to be true to the information received by the deponent the affidavit shall also disclose the source of the information and a statement that the deponent believes that information to be true.

(3) After an appellate authority passes orders on an appeal and when the appellant defaults in making payment of the assessed amount, he, in addition to the assessed amount, shall be liable to pay, on expiry of thirty days from the date of order, an amount of interest at the rate of sixteen percent per annum, compounded every six months.

Chapter 3. Disconnection and Restoration of electric supply

21. Disconnection of supply

Section 56 of the Act with regard to disconnection of supply in default of payment reads as follows :

(1).Where any person neglects to pay any charge for electricity or any sum other than a charge for electricity due from him to a Licensee or the generating company in respect of supply, transmission or distribution or wheeling of electricity to him, the Licensee or the generating company may, after giving not less than fifteen clear days notice in writing, to such person and without prejudice to his rights to recover such charge or other sum by suit, cut off the supply of electricity and for that purpose cut or disconnect any electric supply line or other works being the property of such Licensee or the generating company through which electricity may have been supplied, transmitted, distributed or wheeled and may discontinue the supply until such charge or other sum, together with any expenses incurred by him in cutting off and reconnecting the supply, are paid, but no longer:

Provided that the supply of electricity shall not be cut off if such person deposits, under protest,--

- a) an amount equal to the sum claimed from him, or
- b) the electricity charges due from him for each month calculated on the basis of average charge for electricity paid by him during the preceding six months.

whichever is less, pending disposal of any dispute between him and the Licensee.

(2). Notwithstanding anything contained in any other law for the time being in force, no sum due from any consumer, under this section shall be recoverable after the period of two years from the date when such sum became first due unless such sum has been shown continuously as recoverable as arrears of charges for electricity supplied and the Licensee shall not cut off the supply of the electricity.

The provision of the Act as in sub section (1) above are in addition to and not in derogation of any other law for the time being in force. Accordingly the Licensee shall be entitled to disconnect the supply of

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electricity subject to the provisions of Water (Prevention and Control of Pollution) Act 1974, Air (Prevention and control of pollution) Act 1981 and Environment (Protection) Act 1986 etc.,

22. Restoration of supply of electricity

(1) The Licensee shall restore the supply to the service immediately and in any case not exceeding twelve hours, * in the case of Urban areas and twenty four hours in the case of rural areas on recovery of electricity charges or such other sums together with any expenses incurred by the Licensees in cutting off and re-connecting the supply.

(*inserted as per Notification. No. TNERC/SC 7-4 dated 25.05.2007 w. e. from 13.06.2007)

(1) The Licensee shall restore the supply to the service immediately and in any case not exceeding six working hours on receipt of electricity charges or such other dues and other charge as applicable.

(Substituted vide Notification. No. TNERC/SC 7-48 dated 02.09.2023 w. e. from 08.09.2023)

(2) In the case of a service connection remaining disconnected for six months or more the consumer's installation will be tested, revised test report obtained and the testing charges collected from the consumer before the same is restored. * Such revised test report shall be signed by the consumer or legal owner or legal occupant of the premises.

(*inserted as per Notification. No. TNERC/SC 7-4 dated 25.05.2007 w. e. from 13.06.2007)

(3) To restore supply to a High Tension service connection which remains disconnected for one year or more, approval of the competent authority with regard to safety and security of the installation shall be obtained.

(3) To restore supply to a high tension service connection which remain disconnected for six months or more, approval of the competent authority with regard to safety and security of the installation shall be obtained.

(Substituted vide Notification. No. TNERC/SC 7-39 dated 2.3.2018– w. e. from 04.04.2018)

(4) In the case of service connections, which have been disconnected, the Licensee shall have the power to allow installment payments of all arrears in deserving cases. (Omitted Vide Notification. No. TNERC/SC 7-35 dated 03.06.2014 w. e. from 25.06.2014)

(5) The Licensee shall restore the disconnected service before issue of termination of Agreement Notice and also during the notice period for termination of agreement on recovery of (total arrears due) *all the arrears / charges due from the consumer till the date of restoration.

(Substituted vide Notification. No. TNERC/SC 7-35 dated 03.06.2014 – w. e. from 25.06.2014)

As existed before amendment XXX Amended version came to force on 01.09.2004

(6) When the service connection remains disconnected for non payment of electricity charges beyond the notice period of three months, if the consumer comes forward to pay the actual dues and agrees to remit the tariff minimum charges in respect of HT services, monthly minimum in respect of LT services for the period of disconnection after termination of agreement period with re-connection charges, the Licensee may grant extension of time beyond such notice period and revoke the termination of agreement provided that the lines feeding the service connection have not been dismantled so as to facilitate re-connection of the disconnected service.

(6) (i) When a service connection remains disconnected (*Beyond the notice period of three months-Omitted-7-35) for more than six months for non-payment of electricity charges or for any reasons referred under regulation 17(5)(ii), and, if the consumer comes forward within the period mentioned below to pay the actual dues and furnish the statutory clearances as the case may be, and agrees to remit the charges in clause (ii) below, the official authorized by the Licensee may grant extension of time beyond the notice period and revoke the termination of agreement provided that the lines feeding the service connection have not been dismantled, so as to facilitate reconnection of the disconnected service.

(Underlined words inserted vide Notification No. TNERC/SC/7-46, dated 26.07.2022 with effect from 17.08.2022)

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Category	Period for reconnection of disconnected Service
HT Consumers	Within five years from the date of Disconnection
LT Agricultural Consumers	-do-
Others LT Consumers	Within two years from the date of disconnection

(ii) (In accordance with sub-regulation (4) omitted vide Notification. No. TNERC/SC 7-35 dated 03.06.2014 w. e. from 25.06.2014), The authorized Officer of the Licensee may permit such consumer to pay the outstanding in instalments and to avail reconnection on receipt of 40% of the total arrears outstanding after closing of account due to the licensee, which include –

- (a) Arrears on the date of disconnection
- (b) Tariff minimum and meter rent for the period of six months from the date of disconnection (including the notice period)
- (c) The applicable BPSC / interest upto the date of payment.
- (d) The balance 60% of the amount shall be collected in ten monthly instalments.
- (e) In addition to the above, the full amount of Security Deposit adjusted while closing of account shall be collected in one lumpsum before effecting new service connection.

(as substituted vide Notification No. TNERC/SC/7-2, dated 19/05/2006 with effect from 01.09.2004)

Explanation: For the purpose of removal of doubts, it is hereby declared that any tariff minimum collected by the Tamil Nadu Electricity Board prior to the date of publication of the Tamil Nadu Electricity Supply (Amendment) Code 2006 in the Tamil Nadu Government Gazette, that is to say prior to 21st June 2006 on the basis of sub-regulation (6) as it stood before the said amendment need not be refunded by the Tamil Nadu Electricity Board.

(Explanation inserted as per Notification No. TNERC/SC/7-2(1) DATED 20.09.2006 with effect from 01.09.2004)

(ii) The authorized Officer of the Licensee may permit such consumer to pay the outstanding in installments and to avail reconnection on receipt of 40% of the total arrears outstanding after closing of account due to the Licensee, which include –

- (a) Arrears on the date of closure of accounts.
- (b) The applicable BPSC / interest up to the date of payment.
- (c) The balance 60% of the amount shall be collected in ten monthly installments. In addition to the above, the full amount of Security Deposit adjusted while closing of account shall be collected in one lump sum along with the aforesaid portion of 40% before effecting restoration of supply.

Explanation: For the purpose of removal of doubts, it is hereby declared that any tariff minimum collected by the Tamil Nadu Electricity Board prior to the date of publication of the Tamil Nadu Electricity Supply (Amendment) Code, 2006 in the Tamil Nadu Government Gazette, that is to say prior to 21st June 2006 on the basis of sub-regulation (6) as it stood before the said amendment need not be refunded by the Tamil Nadu Electricity Board.

(Substituted vide Notification. No. TNERC/SC 7-48 dated 02.09.2023 w. e. from 08.09.2023)

As existed before amendment XXX Amended version came to force on 01.09.2004

(7) If the consumers of disconnected services come forward for reconnection after 5 years in case of H.T. services and two years in case of LT services from the date of disconnection, the Licensee shall treat them as new applicants and supply effected after recovering all charges applicable to a new service connection and all other arrears with BPSC.

(7) If the consumers of the disconnected service come forward for reconnection after the period mentioned in sub-regulation (6) (I), the licensee shall treat them as new applicants and supply effected after recovering all charges applicable to a new service connection and all other arrears with BPSC.

(as substituted vide Notification No. TNERC/SC/7-2, dated 19/05/2006 with effect from 01.09.2004)

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(8) The facility of payment in installments will be made available to the consumer on request. To avail of this facility, the consumer shall execute an undertaking in Form (5) in the Appendix to this Code.

Chapter 4 : Tampering, Distress or Damage to Electrical Plant, Meters etc.,

23. The Act deals elaborately under sections 135 to 141 regarding the tampering, distress etc. Hence in this Code, for the sake of completeness and to provide consolidated information to the consumers on electric supply, (the relevant provisions of the Act are reproduced for ready reference.)*

the relevant provisions of the Act as well as procedure for assessment of the electricity charges, disconnection of supply of electricity and removing the meter, electric line, electric plant and other apparatus in case of theft of electricity and Measures to prevent diversion of electricity, theft or unauthorized use of electricity or tampering, distress or damage to electrical plant, electric lines or meter are set out below:

(Substituted vide Notification. No. TNERC/SC 7-4 dated 25.05.2007 w. e. from 01.09.2004)

(A) Tampering of meters and theft of electricity

(1) Section 135 of the Act, which deals with theft of electricity, reads as follows.

"1) Whoever, dishonestly, -

As existed from 01.09.2004 to 14.06.2007

a. taps, makes or causes to be made any connection with overhead, underground or under water lines or cables, or service wires, or service facilities of a Licensee; or

b. tampers a meter, installs or uses a tampered meter, current reversing transformer, loop connection or any other device or method which interferes with accurate or proper registration, calibration or metering of electric current or otherwise results in a manner whereby electricity is stolen or wasted; or

c. damages or destroys an electric meter, apparatus, equipment, or wire or causes or allows any of them to be so damaged or destroyed as to interfere with the proper or accurate metering of electricity, so as to abstract or consume or use electricity shall be punishable with imprisonment for a term which may extend to three years or with fine or with both;

Provided that in a case where the load abstracted, consumed, or used or attempted abstraction or attempted consumption or attempted use-

(i) does not exceed 10 kilowatt, the fine imposed on first conviction shall not be less than three times the financial gain on account of such theft of electricity and in the event of second or subsequent conviction the fine imposed shall not be less than six times the financial gain on account of such theft of electricity.

