



ఆంధ్ర ప్రదేశ్ రాజ సత్రము
RULES SUPPLEMENT TO PART II
EXTRAORDINARY

OF
THE ANDHRA PRADESH GAZETTE
PUBLISHED BY AUTHORITY

No. 21]

HYDERABAD, MONDAY, SEPTEMBER 4, 2000.

NOTIFICATIONS BY HEADS OF DEPARTMENTS, Etc.,

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

CONSUMER'S RIGHT TO INFORMATION

Regulation No.7:- In exercise of powers conferred on it by sub-section (2) of Section 9 and Section 54 of the Andhra Pradesh Electricity Reform Act, 1998 (Act 30 of 1998) and all powers enabling it in that behalf, and pursuant to Section 33(1) of the said Act, the Andhra Pradesh Electricity Regulatory Commission hereby frames the following Regulations, prescribing the circumstances in which the supply licensees are to inform consumer's of their rights.

CHAPTER I

SHORT TITLE, COMMENCEMENT, AND INTERPRETATION

1. (1) These Regulations may be called the Andhra Pradesh Electricity Regulatory Commission (Consumer's Right to Information) Regulations, 2000.
- (2) They shall be applicable to all Distribution and Retail Supply Licensees (hereinafter in the Regulation to be referred as Licensee).
- (3) They shall come into force on the date of their publication in the AP Gazette.
- (4) They extend to the State of Andhra Pradesh.
- (5) The Andhra Pradesh General Clauses Act, 1891 shall apply to the interpretation of these Regulations.

CHAPTER II DEFINITIONS

2. Unless the context otherwise requires, words or expressions occurring in these Regulations and not specially defined herein shall bear the same meaning as in the Andhra Pradesh Electricity Reform Act, 1998 (Act 30 of 1998), the Andhra Pradesh Electricity Regulatory Commission Business Rules, 1999, or in the absence thereof, the meaning as commonly understood in the electricity supply industry.

CHAPTER III CONSUMER RIGHTS

3. Service and Tariffs

Pursuant to Section 11 (1)(d) and Section 26 (7) of the Act and the conditions of its Distribution and Retail Supply Licence, the Licensee shall provide service that is safe, reliable and efficient, and conforming to various safety provisions of IE Act, 1910 and IE Rules, 1956 at tariffs that are non-discriminatory, just and reasonable and that promote economic efficiency in the supply and consumption of electricity.

4. Information

- (1) The Licensee shall make available at its offices for perusal of any Consumer
 - (a) its approved Codes of Practice (Application for Supply, Code on Conditions of Supply and Procedures, Consumer Rights Statement, Code of Practice on Payment of Bills, and Complaint Handling Procedures)
 - (b) its approved Standards of Performance; and
 - (c) its approved Tariff Schedule.
 - (d) The Regulations made by APERC on Consumer's Right to Information.
- (2) The Licensee shall provide to all persons applying for new service connection its Application for Supply, and Code on Conditions of Supply and Procedures free of charge.
- (3) The Licensee shall provide free of charge to all the new consumers at the time of release of supply copies of the Consumer Rights Statement, Code of Practice on Payment of Bills and Complaint Handling Procedures.
- (4) Consumers and other persons may purchase copies of the Licensee's Consumer Rights Statement, Code of Practice on Payment of Bills, Complaint Handling Procedures, Standards of Performance and Tariff Schedule, at a price not exceeding the reasonable cost of duplication.

CHAPTER IV CONSUMER RIGHTS TO NOTICE

5. Notice Prior to Disconnection

- (1) The Licensee shall issue a notice to consumers minimum of seven days prior to disconnection by reason of:
 - (a) alteration or addition performed by the Consumer to his installation without prior permission.

(b) Misuse of power supply, or resistance by the Consumer to the replacement of an old or defective meter by the Licensee.

(c) neglect to pay any charge for energy or otherwise.

(d) when there is a default in keeping the meter correct, where the meter is the property of the consumer. (as envisaged in Section 26 (3) of IE Act, 1910.)

(e) when there is a failure to pay the inspection fees on or before the date specified in the fee notice of The Electrical Inspector (as envisaged in Rule 46 (2)(b) of the IE Rules 56)

(2) The notice shall include a statement of the procedures for disconnection and appropriate guidance for assistance, as specified in the Licensee's Code of Practice on Payment of Bills. The Consumer shall be given the opportunity within the seven days to show cause why the power supply shall not be disconnected, and the Licensee must consider such explanation.

(3) No notice shall be provided prior to disconnection in case of tampering with the meter or metering equipment, or illegal restoration of supply by himself or extending service to a disconnected service or unauthorised extension of supply to another premises or when the consumer adopts any electrical appliances which is likely to effect injuriously the supply to other consumer or uses the energy supplied improperly to interfere with efficient supply of energy to any other person by the licensee, or fails to keep in proper order any meter belonging to him by which the supply is registered, the licensee may discontinue the supply so long as such an appliance is so adopted or the energy is so used or dealt with or the meter is not kept in proper order, as the case may be.

6. Notice Prior to Entry

(1) The Licensee's representative may upon informing the occupier of his intention and producing his identification card, enter the Consumer's premises for the purpose of

(a) inspecting, testing, repairing, or altering the Licensee's equipment;

(b) taking reading of meter and ascertaining the amount of energy supplied or the electrical load connected to the consumer's installation;

(c) removing the Licensee's own lines, meters and other apparatus; or

(d) examining and testing the Consumer's electric wires, fittings, works and apparatus for the use of energy.