(ii) exceeds 10 kilowatt, the fine imposed on first conviction shall not be less than three times the financial gain on account of such theft of electricity and in the event of second or subsequent conviction, the sentence shall be imprisonment for a term not less than six months but which may extend to five years and with fine not less than six times the financial gain on account of such theft of electricity;

Provided further that if it is proved that any artificial means or means not authorized by the Board or Licensee exist for the abstraction, consumption or use of electricity by the consumer, it shall be presumed, until the contrary is proved, that any abstraction, consumption or use of electricity has been dishonestly caused by such consumer.

(a) taps, makes or causes to be made any connection with overhead, underground or under water lines or cables, or service wires, or service facilities of a licensee or supplier as the case may be; or

(b) tampers a meter, installs or uses a tampered meter, current reversing transformer, loop connection or any other device or method which interferes with accurate or proper registration, calibration or metering of electric current or otherwise results in a manner whereby electricity is stolen or wasted; or

(c) damages or destroys an electric meter, apparatus, equipment, or wire or causes or allows any of them to be so damaged or destroyed as to interfere with the proper or accurate metering of electricity,

(d) uses electricity through a tampered meter; or

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(e) uses electricity for the purpose other than for which the usage of electricity was authorised, so as to abstract or consume or use electricity shall be punishable with imprisonment for a term which may extend to three years or with fine or with both:

Provided that in a case where the load abstracted, consumed, or used or attempted abstraction or attempted consumption or attempted use –

(i) does not exceed 10 kilowatt, the fine imposed on first conviction shall not be less than three times the financial gain on account of such theft of electricity and in the event of second or subsequent conviction the fine imposed shall not be less than six times the financial gain on account of such theft of electricity;

(ii) exceeds 10 kilowatt, the fine imposed on first conviction shall not be less than three times the financial gain on account of such theft of electricity and in the event of second or subsequent conviction, the sentence shall be imprisonment for a term not less than six months, but which may extend to five years and with fine not less than six times the financial gain on account of such theft of electricity:

Provided further that in the event of second and subsequent conviction of a person where the load abstracted, consumed, or used or attempted abstraction or attempted consumption or attempted use exceeds 10 kilowatt, such person shall also be debarred from getting any supply of electricity for a period which shall not be less than three months but may extend to two years and shall also be debarred from getting supply of electricity for that period from any other source or generating station:

Provided also that if it is proved that any artificial means or means not authorized by the Board or licensee or supplier, as the case may be, exist for the abstraction, consumption or use of electricity by the consumer, it shall be presumed, until the contrary is proved, that any abstraction, consumption or use of electricity has been dishonestly caused by such consumer.

(1A) Without prejudice to the provisions of this Act, the licensee or supplier, as the case may be, may, upon detection of such theft of electricity, immediately disconnect the supply of electricity:

Provided that only such officer of the licensee or supplier, as authorized for the purpose by the Appropriate Commission or any other officer of the licensee or supplier, as the case may be, of the rank higher than the rank so authorised shall disconnect the supply line of electricity:

Provided further that such officer of the licensee or supplier, as the case may be, shall lodge a complaint in writing relating to the commission of such offence in police station having jurisdiction within twenty four hours from the time of such disconnection:

Provided also that the licensee or supplier, as the case may be, on deposit or payment of the assessed amount or electricity charges in accordance with the provisions of this Act, shall, without prejudice to the obligation to lodge the complaint as referred to in the second proviso to this clause, restore the supply line of electricity within forty-eight hours of such deposit or payment. **(substituted vide Notification No.TNERC/SC/7-15 dated 09.10.2009 from 15.06.2007)**

2) (Any officer) Any officer of the licensee or supplier as the case may be authorized in this behalf by the State Government may–

(Substituted vide Notification No.TNERC/SC/7-15 dated 09.10.2009 from 15.06.2007)

(a) enter, inspect, break open and search any place or premises in which he has reason to believe that electricity has been or is being used unauthorizedly;

(b) search, seize and remove all such devices, instruments, wires and any other facilitator or article which has been or is being used for unauthorized use of electricity;

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(c) examine or seize any books of account or documents which in his opinion shall be useful for or relevant to, any proceedings in respect of the offence under sub-section (l) and allow the person from whose custody such books of account or documents are seized to make copies thereof or take extracts there from in his presence.

3) The occupant of the place of search or any person on his behalf shall remain present during the search and a list of all things seized in the course of such search shall be prepared and delivered to such occupant or person who shall sign the list;

Provided that no inspection, search and seizure of any domestic places or domestic premises shall be carried out between sunset and sunrise except in the presence of an adult male member occupying such premises.

4) The provisions of the Code of Criminal Procedure, 1973 (2 of 1974), relating to search and seizure shall apply, as far as may be, to searches and seizure under this Act."

Explanation : For the purposes of the above section on tampering of meters and theft of electricity, if the premises in question is occupied by an authorized tenant through an agreement with the respective consumer, the responsibility shall rest with the authorized tenant only.

Regulation 23 (AA) which was inserted vide Notification No.TNERC/SC/7-4 dated 25.05.2007 and subsequently substituted vide TNERC/SC/7-5 dated 23.08.2007 As existed from 01.09.2004 to 14.06.2007

"(AA) The Procedure for assessment of the electricity charges, disconnection of supply of electricity and removing the meter, electric line, electric plant and other apparatus in case of theft of electricity is detailed below:

(1) The officer authorized under sub-section (2) of section 135 of the Act (hereinafter referred to as the authorized officer), may either suo motu or on receipt of reliable information regarding theft of electricity in any premises, conduct inspection of such place or premises (The provisions of the Code of Criminal Procedure, 1973, relating to search and seizure shall apply, as far as may be, to searches and seizure under this Act).

(2) The authorized officer shall prepare a report at the place or premises giving details such as connected load, condition of seals, working of meter and record, modus operandi adopted for theft of energy. Any damage or destruction to the electric meter, metering equipments, apparatus, line, cable or electrical plant of the licensee concerned caused or allowed to be caused by the accused person so as to interfere with the proper or accurate metering of electricity or for theft of electricity shall also be duly recorded in the report indicating whether conclusive evidence substantiating the fact that theft of energy was found or not. The authorized officer may also take photo or prepare a diagram illustrating the arrangements found to have been made for theft of electricity, wherever feasible and such photo or diagram shall form a part of inspection report.

(3) In case of suspected theft by tampering of meter or metering equipment, meter connection security seal or by replacing original seal by bogus seal, the meter shall be removed and sealed and a separate report shall be prepared on the condition of the meter and metering equipment removed and sealed. At the time of sealing, signatures of the accused person and also of the officers of licensee concerned and any other witness shall be obtained on this report. This report shall also form a part of the inspection report. The supply shall be restored through a meter tested in a accredited test laboratory and metering equipment of appropriate rating. In such cases, the licensee concerned shall also verify the connected load at the premises and record details of equipment found in the premises, in the inspection report.

(4) In cases where the theft of electricity by by-passing the meter or metering equipment is detected and the electrical load, fully or partially, or the accused person's connection is found connected directly with the lines, cables or electrical plant, electric supply to such premises shall be disconnected forthwith on the spot by the licensee concerned and shall be restored only after the cause of theft is removed to the satisfaction of the licensee concerned and the accused person gives an undertaking to pay charges of assessment bill, with due opportunity to him for making representation.

(5) In cases of theft by direct tapping from the licensee's lines, cables or electrical plant of the licensee, if the accused person unauthorizedly connects or reconnects any meter of the licensee in a disconnected service, then electric supply to such premises or place shall be disconnected forthwith by the licensee concerned. The licensee concerned may subsequently remove or divert or convert his line, cable or electrical plant to prevent further theft of electricity provided that such action shall not result in any inconvenience in affording quality supply or disruption of supply, to other consumers.

(6) The authorized officer and any other officer of the licensee concerned who accompanied the authorized officer shall sign the inspection report in all the above cases and obtain signatures of the accused person or his representative and the same must be handed over to the

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accused person or his representative at site immediately under proper receipt. In case of refusal by the accused person either to sign or accept or give a receipt, a copy of inspection report must be pasted at a conspicuous place in or outside the premises and a note recorded on the office copy of the inspection report to the effect that the copy of the report has been pasted at the conspicuous place of the premises. A copy of the report shall be subsequently sent to the accused person of the premises under registered post within three days of inspection.

(7) Where it is established that there is a case of theft of energy, the authorized officer shall assess the quantum of energy consumption for the past twelve months as per the assessment formula given in Form 8 in Appendix to this code and prepare provisional assessment order for the charges for such consumption at two times of the tariff applicable (i.e the applicable tariff for the purpose for which the pilfered energy was used) and serve on the accused person under proper receipt. The authorized officer may reduce the period for such billing if it is established by the facts or documents submitted in the representation of the accused person or any such other evidence observed by the authorized officer. 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. The authorized officer shall record reasons for such reduction in the period of billing, in the assessment order. The energy consumption arrived at as per the formula referred to in the said Form 8 will be charged excluding the energy consumption recorded by the meter as per the rates specified by the Commission's Tariff Order.

(8) Within five days of inspection, the authorized officer shall serve on the accused person, provisional assessment order in the Form 9 in Appendix to this code for the charges for the theft of electricity based on the evidence recorded during the course of inspection. The order should clearly state the time, date and place at which the reply has to be submitted and the designation/ address of the officer to whom it should be addressed. The accused person shall be required to submit his representation within seven days of issue of the provisional assessment order.

(9) In case of suspected theft through a tampered meter, such tampered meter taken out and sealed at the time of inspection, as prescribed in sub regulation (3), shall be sent to the third party accredited meter testing laboratory as arranged by the licensee concerned or to the Chief Electrical Inspector to the State Government till such time the third party meter testing arrangement is established by the licensee concerned. The accused person shall be given a notice of seven working days for witnessing the test of such meter at such meter testing laboratory. The notice shall clearly indicate the time, date and place wherein the suspected tampered meter shall be tested and the accused person shall be allowed to witness the test. The accused person shall duly sign the test results report after witnessing it. If such accused person does not turn up at the meter testing laboratory on the appointed date and time indicated in the notice to witness the test or refuses to sign the test results, the licensee concerned shall carryout the test in the absence of such accused person / refusal to sign the test results and shall send a copy of results to the accused person through registered post within three days of the date of testing.

(10) In cases where the meter has been tested at such meter testing laboratory and where it is established that there is a case of theft of energy, the procedure for assessment as specified in sub regulation (7) shall be followed.

(11) In case the accused person does not respond to the provisional order within seven working days, the licensee concerned may proceed to initiate the recovery against the provisional assessment order.

(12) Within seven working days from the date of submission of such accused person's reply, if made within the seven working days from the date of receipt of provisional assessment order, the authorized officer shall arrange a personal hearing with such accused person. For this purpose the authorized officer shall serve a three days notice to such accused person to allow him for a personal hearing and shall also allow any additional submission of new facts or documents if any, during the course of hearing by

such accused person. If such accused person does not respond to the notice in the matter, the authorized officer shall proceed to issue the final assessment order, as per the procedure specified herein after.

(13) Before the personal hearing, the authorized officer before whom personal hearing shall be conducted, shall analyze the case after carefully considering all the documents, submissions by the accused person, facts on record and the consumption pattern, whatever available.

(14) The authorized officer shall also compute the quantum of energy consumption for the past twelve months. The Assessment Officer may study the energy consumption pattern of the Service Connection concerned for the past one year or more. If necessary, it may also be compared with the load/production pattern or output of the service connection. In case of suspected theft, if consumption pattern is commensurate with the assessed consumption or in case of the decision that the case of suspected theft is not established, no further proceedings shall be taken and the decision shall be communicated to the accused person under proper receipt within three working days.

(15) Considering the facts submitted by the accused person the authorised officer shall pass, within seven working days from the date of enquiry, a final assessment order in Form 10 in Appendix to this code If the accused person does not respond to the personal hearing, the authorised officer shall issue a final assessment order within fifteen days from the issuance of provisional assessment order. Final assessment order shall contain a brief of inspection report, submissions made by accused person in his written reply as well as during his personal hearing and reasons for acceptance or rejection of the same and the assessment charges as per sub-regulation (12). In the final assessment order, charges, if any, paid by the accused person during the period for which the assessment is done shall be duly credited, if warranted, to avoid duplication of billing for such period.

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(16) The accused person shall be required to make the payment within seven working days of receipt of final assessment order.

(17) The authorized officer may, taking into consideration the financial position and other conditions of the accused person, extend the last date of payment or approve the payment to be made in instalments on a written request made by the accused person and an undertaking is given by him to abide by the schedule of payment along with surcharge due, as per rules. The amount, the extended last date and or time schedule of payment in instalments should be clearly stated in the speaking order. A copy of the speaking order shall be handed over to the accused person under proper receipt on the same day.

(18) In case of default in payment of the assessed amount, including default in payment of any of the scheduled instalments permitted by the authorized officer and agreed by the accused person, the licensee concerned shall, after giving a fifteen days' notice in writing, disconnect the supply of electricity, remove meter and service line and also electrical plant for giving supply to this connection. However if the accused person makes payment within notice period, surcharge applicable to that category shall also be payable as prescribed in this code.

(19) In case where the theft of electricity in the premises which does not have regular electricity connection, has been detected and the licensee concerned shall forthwith disconnect the supply to such premises. In such premises supply shall be restored only after the accused person has cleared the dues to be paid on account of charges assessed for theft of electricity in full and has availed a regular new connection after completing the required formalities.

(20) If the accused person does not make payment, the licensee concerned may proceed to recover its dues against such order and take such further action as is permitted under the Act.

(21) If no person is available to whom the provisional or final assessment order can be served with reasonable diligence or if any person refuses to accept or avoids to receive such order, it shall be affixed at the inspected premises in the presence of two witnesses and in such case an endorsement to the effect shall be made in the copy of such order. An assessment order so affixed shall be deemed to have been duly served to the person or occupier of the premises.

(22) In all the above cases, except the cases for which compounding money has already been collected, the licensee shall file a complaint as provided for in section 151 of the Act, against the accused person suspected to have committed the theft of electricity on the basis of the materials collected by the authorized officer who has conducted the inspection. In case of compounding the notice as in Form 11 in Appendix to this code may be issued and the amount collected as per section 152 of the Act.

Explanation: For the purpose of this regulation and regulation 23-BB:

(a) "accused person" shall mean and include the owner or occupier of the premises or his authorized agent or representative or any other person who is in occupation or possession or in charge of the premises at the relevant time of detection of theft of electricity or any other person who has been benefited by the theft of electricity .

(b) "authorised officer", shall in case if he is not an officer of the licensee concerned, mean and include an officer designated or appointed as an authorised officer by the State Government for the purpose of dealing with theft of electricity as provided in the Act, including the assessment of theft of energy empowered under this code.

(c) "licensee concerned " means and includes the licensee or his franchisee or his authorized agent or representative who alleges the occurrence of theft of electricity."

(for sub-regulation the following sub-regulation shall be substituted vide Notification No.TNERC/SC7-5 dated 23.08.2007 with effect from 15.06.2007)

23 (AA) The Procedure for assessment of the electricity charges, disconnection of supply of electricity and removing the meter, electric line, electric plant and other apparatus in case of theft of electricity as detailed in section 135 of the Act is given below:

(1) The officer authorized under sub-section (2) of section 135 of the Act (hereinafter referred to as the authorized officer), may either suo- motu or on receipt of reliable information regarding theft of electricity in any premises, conduct inspection of such place or premises (The provisions of the Code of Criminal Procedure, 1973, relating to search and seizure shall apply, as far as may be, to searches and seizure under this Act.

(2)(a) The authorized officer shall prepare a report at the place or premises giving details such as connected load, condition of seals, working of meter and record, modus operandi adopted for theft of energy. Any damage or destruction to the electric meter, metering equipments, apparatus, line, cable or electrical plant of the Licensee or supplier concerned, caused or allowed to be caused by the accused

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person so as to interfere with the proper or accurate metering of electricity or for theft of electricity shall also be duly recorded in the report indicating whether conclusive evidence substantiating the fact that theft of energy was found or not. The authorized officer may also take photo or prepare a diagram illustrating the arrangements found to have been made for theft of electricity, wherever feasible and such photo or diagram shall form a part of inspection report. Upon detection of such theft of electricity, the officer of the licensee or supplier, as the case may be, as authorized for the purpose by the Commission, may, immediately disconnect the supply line of electricity and a complaint shall be lodged in the police station as per the procedure stipulated in section 135 (1A) of the Act on the basis of the materials collected by the Assessment officer who has conducted the inspection. The supply to the premises shall be restored only after satisfying the stipulation of the third proviso of section 135 (1A) of the Act.

(b) To carry out all or any of the above acts specified in subsection (1A) of section 135 of the Act, the Commission authorises the same officers of the Licensee or the supplier as authorised by the Government of Tamil Nadu to do all or any of the acts specified in clauses (a) to (c) of subsection (2) of section 135 of the Act.

(3) In case of suspected theft by tampering of meter or metering equipment, meter connection security seal or by replacing original seal by bogus seal, the meter shall be removed and sealed and a separate report shall be prepared on the condition of the meter and metering equipment removed and sealed. At the time of sealing, signatures of the accused person and also of the officers of licensee or supplier concerned, as the case may be, and any other witness shall be obtained on this report. This report shall also form a part of the inspection report. The supply shall be restored only through a meter tested in an accredited test laboratory and metering equipment of appropriate rating subject to satisfying the condition as specified in sub-regulation (2). In such cases, the licensee or supplier concerned, as the case may be, shall also verify the connected load at the premises and record details of equipment found in the premises, in the inspection report.

(4) In cases where the theft of electricity by by-passing the meter or metering equipment is detected and the electrical load, fully or partially, or the accused person's connection is found connected directly with the lines, cables or electrical plant, electric supply to such premises shall be disconnected forthwith as stipulated in subregulation (2) and shall be restored only after the cause of theft is removed to the satisfaction of the licensee or supplier concerned, as the case may be, and subject to satisfying the condition as stipulated in sub-regulation(2).

(5) In cases of theft by direct tapping from the licensee's or supplier's lines, cables or electrical plant of the licensee or supplier, if the accused person unauthorizedly connects or reconnects any meter of the licensee or supplier in a disconnected service, then electric supply to such premises or place shall be disconnected forthwith as stipulated in sub-regulation (2). The licensee or supplier concerned, as the case may be, may subsequently remove or divert or convert his line, cable or electrical plant to prevent further theft of electricity provided that such action shall not result in any inconvenience in affording quality supply or disruption of supply, to other consumers.

(6) The authorized officer and any other officer of the licensee or supplier concerned, as the case may be, who accompanied the authorized officer shall sign the inspection report in all the above cases and obtain signatures of the accused person or his representative and the same must be handed over to the accused person or his representative at site immediately under proper receipt. In case of refusal by the accused person either to sign or accept or give a receipt, a copy of inspection report must be pasted at a conspicuous place in or outside the premises and a note recorded on the office copy of the inspection report to the effect that the copy of the report has been pasted at the conspicuous place of the premises. A copy of the report shall be subsequently sent to the accused person of the premises under registered post within three days of inspection.

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(7) Where it is established that there is a case of theft of energy, the authorized officer shall assess the quantum of energy consumption for the past twelve months as per the assessment formula given in Form 8 in Appendix to this code and prepare provisional assessment order for the charges for such consumption at two times of the tariff applicable (i.e the applicable tariff for the purpose for which the pilfered energy was used) and serve on the accused person under proper receipt. The authorized officer may reduce the period for such billing if it is established by the facts or documents submitted in the representation of the accused person or any such other evidence observed by the authorized officer. 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. The authorized officer shall record reasons for such reduction in the period of billing, in the assessment order. The energy consumption arrived at as per the formula referred to in the said Form 8 will be charged excluding the energy consumption recorded by the meter as per the rates specified by the Commission's Tariff Order.

Provided that if the quantum of energy consumption is recorded in the meter installed by the Distribution Licensee in the consumer's premises, the authorized officer shall arrive such energy consumption as per the assessment formula given in Form 8-A in Appendix to this Code. (Notification No.TNERC/SC/7-27 dated 27.05.2011 from 15.06.2011)

Provided that Section 135 shall be invoked only for the following cases involving the offence of theft of energy:

- (i) Cases where the energy is not recorded/ partially recorded in the meter.
- (ii) Cases of illegal restoration of disconnected service supply to disconnected service in any manner.
- (iii) Cases of unauthorized usage of power from agricultural and Hut services.

(Substituted vide Notification. No. TNERC/SC 7-48 dated 02.09.2023 w. e. from 08.09.2023)

(8) Within five days of inspection, the authorized officer shall serve on the accused person, provisional assessment order in the Form 9 in Appendix to this code for the charges for the theft of electricity based on the evidence recorded during the course of inspection. The order should clearly state the time, date and place at which the reply has to be submitted and the designation/ address of the officer to whom it should be addressed. The accused person shall be required to submit his representation within seven days of issue of the provisional assessment order.