(2) If the Consumer refuses to allow the Licensee's representative entry to his premises in pursuance of the provisions of sub-section (1), or when such representative has so entered, refuses to allow him to perform any act which he is authorised to perform, the Licensee may, after the expiry of 24 Hrs from the service of a notice in writing on the consumer, cut off the supply to the consumer for so long as such refusal continues provided the consumer cannot show any valid reason for his refusal for entry.

Leakage and defective installations

(1) (a) If the Electrical Inspector or the supplier has reason to believe that there is in the system of a consumer leakage which is likely to affect injuriously the use of energy by the supplier or by other persons, or which is likely to cause danger, he may give the consumer reasonable notice in writing that he desires to inspect and test the consumer's installation.

(2) if, on such notice being given --

(a) the consumer does not give all reasonable facilities for inspection and testing of his installation, or

(b) [when an insulation resistance at the consumer's installation is so low as to prevent safe use of energy the supplier may, and if directed so to do by the Electrical Inspector shall discontinue the supply of energy to the installation but only after giving to the consumer 48 hours notice in writing of disconnection of supply and shall not recommence the supply until he or the Electrical Inspector is satisfied that the cause of the leakage has been removed.]

(c) Any dispute in this regard between a licensee and the consumer shall be referred to the Electrical Inspector for settlement.

(3) When the consumer fails to rectify the defects in his installation pointed out by the Electrical Inspector such installation shall be liable for disconnection under his direction after serving a notice which shall not be less than 48 Hrs (as envisaged in Rule 46 (2)(c) of IE Rules 1956.)

(4) When there is a failure to rectify defects relating to non observance of rules 50, 51 (1) or 64 of IE Rules 1956 pointed out by the licensee by a notice to consumer and Electrical Inspector and if the consumer fails to rectify the defects in a reasonable time the licensee may disconnect supply of electricity after giving the consumer a reasonable opportunity of being heard and recording reasons in writing unless the Electrical Inspector directs otherwise. The supply shall be discontinued only on written orders of an officer duly notified by the supplier in this behalf. The supply shall be restored after such defects are rectified. (Rule 51 (4) of IE Rules 1956)

8. Re-classification of Consumers

(1) The Licensee shall notify any Consumer it intends to re-classify that the Consumer must execute a fresh agreement on the basis of the altered classification.

(2) The notice shall state that the Licensee may disconnect the supply of power if the Consumer does not take the required steps within the period specified by the notice.

9. Notice of Scheduled Outages

The Licensee shall provide not less than 24 hours notice to all affected Consumers prior to an outage scheduled for the purpose of testing or any other purpose connected with the efficient working of the system.

10. Outages due to Emergencies

The notice may be waived in case of emergency situations like breakdowns of lines or equipment and when shut downs are availed to carry out emergent repairs, which if not undertaken immediately may result in a permanent damage or in a prolonged interruption in supply.

11. Notice

1) Notices of scheduled outages may be in writing and served on the consumer in accordance with Regulation 11(3) below, or through publication in newspapers, public address system, electronic media and/or telephone.

2) All other notices required by these regulations must be in writing and served on the customer in accordance with Regulation 11(3).

3) Where ever a provision has been made under these regulations for service of notice to the consumer,

(a) service of the notice may be effected either by personal delivery of the notice to the Consumer or by dispatching to him the notice by registered post. In the case of individual Consumers, service on the registered Consumer or his spouse or any person occupying premises of the Consumer and in the case of firm, company or corporation service on the Managing Director, Director or Principal Officer of such concern shall be sufficient.

(b) Where a Consumer refuses or avoids to receive notice, the notice may be affixed at a conspicuous place on the premises of the Consumer in the presence of two local witnesses and in the concerned office of the Licensee, and in such case, an endorsement shall be made to that effect on the copy of the notice. Such service by affixure shall be deemed to be sufficient service.

4) The period of notice begins with the delivery of the notice.

12. Exemption

1) The Licensee may be exempted from the notice requirements of these Regulations where the Consumer's installation poses a danger to the health and safety of the Licensee's employees or the public and in 'Force Majeure' conditions.

2) The Licensee shall inform the consumer in writing and also submit a report to the Commission within 24 hours of any incident in which it has disconnected the supply of electricity without prior notice.

13. Issue of Orders and Practice Directions

Subject to the provisions of A.P. Electricity Reform Act, 1998 and these Regulations, the Commission may from time to time, issue orders and practice directions in regard to the implementation of the Regulations and procedure to be followed on various matters, which the Commission has been empowered by these Regulations to specify and direct.

11. Power to remove difficulties

If any difficulty arises in giving effect to any of the provisions of these Regulations the Commission may, by general or special order, direct the licensee to do anything not being inconsistent with the A.P. Electricity Reform Act, 1998 which appears to it to be necessary or expedient for the purpose of removing the difficulties.

12. Savings

Nothing in this regulation shall in any way prejudice or affect the rights and privileges of Consumers under other laws including but not limited to the Consumer Protection Act, 1930.

BY ORDER OF THE COMMISSION

Hyderabad,
19-08-2000.

(Sd/-),
Secretary,
A.P. Electricity Regulatory Commission,
Hyderabad.