(9) In case of suspected theft through a tampered meter, such tampered meter taken out and sealed at the time of inspection, as prescribed in sub regulation (3), shall be sent to the third party accredited meter testing laboratory as arranged by the licensee or supplier concerned, as the case may be, or to the Chief Electrical Inspector to the State Government till such time the third party meter testing arrangement is established by the licensee or supplier concerned, as the case may be. The accused person shall be given a notice of seven working days for witnessing the test of such meter at such meter testing laboratory. The notice shall clearly indicate the time, date and place wherein the suspected tampered meter shall be tested and the accused person shall be allowed to witness the test. The accused person shall duly sign the test results report after witnessing it. If such accused person does not turn up at the meter testing laboratory on the appointed date and time indicated in the notice to witness the test or refuses to sign the test results, the licensee or supplier concerned, as the case may be, shall carryout the test in the absence of such accused person and shall send a copy of results to the accused person through registered post within three days of the date of testing.

(10) In cases where the meter has been tested at such meter testing laboratory and where it is established that there is a case of theft of energy, the procedure for assessment as specified in sub regulation (7) shall be followed.

(11) In case the accused person does not respond to the provisional order within seven working days, the licensee or supplier concerned, as the case may be, may proceed to initiate the recovery against the

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provisional assessment order.

(12) Within seven working days from the date of submission of such accused person's reply, if made within the seven working days from the date of receipt of provisional assessment order, the authorized officer shall arrange a personal hearing with such accused person. For this purpose the authorized officer shall serve a three days notice to such accused person to allow him for a personal hearing and shall also allow any additional submission of new facts or documents if any, during the course of hearing by such accused person. If such accused person does not respond to the notice in the matter, the authorized officer shall proceed to issue the final assessment order, as per the procedure specified herein after.

(13) Before the personal hearing, the authorized officer before whom personal hearing shall be conducted, shall analyze the case after carefully considering all the documents, submissions by the accused person, facts on record and the consumption pattern, whatever available.

(14) The authorized officer shall also compute the quantum of energy consumption for the past twelve months. The Assessment Officer may study the energy consumption pattern of the Service Connection concerned for the past one year or more. If necessary, it may also be compared with the load/production pattern or output of the service connection. In case of suspected theft, if consumption pattern is commensurate with the assessed consumption or in case of the decision that the case of suspected theft is not established, no further proceedings shall be taken and the decision shall be communicated to the accused person under proper receipt within three working days and the supply to the premises shall be restored forthwith.

(15) Considering the facts submitted by the accused person, the authorized officer shall issue, within seven working days from the date of enquiry, a final assessment order in Form 10 in Appendix to this code. If the accused person does not respond to the personal hearing, the authorised officer shall issue a final assessment order within fifteen days from the issuance of provisional assessment order. This speaking order shall contain a brief of inspection report, submissions made by accused person in his written reply as well as during his personal hearing and reasons for acceptance or rejection of the same and the assessment charges as per sub-regulation (12). In the final assessment order, charges, if any, paid by the accused person during the period for which the assessment is done shall be duly credited, if warranted, to avoid duplication of billing for such period.

(16) The final assessment amount and the last date should be clearly stated in the speaking order. A copy of the speaking order shall be handed over to the accused person under proper receipt on the same day.

(17) The accused person shall be required to make the payment within seven working days of receipt of final assessment order. On deposit or payment of the assessed amount or electricity charges by the accused person, supply to the premises shall be restored as referred to in the third proviso of section 135 (1A) of the Act.

(18) In case of default in payment of the assessed amount, the licensee or supplier concerned, as the case may be, shall, after giving a fifteen days' notice in writing, remove meter and service line and also electrical plant for giving supply to this connection. However if the accused person makes payment within notice period, surcharge applicable to that category shall also be payable as prescribed in this code.

(19) In case where the theft of electricity in the premises which does not have regular electricity connection, has been detected and the licensee or supplier concerned, as the case may be, shall forthwith disconnect the supply to such premises. In such premises supply shall be given only after the accused person has cleared the dues to be paid on account of charges assessed for theft of electricity in full including surcharge if any and has availed a regular new connection after completing the required

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formalities.

(20) If the accused person does not make payment, the licensee or supplier concerned, as the case may be, may proceed to recover its dues against such order and take such further action as is permitted under the Act.

(21) If no person is available to whom the provisional or final assessment order can be served with reasonable diligence or if any person refuses to accept or avoids to receive such order, it shall be affixed at the inspected premises in the presence of two witnesses and in such case an endorsement to the effect shall be made in the copy of such order. An assessment order so affixed shall be deemed to have been duly served to the person or occupier of the premises.

(22) In case of compounding the notice as in Form 11 in Appendix to this code may be issued and the amount collected as per section 152 of the Act.

Explanation: For the purpose of this regulation and regulation 23-BB:

- (a) "accused person" shall mean and include the owner or occupier of the premises or his authorized agent or representative or any other person who is in occupation or possession or in charge of the premises at the relevant time of detection of theft of electricity or any other person who has been benefited by the theft of electricity .
- (b) "authorised officer", shall in case if he is not an officer of the licensee or supplier, as the case may be, mean and include an officer designated or appointed as an authorised officer by the State Government for the purpose of dealing with theft of electricity as provided in the Act, including the assessment of theft of energy empowered under this code.
- (c) "licensee or supplier" means and includes the licensee or supplier, as the case may be or his franchisee or his authorized agent or representative who alleges the occurrence of theft of electricity.

(for sub-regulation above sub-regulation was substituted vide Notification No.TNERC/SC7-5 dated 23.08.2007 with effect from 15.06.2007)

(B) Theft of electric lines and materials

(1) Section 136 of the Act, which deals with theft of electric lines and materials, reads as follows :

"1) Whoever, dishonestly,-

(a) cuts or removes or takes away or transfers any electric line, material or meter from a tower, pole, any other installation or place of installation or any other place, or site where it may be rightfully or lawfully stored, deposited, kept, stocked, situated or located, including during transportation, without the consent of the Licensee or the owner, as the case may be, whether or not the act is done for profit or gain; or

(b) stores, possesses or otherwise keeps in his premises, custody or control, any electric line, material or meter without the consent of the owner, whether or not the act is committed for profit or gain; or

(c) loads, carries, or moves from one place to another any electric line, material or meter without the consent of its owner, whether or not the act is done for profit or gain, is said to have committed an offence of theft of electric lines and materials, and shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

2) If a person, having been convicted of an offence punishable under sub-section (1) is again guilty of an offence punishable under that sub-section, he shall be punishable for the second or subsequent offence for a term of imprisonment which shall not be less than six months but which may extend to five years and shall also be liable to fine which shall not be less than ten thousand rupees."

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(After sub-regulation (B) the following new sub-regulation was inserted vide Notification No. TNERC/SC/7-4, dated 25.05.2007 w.e.from 01.09.2004)

(BB) The measures to prevent diversion of electricity, theft or unauthorized use of electricity or tampering, distress or damage to electrical plant, electric lines or meter are detailed below:

(1) The licensee shall arrange for routine testing and certification of different meters as stipulated in the Central Electricity Authority (Installation and Operation of Meters) Regulations 2006 and in any other directions issued by the Commission.

(2) The licensee shall arrange to provide pilfer proof meter boxes and meters with anti tampering features as stipulated in the regulations made by Authority under the Act on Installation and Operation of Meters in all industrial new connections and at least in 10% existing industrial connections every year. This may be extended to other categories whose load / demand is more than 18.6 KW.

(3) All new Industrial, HT and EHT metering systems shall be immune to external influences like magnetic induction, vibration, electrostatic discharge, switching Transients, Surge Voltages, oblique suspension, harmonics or any other factor. This may be extended to other categories whose existing contracted load /demand is more than 18.6 KW.

(4) The licensee shall arrange for regular and surprise inspection of premises by their officers to ensure prevention of theft or unauthorized use of electricity or tampering, distress or damage to electrical plant, electric lines or meter. At least 5% of total connections should be inspected annually and the provisions contained in sections 126 and 135 (2) shall be effectively implemented.

(5) Priority shall be given to detection of theft of electricity cases by the licensee, particularly in theft prone areas.

(6) The licensee shall evolve a system and put in place within three months for carrying out regular monthly monitoring of consumption of high value consumer, which shall include all the HT connections and LT connections having contract demand of 18.6 KW and above. Variations in the consumption shall be carefully analyzed. The licensee shall arrange prompt inspection in doubtful cases.

(7) The licensee shall endeavour to install remote metering devices on all HT connections on priority, and may be implemented over a period of time after analysing cost economics, for the purpose of monitoring of consumption and prevention of theft of electricity. The licensee shall further endeavour to install remote metering devices on high value LT connections.

(8) The licensee shall arrange to give due publicity through the media, TV, newspaper and by displaying in boards at consumer service related offices of the licensee to bring awareness regarding the level of commercial losses due to theft or unauthorized use of electricity, its implication on the honest consumers and seek the cooperation of the consumers for prevention of theft or unauthorized use of electricity or tampering, distress or damage to electrical plant, electric lines or meter. The licensee shall also display boards containing the information on the above at its consumer service related offices.

(9) The licensee shall arrange to display feeder wise losses, efforts made for prevention of diversion of electricity, theft or unauthorized use of electricity or tampering, distress or damage to electrical plant, electric lines or meter and results obtained during the year, on its website.

(10) The licensee shall arrange to provide requisite security staff to the inspecting officers for their safety and expenses on such account shall be a pass through in the Annual Revenue Requirement of the licensee. Such security staff shall invariably accompany the inspecting officers in order to ensure safety of the inspecting officer.

(11) The licensee shall arrange to install meter on distribution transformers of the suspected area where

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the possibilities of theft of electricity exists and shall monitor the consumption of such meters with the consumption of individual consumer meters connected to the distribution transformer. The licensee shall carryout intensive inspection in areas, if the difference in consumption of the distribution transformers meter and individual consumer meters connected to the distribution transformer is abnormal.

(12) The licensee may provide HV distribution system in theft prone areas using small capacity distribution transformer, wherever necessary, to prevent theft by direct hooking.

(13) The licensee is authorized to relocate the meters of existing consumers to an appropriate location so that it is outside the premises but within the boundary wall and easily accessible for reading, inspection/ testing and other related works.

(14) The licensee shall ensure that meter readers are rotated in such a manner that their area of meter reading is changed at least once in a year.

(After sub-regulation (B) the new sub-regulation (BB) was inserted vide Notification No. TNERC/SC/7-4, dated 25.05.2007 w.e.from 01.09.2004)

(C) Punishment for receiving stolen property

(1) Section 137 of the Act, which deals with punishment for receiving stolen property, reads as follows:

"Whoever, dishonestly receives any stolen electric line or material knowing or having reasons to believe the same to be stolen property, shall be punishable with imprisonment of either description for a term which may extend to three years or with fine or with both."

(D) Interference with meters or works of Licensee

(1) Section 138 of the Act, which deals with interference with meters or works of Licensee reads as follows:

"1) Whoever,--

(a) unauthorizedly connects any meter, indicator or apparatus with any electric line through which electricity is supplied by a Licensee or disconnects the same from any such electric line; or

(b) unauthorizedly reconnects any meter, indicator or apparatus with any electric line or other works being the property of a Licensee when the said electric line or other works has or have been cut or disconnected; or

(c) lays or causes to be laid, or connects up any works for the purpose of communicating with any other works belonging to a Licensee; or

(d) maliciously injures any meter, indicator, or apparatus belonging to a Licensee or willfully or fraudulently alters the index of any such meter, indicator or apparatus or prevents any such meter, indicator or apparatus from duly registering;

shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to ten thousand rupees, or with both, and, in the case of a continuing offence, with a daily fine which may extend to five hundred rupees; and if it is proved that any means exist for making such connection as is referred to in clause (a) or such re-connection as is referred to in clause (b) , or such communication as is referred to in clause ©, for causing such alteration or prevention as is referred to in clause (d), and that the meter, indicator or apparatus is under the custody or control of the consumer, whether it is his property or not, it shall be presumed, until the contrary is proved, that such connection, reconnection, communication alteration, prevention or improper use, as the case may be, has been knowingly and willfully caused by such consumer."

(E) Negligently breaking or damaging works

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(1) Section 139 of the Act, which deals with negligent usage, reads as follows:

"Whoever, negligently breaks, injures, throws down or damages any material connected with the supply of electricity, shall be punishable with fine which may extend to ten thousand rupees."

(F) Penalty for intentionally injuring works

(1) Section 140 of the Act, which deals with the penalty for maliciously wasting electricity or injuring works, reads as follows:

"Whoever, with intent to cut off the supply of electricity, cuts or injures, or attempts to cut or injure, any electric supply line or works, shall be punishable with fine which may extend to ten thousand rupees."

(G) Extinguishing public lamps

(1) Section 141 of the Act, which deals with penalty for extinguishing public lamps, reads as follows:

"Whoever, maliciously extinguishes any public lamp shall be punishable with fine which may extend to two thousand rupees."

24. Compounding of offences

As existed from 01.09.2004 to 25.06.2008 Notification No.TNERC/SC/7-19 dated 06.05.2010

1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), the Appropriate Government or any officer authorized by it in this behalf may accept from any consumer or person who committed or who is reasonably suspected of having committed an offence of theft of electricity punishable under this Act, a sum of money by way of compounding of the offence as specified in the Table below:

Nature of Service	Rate at which the sum of money for compounding to be collected per kilowatt (KW) Horse Power (HP) or part thereof for Low Tension (LT) supply and per kilo volt ampere (KVA) of contracted demand for High Tension (HT)
(1)	(2)
1. Industrial Service	Twenty thousand rupees
2. Commercial Service	Ten thousand rupees
3. Agriculture Service	Two thousand rupees
4. Other Services	Four thousand rupees

Provided that the Appropriate Government may, by notification in the Official Gazette, amend the rates specified in the Table above.

2) On payment of the sum of money in accordance with sub-section (1), any person in custody in connection with that offence shall be set at liberty and no proceedings shall be instituted or continued against such consumer or person in any criminal court.

3) The acceptance of the sum of money for compounding an offence in accordance with subsection (1) by the Appropriate Government or an officer empowered in this behalf shall be deemed to amount to an acquittal within the meaning of section 300 of the Code of Criminal Procedure, 1973 (2 of 1974).

4) The compounding of an offence under sub-section (1) shall be allowed only once for any person or consumer"

(1) Compounding of offences shall be done in accordance with section 152 of the Act.

(2) In case the Government of Tamil Nadu has notified the rate for compounding in accordance with the proviso to sub section (1) of section 152 of the Act, the same shall apply for the purpose of compounding.

(Substituted vide Notification No.TNERC/SC/7-19 dated 06.05.2010 w.e/from 26.06.2008)

(Copy of GO.Ms.No78 Energy (B1) Department is appended for reference)

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25. Power for Licensee to enter premises and to remove fittings or other apparatus of Licensee

(1) Section 163 of the Act provides for the powers for Licensee to enter premises and reads as:

"1) A Licensee or any person duly authorized by a license may, at any reasonable time, and on informing the occupier of his intention, enter any premises to which electricity is, or has been, supplied by him, of any premises or land, under, over, along, across, in or upon which the electric supply-lines or other works have been lawfully placed by him for the purpose of –

(a) Inspecting, testing, repairing or altering the electric supply-lines, meters, fittings, works and apparatus for the supply of electricity belonging to the Licensee; or

(b) Ascertaining the amount of electricity supplied or the electrical quantity contained in the supply; or

(c) Removing where a supply of electricity is no longer required, or where the Licensee is authorized to take away and cut off such supply, any electric supply-lines, meters, fittings, works or apparatus belonging to the Licensee.

2) A Licensee or any person authorized as aforesaid may also, in pursuance of a special order in this behalf made by an Executive Magistrate and after giving not less than twenty-four hours notice in writing to the occupier, –

(a) enter any premises or land referred to in sub-section (1) for any of the purposes mentioned therein;

(b) enter any premises to which electricity is to be supplied by him, for the purpose of examining and testing the electric wires fittings, works and apparatus for the use of electricity belonging to the consumer.

3) Where a consumer refuses to allow a Licensee or any person authorized as aforesaid to enter his premises or land in pursuance of the provisions of sub-section (1) or, sub-section (2), when such Licensee or person has so entered, refuses to allow him to perform any act which he is authorized by those sub-sections to perform, or fails to give reasonable facilities for such entry of performance, the Licensee may, after the expiry of twenty-four hours from the service of a notice in writing on the consumer, cut off the supply to the consumer for so long as such refusal or failure continues, but for no longer."

26. Code to be read along with Distribution Code, Electricity Act 2003 and amendments etc.,

(1) As this Code is intended to deal with the working relations between the Licensee and the consumer, this Code shall be read along with the Distribution Code, the State Grid Code and other relevant provisions of the Act, rules and regulations made there under pertaining to supply and consumption of electricity.

(2) Where any of the provisions of this Code is found to be inconsistent with those of the Act, rules or regulations made thereunder, notwithstanding such inconsistency, the remaining provisions of this Code shall remain operative.

(3) Where any dispute arises as to the application or interpretation of any provision of this Code, it shall be referred to the Commission whose decision shall be final and binding on the parties concerned..

(4) Wherever extracts of the Electricity Act 2003 are reproduced, any changes / amendments to the original Act shall automatically be deemed to be effective under this Code also.

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Chapter 5 : Code Review Panel

27. Appointment of Code Review Panel

(1) The Commission may appoint a Code Review Panel (hereafter in this Chapter referred to as "Panel") consisting of

As existed from 01.09.2004 to 21.07.2009

- (a) A Chairman who is not below the rank of Chief Engineer or an equivalent cadre from STU.
- (b) A Member Secretary, who is an officer not below the rank of a Superintending Engineer or an equivalent cadre from STU.
- (c) One Member from the SLDC.
- (d) One representative from each of the distribution Licensees.
- (a) A Chairman who is a member of the Commission
- (b) A Member Secretary, who is not below the rank of Chief Engineer of STU
- (c) One member from SLDC who is not below the rank of Chief Engineer

As existed from 21.07.2009 to 29.03.2011

- (d) One representative from each distribution licensees who is not below the rank of Chief Engineer" (substituted vide Notification No.TNERC/SC/7-14 dated 29.06.2009 w.e.from 22.07.2009)
- (d.Three representatives from the Distribution licensee who are not below the rank of Chief Engineer (substituted vide Notification No.TNERC/SC/7-23 dated 14.03.2011 w.e. from 30.03.2011)
- (e) One Member from Rural Electricity Co-operatives Societies if any.

As existed from 01.09.2004 to 29.03.2011

- (f) One representative from domestic consumer sector, one from LT industry sector and one from agricultural consumer sector.
- (f) Two representatives from domestic consumer sector, one from LT industry sector and one from agricultural consumer sector (Substituted vide Notification No.TNERC/SC/7-23 dated 14.03.2011 w.e. from 30.03.2011)
- (g) One Member representing the EHT / HT consumers.
- (h) One member representing captive / non-conventional energy source.

(2) The panel may, from to time , and in any case, at least once in three months and shall, when so required by the Commission, meet to consider changes or modifications to the Code as may be warranted. The Member Secretary shall arrange for the panel meeting in consultation with the Chairman of the Code Review Panel. The tenure of the members mentioned under clauses (f), (g) and (h) of sub-regulation (1) shall be three years. The Commission shall have powers to re-nominate any member on expiry of his / her term.

(sentence inserted vide Notification No.TNERC/SC/7-14 dated 29.06.2009 w.e.from 22.07.2009)

(1) The Commission may appoint a Code Review Panel (hereafter in this Chapter referred to as "Panel") consisting of—

- (a) A Chairperson at the level of Director of the Distribution Licensee.
- (b) A Member Secretary, who shall be the Chief Engineer/Commercial of the Distribution Licensee.
- (c) One Member from the SLDC who is not below the rank of Chief Engineer.
- (d) Three representatives from the Distribution Licensee who are not below the rank of Chief Engineer and one representative from the Distribution Licensee who is not below the rank of Chief Financial Controller.
- (e) One representative from LT domestic consumer sector, one from LT commercial sector, one from LT industry sector and one from LT agricultural consumer sector.
- (f) One member representing the EHT / HT consumers.
- (g) One member representing open access consumers.

(2) The Member Secretary shall arrange for the Panel meeting. The tenure of the members mentioned under clauses (e), (f) and (g) of sub-regulation (1) shall be three years. The members, on expiry of their term are not eligible for re-nomination.

(Substituted vide Notification No.TNERC/SC/7-36 dated 01.07.2014 w.e/from 06.08.2014)

(3) The functions of the panel are

a) to review the working of various provisions of this Code, (the State Grid Code) and the Distribution Code.;

(the state Grid Code was omitted vide Notification No. TNERC/SC/7-4 dated 25.05.2007 w.e. from

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13.06.2007)

- b) to consider the suggestions received from Licensees, consumers and other interested persons;
- c) to consider and offer its views on any specific matter as may be referred to it by the Commission.

(4) Manner of reviewing the Code :-

(i) Any Licensee, consumer or other interested persons desiring any change in this Code shall send the proposal in writing to the Panel specifying the reasons for such change and setting out the attendant circumstances. For this purpose, the Licensee may hold meetings with the consumer or group of consumers if it is considered that the Code may require changes to meet the individual requirements of the consumer or group of consumers.

(ii) The Panel shall, upon receipt of such proposal or where the Commission has made a reference, forward the same to the STU for its consideration and written comments.

(iii) The Panel shall convene a meeting of its members to consider the comments of the STU, and if necessary at its discretion, invite and hear the person who made the suggestions for change and other interested persons and also the local authorities and telecommunication companies.

(iv) The Panel may, in considering the suggestion and the comments of the STU thereon, set up sub-committees to study the related issues.

(v) The Panel after finalizing its views on the modifications to the Code, forward the same to the Commission:

Provided that the Panel may supplement its own procedure in addition to the procedure laid down herein for conducting its meetings and in carrying out its functions.

(5) The Commission may approve the changes with or without modification as it may deem fit and cause the publication of the same in such manner as may be necessary.

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Appendix

FORM-1 (Refer to Regulation 5(7))

To

The Designated Engineer,

.....,

.....

I, Thiru (S/o)/ (D/o)/ (W/o)

aged Years, am residing at (Full Address & Phone No.)

.....

.....

The premises bearing Door No Name of Street

Village / Town Taluk with Service Connection No. Tariff

..... Distribution In the

name of S/O is in my possession.

1) The Xerox copy of the Sale deed / Registered Lease deed / any other valid document for lawful occupation based on registered power of attorney or possession order from appropriate authority or decree or judgment of Court of law of competent jurisdiction * in my favour for the said premises is enclosed.

or

The property tax receipt for the above property is given in my name and Xerox copy of the same duly attested by Gazetted Officer is enclosed.

or

Metro Water / Sewerage Connection is given in my name and the Xerox copy of the same duly attested by Gazetted Officer is enclosed.

or

Legal Heirship Certificate from the Tahsildar concerned

2) Application and Agreement Form

3) Indemnity Bond on Rs.80/- Non-judicial stamp paper (Applicable in the case of name transfer due to legal succession)

I undertake to pay amounts outstanding against the Account No..... which are found to be due at a later date and also undertake to pay the court case liabilities based on the cases pending before various legal forums.

I request that the name of Service No.. may kindly be changed to my name.

Signature of transferee,

Full Address.

Place

Date

(Underlined words inserted vide Notification No.TNERC/SC/7-46 dated 26.07.2022 w.e/from 17.08.2022)

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FORM-2

Name Transfer Forms (refer to Regulation 5 (7))

(To be used as a consent letter from transferor in case of sale / *Lease / any other lawful occupation based on registered power of attorney or possession order from appropriate authority or decree or judgment of Court of law of competent jurisdiction etc.,)

To

The Designated Engineer /

Address of the Licensee Engineer

I.....(S/o D/o W/o)owner of premises bearing Door No.....(Name of the Street Place) hereby give my consent for the transfer of service bearing A/c. No.....standing in my name / in the name of
to Thiru/Tmty.....S/o. D/o W/osince I had sold / leased out my house to him/her.....

The transfer may be effected with available deposit / subject to the condition that the transferee pays the security deposit and other charges *.

*I undertake to pay amounts outstanding against the Account No..... which are found to be due at a later date, if the transferee fails to pay (Applicable in the case of request for name transfer, other than sale.

Signature of transferor,

Full Address.

Place

Date

* Strike out the portion not required

(Underlined words inserted vide Notification No.TNERC/SC/7-46 dated 26.07.2022 w.e/from 17.08.2022)

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FORM-3 (Refer to Regulation 5(7))

INDEMNITY BOND

Sub: Electricity – Distribution – Transfer of Security
Deposit and Service Connection – Premises
No.....A/c. No.....

I.....son of/ daughter of/ wife of Thiru./
Tmty.....do hereby declare that Thiru. /
Tmty.....owner of the above premises has expired on.....and
I am the legal heir to the deceased, I desire to have the security deposit and service connections
transferred in my name. I agree to indemnify the Licensee against any losses, damages etc., arising
consequent on any disputes by reason of the security deposit and service connections being transferred
to me as the legal heir to the property of late Thiru.

The Licensee shall have the right to proceed against me not only in respect of movable and
immovable properties belonging to me but also against me personally in regard to all liabilities past,
present and future claims relating to this service connection. The above facts are certified to be correct.

SIGNATURE OF THE CONSUMER

Signed before me

Notary Public / Gazetted Officer

Station

Date

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FORM-4 (Refer to Regulation 5(7))

UNDERTAKING

Whereas I/We.....S/o, D/o ,W/o.
.....

(a firm under the name and style
of.....).

herein after called consumer, have approached the (Name of Licensee) herein after referred to as Licensee for transfer of A / C No.....for supply atin my/our name and where as the Licensee after perusal of documents produced by me/us has agreed to effect transfer of account, as sought for by the consumer, this undertaking witness the following:

The consumer shall pay on demand and without demand all dues to the Licensee including such dues as may become payable as a result of revision of bills relating to the period prior to the transfer of account in his/her/their name. The commitment to pay the demands relating to the period prior to the transfer of account will include such demands omitted to be made periodically and such omission has been detected after the service has been transferred in the name of the consumer.

2. The Consumer agrees that the Licensee shall have the right to enforce disconnection of supply in the event of consumer failing to fulfill the obligation of this undertaking.

3. The consumer further agrees to indemnify the Licensee against any loss/damage or any other liability, the Licensee may suffer as a result of any dispute or disputes raised by the consumer himself/herself/themselves or by any other party with regard to this transfer of account at any time.

SIGNATURE

WITNESS WITH ADDRESS

1.

2.

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FORM-5 (Refer to Regulation 22(8))

Undertaking for Payment of Dues in Installments.

Undertaking to be furnished by a consumer who seeks to avail the facility of paying his dues in installments

From

To

The Designated Engineer

Distribution Licensee Name and address

UNDERTAKING

Sir,

In consideration of my/our paying the amounts in installments towards

I, for and on behalf ofundertake-

(i) to pay the total dues of Rs.

.....(Rupees.....)in monthly installments subject to levy of Belated Payment Surcharge in case of default to pay the installment on the dates specified below-

First installment Rs.payable on or before

Second installment Rs.....payable on or before

Third installment Rs.....payable on or before and so on

ii) to adhere strictly to the schedule of installments and also to pay before the due dates the monthly/bi-monthly current consumption charges failing which the supply may be disconnected without further notice and the re-connection may be effected only on settlement of the entire (including balance installment) dues with Belated Payment Surcharge for the installments not paid on the due date.

Signature
(Seal of the Company)

In the presence of-Witness
(Name and Address)-

(1)

(2)

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FORM 6

(Refer to Regulation 20)

Form of Appeal to the prescribed Appellate Authority under Section 127 (1) of the Act

- (1) Appeal No. _____ of
- (2) Name and address of the Appellant
- (3) Designation and address of the Assessing Officer passing the Order
- (4) Date of communication of the Order appealed against to the Appellant
- (5) Address to which notices may be sent to the Appellant
- (6) Amount ordered to be paid
- (7) Whether the (one third)* **half** of the assessed amount as required under Section 127 (2) of the Act is deposited (Documentary proof of the deposit shall be furnished)
- (8) Statement of facts (here state the facts briefly)
- (9) Grounds of Appeal (Here set out the grounds on which the appeal is made by the Appellant)
- (10) Whether the Appellant wishes to be heard in person or through an Advocate or authorised representative

(In case if the Appellant wishes to be represented by his authorised representative or by an Advocate then a Letter of Authority authorising the authorised representative to represent on his behalf or as the case may be, a Vakalat authorising the Advocate to represent his case shall be furnished)

- (11) Relief prayed for

Signature of the
authorised representative if any

Signature of the Appellant

('One third' was substituted by 'Half' vide Notification No.TNERC/SC/7-15 dated 09.10.2009 w.e/from 15.06.2007)

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FORM 7

Affidavit in support

(Refer to regulation 20)

BEFORE THE APPELLATE AUTHORITY UNDER SECTION 127 (1) OF ACT

APPEAL NO.

(To be filled by the Office of the Appellate Authority)

Name and Address of the Appellant

APPELLANT

Designation and Address of the

RESPONDENT

Assessing Officer

Affidavit of Verification by the Appellant in support of the Appeal Petition filed by him.

I, son of
aged residing at do
solemnly affirm and say as follows:

1. I am the Appellant / Authorised Representative of the Appellant in the Appeal Petition filed by me against the orders of the Assessing Officer referred to above as the Respondent in my Appeal Petition and as such I am competent to verify the facts set out in my Appeal Petition.

2. I solemnly affirm at..... on this day of that

(i) the contents of the above appeal petition are true to my knowledge and I believe that no part of it is false and no material has been concealed therefrom.

(ii) that the statement made in paragraphs..... of the appeal petition herein now shown to me and marked with the letter 'A' are true to my knowledge and that

(iii) the statements made in paragraphs..... Marked with the letter ' B' are based on information received from and I believe them to be true.

Identified before me by :

Signature of the Appellant

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"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:

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TABLE – A

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

TABLE – B

	Category	Number of hours per day
1.	Fed by High Tension rural feeders having only 14 hours of supply per day :-	
	i. Day Shift only	6
	ii. Night Shift only	8
	iii. Both day and night shifts	14
2.	Fed by High Tension feeders having 24 hours of supply:-	
	i. Day shift only	8
	ii. 2 Shifts	16
	iii. 3 shifts	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 Assessment of quantum of demand charges in HT service and fixed charges in LT services:

(a) For all 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 sanctioned / contracted demand. A power factor of 0.90 lag for HT and 0.85 lag for LT shall be used for conversion between kVA and kW.

(b) Assessment of demand charges:-

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

(c) Assessment of fixed charges for LT services:-

Twice the appropriate LT tariff rate for fixed charges

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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 illegal restoration of supply 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 for assessment and computation of assessment charges for illegal restoration of supply 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. The assessment shall be equal to twice the tariff applicable that includes both the energy and demand/fixed charges. The tariff charges for the units/demand recorded in the meter for the period for which the assessment is made shall not be collected. If collected, the same shall be credited to the consumer account.

(ii) When the meter is found defective:- Quantum of energy consumed by illegal restoration of energy (U) shall be computed using the formula above given in part I.

(C) The assessment shall be at two times the applicable charges of electricity that includes both energy charges and demand/fixed charges.

(D) In addition to the above assessment charges, all other procedures laid down under sub regulation 23 (AA) of this Code including the stipulations in regard to compounding the offence shall be followed.

Note: The applicable tariff as specified for assessment is the tariff in force during such period of assessment for all the above cases dealt under FORM 8.

(As substituted vide Notification No. TNERC/SC/7-48, dated 02.09.2023 with effect from 08.09.2023)

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Form 8-A

[Refer Regulation 19 (6)]

FORMULA OF ASSESSMENT TOWARDS UNAUTHORIZED USE OF ELECTRICITY UNDER SECTION 126 OF THE ELECTRICITY ACT 2003.

(i) Quantum of misused energy :

$$U = a \times (b / c) \text{ kWh}$$

Where,

- a - Total consumption recorded during the preceding period of existence of such violations limited to a specified period
- b - Misused load found at the time of inspection
- c - Total connected load found at the time of inspection

(ii) Amount of assessment on account of unauthorized use of energy

$$= [(2 \times U \times d) - (U \times e)] + [(2 \times b \times F_1) - (b \times F_2)]$$

Where,

- U - Quantum of misused energy, kWh
- d - Tariff of unauthorized use
- e - Tariff of authorized use
- F₁ - Demand / fixed charges of unauthorized use
- F₂ - Demand / fixed charges of authorized use
- b - Quantum of unauthorised demand in kW / kVA

(iii) Period of unauthorized use

The authorized officer may take into account the following and arrive at the least period (duration) of unauthorized use of electricity:

- (a) For the period of twelve months
- (b) For the period from the date of prior inspection if any by the Licensee's officer to the date of detection.
- (c) From the date of service connection to the date of detection
- (d) Wherever electronic meters are installed and the load curves are studied periodically, the period of unauthorized use of electricity could be limited to the exact period as could be determined scientifically.
- (e) Based on the valid document produced by the accused person.
- (f) For any other reasonable period as assessed by the authorized officer to the best of his judgment.

Note: The tariff for unauthorized use (d) as specified in the above formulae for assessing the charges is the tariff in force during such period of assessment.

(As substituted vide Notification No. TNERC/SC/7-48, dated 02.09.2023 with effect from 08.09.2023)

TAMIL NADU ELECTRICITY SUPPLY CODE

Form 9

[Refer Regulation 23 (AA) (8)]

Provisional Assessment order for *theft of energy / Illegal restoration of supply under section 135 / 138 of the Electricity Act, 2003.

From (The Authorised Officer),
To (Full address of the person in whose name the service connection stands (or) occupier (or) enjoyer, etc.)

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

Sir,

Sub: *Theft of energy / Illegal restoration of supply – Detected in HT / LT SC No.....
Tariff... Provisional Assessment Order - Reg.

Ref: Inspection Report dated ...

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

2.0 *During the inspection it was found that an offence of theft of energy / Illegal restoration of supply has been committed

.....
(describe the actual mode of theft with details of artificial means found in the service/unauthorized reconnection of a disconnected service connection). By committing the said offence, you have dishonestly abstracted, consumed and used energy with the intention to defraud the Licensee.

The above said illegal abstraction, consumption and use of energy is punishable under section 135 / 138 of the Electricity Act 2003.

The service connection was disconnected on the date of detection of above offence.

3.0 The approximate loss caused by you due to dishonest abstraction/illegal restoration of supply is assessed at Rs..... (Rupees) in accordance with the regulations of the Tamil Nadu Electricity Supply Code, and a working sheet is enclosed herewith.

4.0 The assessment amount as referred to above shall be paid within 7 working days from the date of receipt of this order.

TAMIL NADU ELECTRICITY SUPPLY CODE

5.0 If you are desirous of filing objections, if any, against the 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 within 10 days from the date of receipt of this order.

6.0 You are requested to acknowledge the receipt of this order immediately.

Yours Faithfully,

(Authorised Officer)

Encl: Copies of

1. Inspection Report
2. Statement Recorded (if any)
3. Mahazar
4. Working sheet as per FORM 8

Copy submitted to:

Copy to.....

He is instructed to serve this order to the accused person with dated acknowledgement and send the acknowledgement to this office.

*** Strike out whichever is not applicable. (If offence is theft of energy, section 135 is applicable, strike out section 138. If the offence is illegal restoration of supply, both section 135 and 138 are applicable.)**

(As substituted vide Notification No. TNERC/SC/7-48, dated 02.09.2023 with effect from 08.09.2023)

TAMIL NADU ELECTRICITY SUPPLY CODE

Form 10

[Refer Regulation 23 (AA) (15)]

Final Assessment order for *theft of energy / Illegal restoration of supply under section 135 / 138 of the Electricity Act, 2003.

From (The Authorised Officer), To (Full address of the person in whose name the service connection stands (or) occupier (or) enjoyer etc.)

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

Sir,

Sub: *Theft of energy / Illegal restoration of supply – Detected in HT/LT SC No.....Tariff...
Final Assessment Order - Reg.

Ref: 1. Provisional Assessment Order...

*2. Your reply...

1.0 * On.....(the day, month, year of inspection) at..... (time) hours the service connection bearing SC No..... located at Door No....., in SF No..... (Full address of the service connection) which is/ was in the name of Thiru / Thirumathy / and its installation being occupied / used bywas inspected by me in the presence of you/your representative Thiru/Thirumathy

2.0 * During the inspection it was found that an offence of theft of energy/Illegal restoration of supply has been committed (describe the actual mode of theft with details of artificial means found in the service/unauthorized reconnection of a disconnected service connection). By committing the said offence, you have dishonestly abstracted, consumed and used energy with the intention to defraud the Licensee. The above said illegal abstraction, consumption and use of energy is punishable under section 135/138 of the Electricity Act 2003.

3.0 A provisional assessment was issued to you in the reference cited and you were allowed to file your objections and to appear for a hearing as per the Tamil Nadu Electricity Supply Code.

4.0 * As you have not made any objection or representation/ On detailed examination and careful consideration of your explanation offered, facts and records furnished in your letter / during the personal hearing, the final order is issued herewith as described below: -

(A reasoned/detailed speaking order to be passed by the Officer concerned after thorough analysis of the theft of electricity noticed, inspection report , explanation offered and the findings, etc., Reference to be made to the materials in support of the claim about the existence of theft, the involvement or the role of the consumer with reference to the said theft of energy, relevant rules and regulations relating to consumers' duty and obligations, submissions made by the accused person in his written reply as well as during his personal hearing, documents/materials submitted by him etc., and reasons for acceptance and rejection of the same).

TAMIL NADU ELECTRICITY SUPPLY CODE

5..0 * The loss caused by you due to above explained theft of energy illegal restoration of supply is finally assessed at Rs..... (Rupees) in accordance with the regulations of the Tamil Nadu Electricity Supply Code, and a working sheet is enclosed herewith. This final assessment amount shall be paid within seven working days from the date of receipt of this order.

You are requested to acknowledge the receipt of this order immediately.

Yours faithfully,

(Authorised Officer)

Encl: Copies of

1. Inspection Report
2. Statement Recorded (if any)
3. Mahazar
4. Provisional Assessment Order.
5. Working sheet as per FORM 8

Copy submitted to:

Copy to

He is instructed to serve the order to the accused person with dated acknowledgement and send the same to this office.

* Strike out whichever is not applicable. (If offence is theft of energy, section 135 is applicable, strike out section 138. If the offence is illegal restoration of supply, both section 135 and 138 are applicable.)

(As substituted vide Notification No. TNERC/SC/7-48, dated 02.09.2023 with effect from 08.09.2023)

TAMIL NADU ELECTRICITY SUPPLY CODE

Form 11

[Refer Regulation 23(AA) (22)]

Compounding of offence under section 152 of the Electricity Act, 2003.

From

(The Authorized Officer),

To

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

(or) occupier

(or) enjoyer, etc.)

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

Sir,

Sub: *Theft of energy / Illegal restoration of supply – Detected in HT / LTSC No..... Tariff.... -
Order on Compounding Amount - Reg.

1.0 *On.....(the day, month, year of inspection) at.....(time) hours the 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 / and its
installation being occupied / used bywas inspected by me in the presence of you / your
representative..... Thiru/ Thirumathy.....

2.0 *During the inspection it was found that an offence of theft of energy/ Illegal restoration of supply
has been committed..... (describe the actual mode of theft with details
of artificial means found in the service/unauthorized reconnection of a disconnected service
connection). By committing the said offence, you have dishonestly abstracted, consumed and used
energy with the intention to defraud the Licensee.

3.0 The above said illegal abstraction, consumption and use of energy is punishable under section 135 /
138 of the Electricity Act 2003.

4.0 As you have opted for compounding of offence under section 152 of the Electricity Act, 2003, you are
requested to pay Rs..... Rupees.....) towards the compounding of the offence as mentioned
above.

Yours faithfully,

Authorized officer

Encl: Working sheet.

Copy to

* Strike out whichever is not applicable. (If offence is theft of energy, section 135 is applicable, strike out
section 138. If the offence is illegal restoration of supply, both section 135 and 138 are applicable.)

(As substituted vide Notification No. TNERC/SC/7-48, dated 02.09.2023 with effect from 08.09.2023)

TAMIL NADU ELECTRICITY SUPPLY CODE

FORM-12

[Refer Regulation 19(A)(4)]

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

From To
(The Assessment Officer), (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 HT / LT SC No..... Tariff..... - 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/ and its installation being occupied / used bywas 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 remove the cause of unauthorised use of electricity immediately if not done already and confirm the same by written intimation.

5.0 The charges payable by you towards the above unauthorised use of electricity is provisionally assessed at Rs..... as per the sub-sections (5) and (6) of section 126 of the Electricity Act, 2003. The working sheet is enclosed. The amount shall be paid within seven days from the date of receipt of this order, failing which the Service Connection shall become liable to be disconnected.

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 within the same duration of seven days.

TAMIL NADU ELECTRICITY SUPPLY CODE

7.0 If no objection/ representation is received from you against this provisional assessment order within the stipulated period, the final order of assessment shall be passed accordingly.

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

Yours faithfully,

Assessment Officer

Encl: Copies of

1. Inspection Report
2. Statement Recorded (if any)
3. Mahazar
4. Working sheet as per FORM 8A

Copy submitted to:

Copy to:

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

(As substituted vide Notification No. TNERC/SC/7-48, dated 02.09.2023 with effect from 08.09.2023)

TAMIL NADU ELECTRICITY SUPPLY CODE

FORM-13

[Refer Regulation 19(3) and 19(A)(4)]

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

From To
(The Assessment Officer), (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 HT/LT SC No.....Tariff - Section 126 of the Electricity Act, 2003 – Issue of Final Assessment Order - Reg.

Ref: - 1. Inspection Report dated

* 2. Your reply.....

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 / *and its installation being occupied / used by 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).

3.0 A provisional Assessment order was issued vide reference (1) cited and you were allowed to file your objections if any and also to appear for a hearing as per Tamil Nadu Electricity Supply Code.

4.0 *As you have not made any objection or representation / On detailed examination and careful consideration of your explanation offered in your letter cited in reference (2) and with regard to the facts and records furnished by you, the final order is issued herewith as described below:-

(A reasoned / detailed speaking order to be passed by the Officer concerned after thorough analysis of the unauthorised use of electricity noticed, inspection report, explanation offered and the findings etc., Reference to be made to the materials in support of the claim about the existence of unauthorized use of electricity, the involvement or the role of the consumer with reference to the said unauthorized use of electricity, relevant rules and regulations relating to consumers' duty and obligations, objections made by the consumer in his written reply as well as during his personal hearing, documents/materials submitted by him etc., and reasons for acceptance and rejection of the same).

5.0 The charges payable by you under sub-sections (5) and (6) of the section 126 of the Electricity Act, 2003 is finally assessed at Rs.....(Rupeesonly). The detailed working sheet is enclosed herewith. The said amount shall be paid within 15 days from the date of receipt of this order, failing which the service connection shall become liable for disconnection on expiry of further fifteen days notice.

TAMIL NADU ELECTRICITY SUPPLY CODE

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 Licensee 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 Final assessment order immediately.

Yours faithfully,

Assessment Officer.

- Encl: 1. Inspection Report
2. Statement Recorded (if any)
3. Mahazar
4. Provisional Assessment Order.
5. Working sheet as per FORM 8A

Copy submitted to:

Copy to

He is instructed to serve the order to the accused person with dated acknowledgement and send the same to this office.

*** Strike out whichever is not applicable.**

(As substituted vide Notification No. TNERC/SC/7-48, dated 02.09.2023 with effect from 08.09.2023)

TAMIL NADU ELECTRICITY SUPPLY CODE

ELECTRICITY- Theft of Electricity- Amendment to compounding rates under Section 152(1) of the Electricity Act, 2003- Notified- Amendment – Notification- Issued.

Energy (B.1) Department

G.O.Ms.No.78

Dated 26.06.2008

READ:

1. G.O.Ms.No.118 Energy (B2) Department, dt.27.11.2006

Read also:

2. From the Chairman, TNEB, Lr.No.CE/Comml/EE3/AEE3/F.Compounding /D.73/07, dt.12.07.2007

3. From the Secretary, TNERC Lr.No.TNERC/Lr.No.D(E) DD(E) / AD/SA/F.Supply Code / D.848/07, dt.14.09.2007

4. From the Chairman, TNEB, Lr.No.CE/Comml/EE3/AEE3/F.TNERC /D.587/07, dt.18.12.2007.

ORDER:

In the letter 2nd read above, the Chairman Tamil Nadu Electricity Board has requested to issue amendment to Notification II issued in the G.O.1st read above.

2. The Government after consulting Tamil Nadu Electricity Regulatory Commission have decided to issue the following amendment.

NOTIFICATION

In exercise of the Powers conferred by sub-section (1) of Section 152 of the Electricity Act, 2003 (Central Act 36 of 2003) read with the Proviso thereto, the Governor of Tamil Nadu hereby makes the following amendment to the Energy Department Notification No. II (2)/ EGY/582(b-3)/2006, published at page 2 of Part II – Section 2 of the Tamil Nadu Government Gazette Extra-Ordinary dated the 27th November 2006.

AMENDMENT

In the said Notification for the TABLE, the following TABLE shall be substituted.

"THE TABLE

TAMIL NADU ELECTRICITY SUPPLY CODE

(1)	(2)	
Nature of Service	Rate at which the sum of money for compounding to be collected per Kilo Watt (KW) /Horse Power (HP) or part thereof for Low Tension (LT) supply and per Kilo Volt Ampere (KVA) of contracted Demand for High Tension (HT)	Officer empowered to accept a sum of money by way of compounding
1. Industrial Service	(i) Rs.5000/- per KW or part thereof for LT; (ii)Rs.5000/- per KVA for HT	Assistant Executive Engineer concerned
2 commercial service	(i) Upto 2 KW – Rs.2000/- per KW or part thereof for LT ; (ii) Above 2 KW—Rs.4000/- per KW or part thereof for the entire connected load for LT (i) Rs.4000/- per KVA for HT	
3 Agricultural service	Rs.1000/- per HP or part thereof for LT & HT	
4 Other services	(i) upto 250W – Rs.500/- for LT (ii) Above 250 W and upto 1 KW - Rs.1000/- for LT (iii)Above 1 KW - Rs.2000/- per KW or part thereof for LT for the entire connected load (ii) Rs.2500/- per KVA for HT	

(By Order of the Governor)

Smita Nagaraj
Secretary to Government.

TAMIL NADU ELECTRICITY SUPPLY CODE

Electricity - The Electricity Act, 2003 - (Central Act 36 of 2003) - Designation of Assessment Officer for unauthorized Use of Electricity - Appointment of Assessment Officer for compensation of theft of Electricity, Officer and rate at which sum of money compounding to be collected for theft of electricity under the provisions of the Act - Notified.

Energy (B.2) Department

G.O.Ms.No. 118

Dated - 27.11.2006

Read :-

1. From the Chairman, TNEB D.O.Lr.No. CE/Comml/EE1/AEE1/F.TNERC/D.No. 563/04,dt.05.10.2004
2. From the Secretary, TNERC Lr.No. TNERC/DE/DDE/F.Act 2003 further orders /D.630/05,dt. 20.05.2005 & dated 25.10.2005
3. From the Secretary, TNERC, TNERC/D(E)/AD/SA/F.S.code.P.Theft /D.487/2006, dt. 17.05.2006
4. From the Chairman / TNEB / Letter.No.CE/Comml/EE3/AEE3/F.TNERC/D.357/06, date 31.05.2006 & 15.06.2006

The Electricity Act, 2003 (Central Act 36 of 2003) has been enacted and the certain provisions of the said Act including sections 126, 135, 151, and 152 have come into force with effect from 10.06.2003. Under the provisions of the above said Act, the State Government are required to issue Notifications and frame rules. The chairman, TNEB in the reference 1st read above has sent proposals for issue of Notifications so as to deal with the violation and unauthorized use of electricity and theft of electricity cases, as required under sections 126, 135, 151 and 152 (1) of the above said Act. The Government after consultation with the Secretary, Tamil Nadu State Regulatory Commission have decided to issue the following Notifications :

2. The appended notifications will be published in the Tamil Nadu Government Gazette Extraordinary date the 27th November 2003.

(By Order of the Governor)

sd/ R.Sabapathy,
Principal Secretary to Government.

To

The Chairman, Tamil Nadu Electricity Board, Chennai - 600 002.

NOTIFICATION - I

Under clause (a) to the Explanation to Section 126 of the Electricity Act, 2003 (Central Act 36 of 2003), the Governor of Tamil Nadu hereby designates the Assistant Executive Engineer in charge of the distribution area concerned of the Tamil Nadu Electricity Board to be the Assessing Officer for assessment of charges for the unauthorised use of electricity for low Tension, High Tension services including temporary supply.

NOTIFICATION -II

Under sub-section (2) of Section 135 of the Electricity Act, 2003 (Central Act 36 of 2003), the Governor of Tamil Nadu hereby authorizes the officers of the Tamil Nadu Electricity Board specified in Column (2) of the Table below, to do all or any of the acts specified in clauses (a) to (c) of the said sub-section in respect of the type of electricity service specified in column (3) thereof :-

TAMIL NADU ELECTRICITY SUPPLY CODE

THE TABLE

Sl. No.	Officer	Type of Electricity Service
(1)	(2)	(3)
1.	Officer not below the rank of Assistant Executive Engineer	Low Tension Services including Temporary Services
2.	Office not below the rank of Executive Engineer	High Tension and Extra High Tension Services including Temporary Services

NOTIFICATION - III

In exercise of the powers conferred by sub-section (1) of section 152 of the Electricity Act, 2003 (Central Act 36 of 2003) read with the proviso thereto, the Governor of Tamil Nadu hereby amends the rates specified in the Table under the sub-section and to authorise the officer of the Tamil Nadu Electricity Board specified in column (3) of the Table below to accept from any consumer or person who committed or who is reasonably suspected of having committed an offence of theft of electricity punishable under the Act a sum of money specified in column (2) by way of compounding of the offence in relation to the service specified in the corresponding entry in column (1) thereof:-

THE TABLE

Nature of Service	Rate at which the sum of money for compounding to be collected per kilo watt (KW) / Horse Power (HP) or part thereof for Low Tension (LT) supply and per kilo Volt Ampere (KVA) of contracted demand for high Tension	Type of Electricity Service
(1)	(2)	(3)
1. Industrial service	(i) Rs. 5000/per KW or part thereof (ii) Rs. 5000/- per KVA for HT	Assistant Executive Engineer Concerned
2. Commercial Services	(i) Upto 2 KW - Rs. 2000/- (ii) Above 2 KW- Rs. 4000/ per KW or part thereof for LT (iii) Rs. 4000/- per KVA for HT	
3. Agricultural Service	(i) Rs. 1000/- per HP or part thereof	
4. Other Services	(i) Upto 250W- Rs. 500/- (ii) Above 250W and upto 1 KW - Rs. 1000/- (iii) Above 1KW - Rs. 2000/- per KW or part thereof for LT (iv) Rs. 2500/- per KVA or HT	

TAMIL NADU ELECTRICITY SUPPLY CODE

G.O.Ms. No. 119 Energy (B.2) Department Dated 27.11.2006

NOTIFICATION

Under rule 3 of the Appeal to the Appellate Authority rules, 2004, made in exercise of the Powers under clause (g) of sub-section (2) of section 176 of the Electricity Act, 2003 (Central Act 36 of 2003) by the Government of India, Ministry of Power's Notification No. GSR. 265(E) Published at pages 1-2 of Part II Section 3 Sub-section (i) of the Gazette of India Extraordinary, dated the 16th April 2004, the Governor of Tamil Nadu hereby designates the Officer specified in column (3) of the Table below, to be the appellate authority to whom an appeal may be preferred by any person aggrieved by a final order made section 126 in respect of Electricity service specified in the corresponding entry in column (2) thereof.

Sl. No.	Officer	Type of Electricity Service
1.	Low Tension Services including Temporary Services	Executive Engineer of State Transmission Utility / Wing
2.	High Tension and Extra High Tension Services including Temporary Services	Superintending Engineer of State Transmission Utility / Wing

List of Abbreviations

1. DD	- Demand Draft
2 HP	- Horse Power
3 ISI	- Indian Standards Institute
4 KVA	- Kilo volt Ampere
5 KW	- Kilo Watt
6 SLDC	- State Load Despatch Centre